

National Association of Probation Executives EXECUTIVE EXCHANGE

ISBN 1075-2234

SPRING 1995

MESSAGE FROM THE PRESIDENT

On behalf of the membership of NAPE, I want to thank Dean Flanagan, Dan Beto, and the administration of Sam Houston State University for their willingness to enter into a secretariat agreement with NAPE. I am reminded of the final line of the movie classic *Casablanca*: "I think this is the beginning of a beautiful relationship."



Forging an alliance with Sam Houston is a great step forward for NAPE. Not only will our day to day affairs be handled in a more business-like manner, but NAPE can now, in concert with the University, explore potentially broader initiatives in the area of publishing, training, research, and grantsmanship. We can do so knowing that we are joined as partners with a highly esteemed criminal justice department, nationally recognized for its collaborative efforts with the criminal justice system. Members of the faculty and staff of the Criminal Justice Center are known for their practitioner-oriented research and training efforts and for the unique programming offered through the Correctional Management Institute of Texas.

Since its founding in 1981, NAPE has always had a close relationship with SHSU, manifested in the "Executive of the Year" award sponsored by the University. The recently executed secretariat agreement formalizes a new and enhanced partnership which Dean Flanagan and I believe will prove mutually beneficial in the years to come.

I look forward to bringing you more news about our new alliance in August at APPA '95 in Dallas.

Ron Corbett
President

WELCOME TO THE CRIMINAL JUSTICE CENTER

On behalf of the faculty, staff, and students of the Criminal Justice Center at Sam Houston State University, we are pleased and excited about our designation as the Secretariat of the National Association of Probation Executives. Sam Houston State University's criminal justice program has a 30 year history of involvement with and service to the corrections profession.



Our academic programs at the undergraduate and graduate levels prepare students to become criminal justice practitioners, leaders, and scholars. Our professional educational programs for corrections personnel represent a long-term partnership between a public university and the field of practice.

The Correctional Management Institute of Texas (CMIT) is an appropriate and effective vehicle to undertake the responsibilities as NAPE's Secretariat. Under the able leadership of Dan Richard Beto, CMIT is developing ambitious plans to become one of the nation's premier resources for professional education, research, and technical assistance in community corrections. Information dissemination is a key component of CMIT's plans, and we look forward to collaborating with NAPE members in producing *Executive Exchange*. Our goal will be to produce a timely and informative publication that reflects the high quality and professionalism of NAPE and the Criminal Justice Center.

We look forward to working with you.

Timothy J. Flanagan
Dean and Director

CONTENTS

From the Editor	Dan Richard Beto	2
Crime Bill Chaos	Vincent Iaria	2
Multidisciplinary Models for High Risk Drunk Drivers	Barbara J. Maurer and Salvatore Trotto	5
The Effectiveness of the Probation Officer as a Correctional Treatment Specialist	James J. Golbin, Ph. D.	7
Literacy, Life Skills, and Partnerships	Joe A. Borenstein	8
News from the Field		10

FROM THE EDITOR



On April 1, 1995, the Criminal Justice Center at Sam Houston State University became the Secretariat for the National Association of Probation Executives. As the organization's secretariat, the Criminal Justice Center will be responsible for maintaining NAPE's membership records, planning meetings and conferences, and, working closely with Sam Houston Press, producing *Executive Exchange*.

As NAPE moves forward, we would be remiss if we did not recognize the efforts of Marc Renzema of Kutztown University, who for a number of years was responsible for editing and publishing *Executive Exchange*. We wish him well in his future endeavors. Likewise, it is important for us to introduce several people who will be involved in providing services to NAPE. Christie Haney, Administrative Assistant for the Correctional Management Institute of Texas, will perform general secretariat duties and serve as a production assistant for *Executive Exchange*. In addition, Judy May, the Senior Administrative Assistant for the College of Criminal Justice, will play a significant role in producing NAPE's journal. Finally, Charles McDowell, Director of Sam Houston Press, and members of his staff will be responsible for publishing *Executive Exchange*.

For our quarterly journal to be successful and flourish, the members of NAPE must assume a degree of ownership and must feel compelled to regularly contribute. Unsolicited articles, book reviews, and news items are welcomed and encouraged. It is our intention to continue the guest editor program, where an association member is responsible for generating articles for a given issue of *Executive Exchange*.

This issue's guest editor is Vincent J. Iaria, Director of the Suffolk County Probation Department in Yaphank, New York. He and members of his staff have contributed several articles of interest to the NAPE membership, for which they are to be commended.

In the months ahead you may expect to see additional changes in the format of *Executive Exchange*, all designed to improve the quality of your quarterly journal.

Dan Richard Beto, Director
Correctional Management Institute of Texas

CRIME BILL CHAOS

by
Vincent Iaria, MSW, MPA
Director
Suffolk County Probation Department
Yaphank, New York



On a brilliant sunny September morning I sat on a folding chair on the south lawn of the White House with the Marine Band playing, hundreds of flags fluttering, and a field of blue police uniforms strategically stationed behind the President as he signed the 1994 Omnibus Crime Bill. Amid the pomp and circumstance, I remember thinking that this crime bill would shape the country's response to crime for at least the next six years; after all, this was a bipartisan piece of legislation.

The scene shifts to January 4, 1995, Senator Orrin Hatch, the new Chairman of the Judiciary Committee, introduces bill S38 that proposes gutting the Clinton Crime Legislation. Section 2 of S38 — "Elimination of Ineffective Programs" — reads as follows: The Violent Crime and Law Enforcement Act of 1994 is amended by striking Subtitle A, B, C, D, G, H, J, K, O, Q, S, U, and X of Title III (Crime Prevention), Title V (Drug Courts), and Title XXVII (Presidential Summit on Violence and National Commissioner on Crime). On the same day, Rep. Bill McCollum introduced HR3 — "Taking Back Our Streets" — which similarly shapes Clinton's Omnibus Crime Bill.

We face some uncertainty about what direction crime control will take.

Republican House Proposals

To date, six crime bills, which have taken elements from HR3, have passed the House. Fortunately for our profession there remains some hope that we will not be closed out of funding streams, now available to us under the "Violent Crime Control and Law Enforcement Act of 1994." Two bills, HR667, the "Violent Criminal Incarceration Act of 1995," and HR728, "The Local Government Law Enforcement Block Grants Act of 1995," maintain funding opportunities that were excluded in HR3 and the "Contract with America." Four other important House crime bills recently passed are: HR665, "The Victim Restitution Act of 1995;" HR666, "The Exclusionary Rule Reform Act of 1995;" HR668, "The Criminal Deportation Act;" and, HR729, "The Effective Death Penalty Act of 1995."

The scope of this article is to call your attention to both the existing crime bill and the Republican proposals that will have a major impact on the victims we serve, the criminals we supervise, and, generally, how we conduct our business. This article will not rehash all the provisions of the 1994 Crime Bill. A concise summary of the provisions of this voluminous

bill may be obtained by calling the Department of Justice Response Center (1-800-421-6770) and asking for the briefing book on the "Violent Crime Control and Law Enforcement Act of 1994."

How Much Money Is Really Available?

The Crime Bill suggests spending about \$30 billion over the next six years. Unfortunately, authorization does not necessarily mean that Congress will allocate these dollars. For example, \$100 million for drug courts was authorized under the Crime Bill for FY 1995, but the Department of Justice Appropriation Act only contains \$29 million for the Drug Court Grant Programs. A recently passed House rescission bill proposes eliminating the entire appropriation for this fiscal year. Despite this example a substantial amount of funding has been appropriated and we can anticipate continued significant funding levels on anti-crime programs. The question remains will probation be eligible for a significant portion of increased criminal justice dollars.

Legislative Beliefs

To receive our fair share of funding we must change legislative thinking regarding probation. In a HRC Legislative Digest Report, dated September 27, 1994, a conservative agenda was outlined for crime control. Two key bits of information in that report have fashioned legislative thinking about our effectiveness. This document states that 30% of the murders in this country are committed by people on probation, parole, or bail. A second statement contained in this report that is driving the pro-prison building agenda asserts the following: "...evidence suggests, however, that there is a strong correlation between increased incarceration and decreased crime rates: from 1990-1991, states with greatest increases in criminal incarceration rates experienced, on average, a 12% decrease in crime, while the ten states with the weakest incarceration rates experienced an average 6.9% increase in crime." Accordingly, this agenda recommends that specific funds for drug courts, recreational programs, community justice programs and, other social programs be eliminated from the 1994 Crime Bill to favor increased incarceration rates.

Block Grant Approach

The legislative report also recommends the Block Grant approach for financing crime control rather than the direct grants to law enforcement currently contained in the 1994 Crime Bill. HR728 implements the Block Grant method by lumping the "Cops on the Beat Program" with prevention and drug court initiatives. HR728 specifically permits funds for "Establishing and Supporting Drug Courts," which are defined as: 1) a program that involves continuing judicial supervision over non-violent offenders with substance abuse problems; and, 2) integrated administration of sanctions which include mandatory testing for controlled and addictive substances, substance abuse treatment, probation or supervise release, programmatic offender management, and aftercare services. The language used here is the same as that contained in the 1994 Crime Bill. Therefore, it is likely that drug courts will survive any major amendment to the Clinton Crime Bill. While the drug court method survives as a programmatic possibility in the Republican Block Grant, the courts, prosecutors, and probation would

compete with the police and other law enforcement groups for funds.

On a positive note, HR728 authorizes \$2 billion for each year from 1996 to the year 2000. Also, the matching contributions required to receive aid are reduced from the current 25% to a 10% match in the House bill. The reduced match might prod jurisdictions to take more risks with innovative programming. The funds for the Block Grant Program are allocated through a state set aside, with each state receiving not less than .25% of the total amounts appropriated. The remaining funds of this Block Grant will be appropriated according to a formula based upon the ratio of the state or localities, part one violent crimes for the three most recent calendar years to the total average number of part one violent crimes reported by all states. Local government units under this act would use the same formula to get their portion of these dollars set aside for the state. This formula is similar to the one that exists in Clinton's Crime Bill for prevention programs.

Funding streams for drug courts, domestic violence programs, and crime prevention programs offer the best possibilities for probation departments to receive a share of the Crime Bill dollars. The following chart for Clinton's budget proposal for Fiscal Year 1996 indicates the level of funding support the President is proposing for various sections of the 1994 Crime Bill.

Major Crime Control Initiatives
(Appropriations in Millions of Dollars)

Programs	1995 Estimate	1996 Proposed	Change: 1995 to 1996
Community policing/100,000 cops	1,300	1,882	+582
Combating violence against women	27	229	+202
Violent offender incarceration-prison	25	500	+475
Criminal alien incarceration assistance	130	300	+170
Crime prevention — community schools programs	37	104	+67
Crime prevention — grants to states	2	93	+91
Controlling illegal immigration	284	375	+91
Enhancing federal law enforcement	30	193	+163
Drug courts	29	150	+121
Prison drug treatment (state and federal)	0	41	+41
All other crime initiatives	559	422	-137
Total, crime control	2,423	4,289	+1,866

Prison Expansion Incentives

The truth in sentencing components is, basically, a prison expansion component with an effort to affect state sentencing practices in return for additional funds. Both the proposed “Violent Criminal Incarceration Act of 1995” and the Clinton “Violent Crime Control and Law Enforcement Act of 1994” assumes that longer terms for violent criminals will reduce crime. The “Campaign for Effective Crime Policy” in its February 1995 report examines this hypothesis through existing research and concludes that incarceration has no effect on reducing the violent crime rate and has marginal impact on reducing property crime; however, this marginal reduction is achieved through high costs.

To implement this strategy the Crime Bill prods the states to give certain assurances and pass particular sentencing laws. Currently, to be eligible for the multi-million dollar grants available, the state must give assurances that it has: “... a comprehensive correctional plan which represents an integrated approach to the management and operation of correctional facilities and programs... which includes diversion programs, particularly drug diversion programs, community corrections programming...” The Justice Department in its “interim final rule” for the Title II programs states a comprehensive correctional plan must convey the options for non-violent offenders that will free up traditional bed space to accomplish the goal of incarcerating violent offenders longer. With regard to sentencing requirements, sentencing laws must be in effect that either provide for violent offenders to: 1) serve not less than 85% of their sentences; or, 2) meet other requirements that ensure that violent offenders and especially repeat offenders remain incarcerated for substantially greater percentages of their imposed sentences. It is recognized that most states will have difficulty meeting this stipulation.

Additionally, the Crime Bill contains other provisions for obtaining capacity under violent offender incarceration grants that will allow each state to obtain funding under Title II. Under the rules imposed by the U.S. Department of Justice, if probation departments are part of the state’s implementation strategy for meeting the goal of more capacity for violent offenders by assuming more supervision over the non-violent prison bound offender, then they would be eligible for subgrants from their state. The Clinton budget for Fiscal Year 1996 includes \$500 million for prison construction, with at least half going to states with truth in sentencing laws and the remainder going to the violent offender incarceration grants.

Victims’ Rights

Restitution through Federal Courts is emphasized by both the Violent Crime Control Act of 1994 and the newly passed House Bill HR665 — “The Victim Restitution Act of 1995.” The Clinton Crime Bill strengthens restitution by reaffirming restitution as a condition of probation and supervised release, the eliminating of the ability to pay as a consideration for determining restitution, eliminating all federal benefits to anyone who has failed to pay restitution, and by specifically permitting restitution for victim rehabilitation. HR665 goes further by *requiring* restitution to victims. Furthermore, the court is permitted to order restitution to anyone who has been harmed as demonstrated by a preponderance of evidence (this includes insurance companies). Transfer of property for the performance

of “in kind” activity such as providing free labor for the victim is possible under this bill. It is suspected that if states do not have stringent restitution provisions now, they soon will follow the federal government’s lead.

In another effort to promote victims rights, the Crime Bill requires states to adopt registration of sexually violent offenders statutes or face the loss of grant funds. Specifically, the Crime Bill requires states to enact regulations that require sexually violent predators be registered with state law enforcement agencies for ten years after release from prison. This section of the Crime Bill will also provide training programs for probation and parole officers who work with released sex offenders.

The Crime Bill proposes a number of initiatives to reduce violence against women. Funding is authorized for a national domestic violence hot line, grants for battered women shelters, grants to improve investigation and prosecution of domestic violence crimes, and grants designed to reduce rape and sexual exploitation of runaway, homeless, and street youth. The Clinton FY 1996 budget proposes \$225 million for this effort.

Juvenile Crime

Both the Crime Bill and the House counter proposals contain efforts to increase incarceration for violent juvenile offenders. For FY 1995, Congress has allocated \$24.5 million to be used for development of correctional boot camp programs. Juvenile boot camps can be funded under this initiative as long as the program is designed to prevent juvenile offenders from becoming violent offenders. The Crime Bill places more emphasis on prevention and innovative alternatives to institutionalization than the Republican measures. Both contain strong language about developing a system of increased consequences for delinquents or, as we would say, a graduated system of sanctions.

What To Expect

The Senate is expected to take up the House crime package in late April or early May of this year. If the Senate passes crime legislation it is likely that it will require a House Senate conference for reconciliation. Don’t expect to see the Crime Bill significantly amended until the fall.

The President has threatened to veto any crime legislation that thwarts his goal of putting 100,000 new police officers on the street by the year 2000. The Justice Department has fast-tracked grants for police hiring. The administration claims that 40,000 police officers will be on the streets by the end of the Fiscal Year 1996. A significant portion of a block grant program would be committed to maintaining those officers already hired. It is expected that the Block Grant Program, which is opposed by most major law enforcement associations, will not pass; however, if it does, it is important that probation executives be represented on local advisory boards charged with spending recommendations (House legislation requires such input). While the Block Grant might not pass, much of the 1995 Republican crime agenda will survive.

“The Violent Criminal Incarceration Act of 1995” will pass the Senate with some modifications. The truth in sentencing provisions in the House version of the incarceration act will

change to allow more states to become eligible for this funding. An important provision of this bill limits prisoners’ ability to sue states for overcrowding and other perceived civil rights violations. HR729 — “The Effective Death Penalty Act of 1995” — is expected to pass. This bill streamlines the process for carrying out a death sentence. It also provides fiscal relief for states to prosecute capital crimes. HR668 — “The Criminal Alien Deportation Improvements Act” — will likely pass. This bill strengthens the deportation of criminal aliens provisions in the 1994 Crime Bill.

Out of chaos comes order, let us insure we are part of that order by letting our representatives in Washington know how important a healthy probation system is to our criminal justice system.

MULTIDISCIPLINARY MODELS FOR HIGH RISK DRUNK DRIVERS

by
Barbara J. Maurer, RCSW, CAC
Principal Probation Officer
and
Salvatore Trotto
Senior Program Examiner
Suffolk County Probation Department
Yaphank, New York

The Suffolk County Probation Department has recognized the impact of Driving While Intoxicated on Suffolk County since the late 1970s. DWI is the largest single crime for which people are sentenced to probation in Suffolk County. It accounts for 40% of all adult probationers in the county.

Additionally, in response to findings elicited from an in-depth study of the Suffolk County Correctional Facility’s population, by identifying and classifying problem-specific subgroups of sentenced offenders, it was determined that on any given day, approximately 65 DWI recidivists were serving sentences of from six months to one year, adding to the severe overcrowding of local facilities. This specific population generally had previously been on probation or had served time for prior DWI offenses.

Major Objectives

The original Probation Alcohol Treatment (PAT) intensive supervision model was designed in 1979 for the most serious multiple-recidivist DWI offender sentenced to probation. The goal of correctional treatment is to reduce the incidence of recidivism in these high risk offenders through a program of intensive probation supervision, counseling, education, and community support.

The DWI Alternative Project for jail bound multiple DWI offenders provided an alternative split-sentence option in lieu of straight incarceration, allowing for a term of mandated confinement to a correctional treatment facility followed by an

extensive period of probation supervision in the Probation Alcohol Treatment Unit.

This project focused on two major objectives: 1) immediately reduce usage of jail cells by removing the DWI recidivists from the general jail population and confining them in a rehabilitation program; and, 2) reduce recidivism in this high risk DWI population by providing rigorous correctional treatment services during confinement, and continuing chemical dependency therapy for an extended period under intensive probation supervision.

The most serious of the recidivist DWI population, those who have previously been through the criminal justice system and/or the chemical dependency treatment system, is the target population for the DWI Alternative Project.

Correctional Treatment Model

Probation Alcohol Treatment is a correctional treatment modality designed to address the needs of the multiple-recidivist drunk drivers. It combines agencies which previously worked independently of each other and developed a method for them to work together in a team for the benefit of their mutual client. The approach combined the services provided by probation-community supervision, alcoholism and drug treatment services, and the department of motor vehicles.

The advantages of combining systems are immeasurable in terms of client benefit. There is an improved continuity of service, increased communication, coordination over motor vehicle department issues, monitoring of progress through several mediums, several methods of dealing with denial, including use of alco-sensors, ignition interlock, and other technology to monitor behavior, the advantage of home visits, and the provision of additional information from criminal histories that can be used to confront denial. In addition, there is an improved quality of services when roles are recognized and respected. Although the individual roles of the probation officers and chemical dependency counselors are different, there are common goals and objectives. Once this is accepted by each team member, issues of contention can be recognized and openly dealt with and resolved.

By combining these systems, the client is no longer the middleman carrying information from one agency to another. Team members can share information to help the client develop and work on common treatment goals.

While both probation officers and chemical dependency counselors join the program with distinct training for their individual roles, it is vital that each has an understanding of what the other does - that is, both role definition and limitations. In addition, it is necessary to provide common training together, so that probation officers and counselors receive common information and begin to learn to work together. They learn what their common roles are, how to co-lead groups, how to interface information, and how to interact as team members. They develop common language, responsibilities, and limitations.

Method

At present, treatment begins with a sentence to the Suffolk County DWI Alternative Facility, followed by several aftercare phases, with the usual length of treatment lasting about one year.

Phase I is a stay in the DWI Alternative Facility, an alternative to incarceration which houses a 40 bed (30 male, 10 female) inpatient treatment program in a locked, less-than-minimum security building staffed by probation officer-chemical dependency counselors, social worker-chemical dependency counselors, and correctional treatment officers.

The role of the staff is to identify the severity of the resident's problem, to develop a diagnosis and a treatment plan, and to utilize all the leverage of the court system to encourage the individual to engage in treatment. The correctional treatment team provides direct services during the residential phase, which lasts from 30 days to 4 months, depending on the sentence imposed. Prior to discharge, a transition plan is developed by the residential team, the PAT probation officer, and the resident.

Phase II (Aftercare) requires participation in co-led PAT groups. These are open-ended structured groups in which clients continue to confront their denial and lessen resistance by exploring the effects of their drinking behavior on their lives. This phase of treatment is concluded when the following treatment goals have been achieved:

1. Client accepts that he/she has the disease of alcoholism;
2. Client has remained abstinent from alcohol and other drugs for a minimum of four months;
3. Client has obtained education about the disease of alcoholism; and,
4. Client has developed a community support system (12 step program) to help maintain sobriety.

Phase III (Early Sobriety) is a continuation of treatment which provides additional support to clients. It helps them explore early sobriety issues which impact on maintenance of abstinence and assist in strengthening his/her support system. This phase will incorporate a relapse prevention component. It requires completion of the following objectives:

1. Continued abstinence from alcohol and all other mood altering drugs for the length of treatment;
2. Completion of all required education about alcoholism;
3. Regular participation in a community support system, including attendance at closed 12 step meetings, a home group, and having a sponsor;
4. Completion of all other identified individualized goals in client's treatment plan; and,
5. Continued adherence to all conditions of probation.

A final stage of treatment incorporates a relapse prevention component. Clients within the PAT population are at high risk for recidivism although they seem to be abstinent and in com-

pliance with treatment. For these reasons, they are assigned to a relapse prevention group prior to termination of mandated treatment.

The group provides both education and treatment and is based on progressive learning principles. It is a close-ended group. Content includes information about the progression of recovery, maintaining stable sobriety, post-acute-withdrawal syndrome, relapse symptoms, and developing a personal sobriety checklist. The Gorski model is generally utilized. The format is comprised of a didactic presentation, group discussion and process, and a personalized homework assignment which is incorporated into the next group session.

At the completion of the group, an individual evaluation session is scheduled with the alcoholism counselor to review the client's integration of the relapse prevention principles into his/her recovery plan. The results are discussed with the probation officer and in supervision, when necessary, and a determination is reached reflecting "satisfactory completion" or "recommend return to/continuation of treatment" with specifically identified additional treatment goals.

The entire length of treatment takes from 9 to 12 months.

Results/Outcomes

The results of this multidisciplinary approach to community supervision have been extremely encouraging. During the last ten years, the Probation Alcohol Program and the DWI Alternative Facility, of which PAT is an integral part, have been continuously evaluated. All evaluations by Federal, State, and Suffolk County researchers have concluded that the correctional treatment approach positively impacts recidivism for the multiple-recidivist drunk driver. One evaluation reveals that during a ten year period 1,396 multiple-recidivist drunk drivers were sentenced to the program. Currently there are 450 probationers receiving intensive probation supervision and treatment services at any given time.

A longitudinal analysis of the effectiveness of the correctional treatment model reveals that the DWI recidivism rate for this population after a 20 month follow-up period was 12.8% as compared to a 24.6% incident rate for a comparison group. These results held true over time. Analysis of this population after 56 months revealed that 31.5% of the PAT high risk population was rearrested for DWI during this follow-up period while 61.4% of the comparison group was rearrested during the same time.

Evaluative analysis of the PAT program at Phase II of the program reveals similar results. After a 12 month follow-up period, 5.8% of the DWI Alternative population had been rearrested for DWI. After 24 months 10.8% of the program population was rearrested for DWI as compared to 24.5% of the comparison group during the same period.

Consistently over time, the correctional treatment model has been evaluated as effective and a less costly alternative to incarceration for the high risk multiple recidivist drunk driving population.

Summary and Conclusions

The Suffolk County initiative is a non-traditional, multidisciplinary, correctional treatment program designed for the jail bound, multiple recidivist DWI offender. It is a model based upon the concept of problem specific corrections, and

the design has been modified from the original PAT project. The PAT program has been in operation and continuously evaluated since 1979. With this integrated design the inter-agency team of correctional treatment officers, probation officers, and social workers are specially trained to address the primary dysfunction of alcohol and drug abuse.

The attempt to implement an alternative, correctional treatment program has been successfully achieved. Analysis of the offender characteristics reveal that the project population is primarily composed of jail-bound drunk drivers, the population originally targeted as appropriate. The follow-up results have been positive. After a 24 month follow-up period only 10.8% of the project population had been rearrested for DWI, less than half the rate of 24.5% for a comparison group over the same length of time. These results indicate that this program provides an effective alternative to incarceration.

THE EFFECTIVENESS OF THE PROBATION OFFICER AS A CORRECTIONAL TREATMENT SPECIALIST

by
James J. Golbin, Ph.D., CSW
Chief Planner
Suffolk County Probation Department
Yaphank, New York

The Suffolk County Probation Department has successfully demonstrated that specialized probation programs can be extremely effective as alternatives to both adult incarceration and the residential placement of juveniles. In addition to reducing recidivism, there is finally solid, empirical evidence showing that specialized probation with "correctional treatment" programs can reduce costs significantly even in the midst of a prolonged fiscal crisis. The evidence strongly suggests that it would be wiser for jurisdictions to enhance specialized probation services in a time of fiscal distress, rather than reducing probation officer positions.

The role of the probation officer as a correctional intervention specialist began in Suffolk County over two decades ago and was empirically evaluated in the early 1970s at the Probation Babylon Decentralized Project. This project was a \$1.2 million federally funded L.E.A.A. grant whose rationale was straightforward. The major role of probation was to correct illegal and dysfunctional offender behavior, often by eliminating the underlying causes of that behavior. The probation officers in the project became group work specialists and adolescent specialists, and also became referral experts in available community resources. Unlike jurisdictions that viewed the role of probation officers solely as quasi-law enforcement officers where caseloads were allowed to exceed 200 offenders, Suffolk County reduced caseload size so that effective intervention was possible. If the amount of crime attributable to alcohol

and drug dependency alone was reduced, the reasoning went there would be an increased level of community protection and significant reduction in costs.

Correctional Treatment Approach

Since the early 1970s the role of the probation officer as a correctional intervention specialist has evolved into that of correctional treatment specialist, who is an integral member of a larger, multidisciplinary "correctional treatment" team. The correctional treatment design is a multidisciplinary, correctional sanction that integrates the services of two or more disciplines into one coordinated team working towards common goals and objectives. The essential elements of the correctional treatment model include the following:

1. accurate risk and needs assessment procedures;
2. a multidisciplinary team approach with joint training and staffing;
3. "problem-specific" supervision caseloads;
4. a cognitive-behavioral treatment approach with a strong relapse prevention component (Suffolk Model);
5. a no-nonsense offender accountability component (effective in reducing denial or minimization with the resistant and unmotivated offender);
6. strong family and "significant other" treatment services;
7. a longer and more intensive period of probation supervision and treatment; and,
8. periodic program evaluation with program modifications implemented as required. (Golbin, 1994).

Specialized probation programs provide services to the multiple recidivist drunk driver, adolescent arsonist, high risk felony offender, batterer, hyperaggressive adolescent, sexual offender, and the violent, drug abusing and severely emotionally disturbed adult probationer. As the skill of the probation officer increases in this role so do positive results.

Alternatives To Juvenile Institutionalization

Faced with severely reduced budgets and a series of spending reduction plans which threatened to lay off numerous probation workers during the 1989-1991 period, Suffolk County Probation responded by increasing correctional-treatment programs for juveniles. The main objective was and still is to reduce the overall cost of juvenile services by providing effective alternatives to residential placement. With the partial assistance of several Office of Juvenile Justice Delinquency Prevention grants from the New York State Division of Criminal Justice Services, Suffolk County enhanced its juvenile screening and dispositional alternative system in response to identified systemic needs. The Adolescent Arson and Aggression Project, the Adolescent Drug Treatment Pro-

gram, and the expanded Mandatory PINS Adjustment Program were integrated into a system already containing the Adolescent Social Skills (Sexual Offender) and the Juvenile Intensive Supervision programs. In addition to dispositional alternative options, diagnostic screening was also improved significantly. This system of graduated sanctions, combined with a multidisciplinary correctional treatment model, has proven extremely effective, both locally and nationally (Golbin, 1991; Wilson, 1994).

Not only is correctional treatment intervention accountable and effective but the fiscal dividend has been significant. Juvenile residential placements have been reduced by over one-third in Suffolk County, and the annual net savings are over \$3 million. The decision to cut net expenditures by increasing specialized probation alternatives was a good one.

Alternatives To Incarceration

On the adult level, the results of a 1991 national study on the effectiveness of probation supervision with felony probationers found that at the time of the study period (1986-1989), probation in Suffolk County was one of the most effective alternatives to prison in New York State with the high risk felony offender. This study, entitled "Variations On Felony Probation: Persons Under Supervision in 32 Urban and Suburban Counties," was conducted by the National Association of Criminal Justice Planners for the U.S. Department of Justice. Only 4% of the 323 Suffolk County cases were "prison recidivists" as compared to 12% statewide (Cunniff, 1991). During 1986-1989, the majority of felony probationers in Suffolk County were supervised in 67% of the caseloads dedicated to specialized correctional treatment intervention strategies. This study offers solid evidence that probation is a viable alternative to incarceration when implemented in a multidisciplinary, correctional-treatment framework.

An analysis of the recidivist, pre-trial, and sentenced populations resulted in the development of a day reporting center, a supervised release program, and a DWI jail alternatives facility for women. These alternative to incarceration programs have expanded the role of the probation officer and corrections officer even further, with favorable results.

National Research

The results of the Rand Corporation's 1991 felony probation study conducted by Joan Petersilia also support the role of the probation officer within a correctional treatment modality. Caseload size did not affect the recidivism rates of felony offenders in this controlled study. Reducing caseload size, or increasing caseload size did not impact on criminal recidivism results. Reportedly, the only area where probation demonstrated supervision effectiveness with felony offenders was when correctional treatment was employed. It was also reported that there was a significant negative correlation with recidivism for high risk felony offenders afforded relevant probation treatment intervention services (Petersilia, 1990; Petersilia, 1991).

Conclusion

In summary, solid empirical evidence now exists showing that the role of the probation officer within a correctional treatment framework is not only viable but a highly successful one.

Multidisciplinary correctional treatment programs operated by skilled probation and treatment personnel can be effective alternatives to both juvenile institutionalization and adult incarceration. Since the net cost savings and public safety impact of this approach are significant, specialized probation programs should be increased rather than reduced during times of fiscal crises.

References

Cunniff, Mark A., and Mary Shilton. **Variations On Felony Probation: Persons Under Supervision in 32 Urban and Suburban Counties.** Washington, D.C.: National Criminal Justice Planners Association, prepared for the U.S. Department of Justice, 1991.

Golbin, James J. "Intervention In Serious Juvenile Offending." Presentation at the Governor's Eleventh Annual Law Enforcement Forum. New York: State Division of Criminal Justice Services, 1994.

Golbin, James J., and William Stewart. **Impact Analysis of Specialized Juvenile and Adolescent Programs.** New York: Suffolk County Probation Department, 1991.

Petersilia, Joan. **Intensive Supervision for High-Risk Probationers: Findings from Three California Experiments.** Santa Monica, California: Rand Corporation R-3936-NIJ/BJA, 1990.

Petersilia, Joan, and Susan Turner, "Is ISP a Viable Sanction for High-Risk Probationers?" *Perspective*, Summer 1991, pp 8-11.

Wilson, John I., and James C. Howell. **Comprehensive Strategy for Serious, Violent and Chronic Juvenile Offenders: Program Summary.** Washington, D.C.: Office of Juvenile Justice and Delinquency Prevention, 1994.

LITERACY, LIFE SKILLS, AND PARTNERSHIPS

by
Joe A. Borenstein, MPS
Supervising Probation Officer
Suffolk County Probation Department
Yaphank, New York

As we approach the 21st century, probation continues to be the most utilized form of corrections. According to a 1993 report by the Edna McConnell Clark Foundation, "in 1992 approximately 3.2 million offenders were on probation and parole, as compared to 1.3 million prison and jail inmates" (p.18). While suffering the greatest reductions in criminal justice funding, manpower and resources, the National Association of Criminal Justice Planners reports that "nationwide, probation and parole receive only 14 percent of the criminal justice dollar" (p.18).

Educational Deficiency

Most offenders enter the criminal justice system deficient in education, vocational skills, emotional and physical health as well as other areas of personal development. Even with our limited resources particular attention must be paid to offering viable alternatives to the probation population. Prevention efforts remain the primary resource to positively impact on offenders who might otherwise become further involved in the criminal justice system. One particular factor that has recently begun to receive increased attention is the education deficiency of the offender population. The Correctional Education Association reports that "75 percent of inmates in the U.S. prisons in 1988 were functionally illiterate. Yet 90 percent of these inmates were released into the community within 10 years without change in their functional education level. The predicted result is that most inmates have returned to their communities without the academic and vocational skills that would help them compete in the job market and avoid further criminal behavior." In addition, U.S. Department of Education research indicates that "85 percent of juvenile offenders are functionally illiterate" (Siegel, p.39).

Within Suffolk County a growing concern has been the increasing number of probationers who are either functionally illiterate or semi-literate. The Suffolk County Probation Department recognizes the fact that an educational deficiency severely limits any chances an offender may have in making a positive lifestyle change. "While the evidence indicating that lack of education and problem-solving skills contributes to criminal behavior has been quite compelling, there have been few outcome evaluations of community based education programs serving adult probationers" (Siegel, p.39).

Although there is much debate on the effectiveness of correctional education, recent research by Arizona's Pima County Probation Department is very encouraging. That agency's literacy program was the first in Arizona to stipulate completion of literacy or GED programs as a condition of probation. Preliminary research indicates a "significant finding involving lower felony arrest rates for GED program graduates. This finding was statistically significant. There was also evidence of a trend for lower subsequent convictions among the GED graduates" (Siegel, p.41). The State of Arizona has and continues to be a leading force in developing and researching innovative literacy and GED programs.

The Suffolk County Probation Department has determined that, based on experience and available research, introducing a literacy and life skills program may very well be a key to help reduce and prevent crime. Paul O'Connell and Jacquelyn M. Power note "that of all the factors associated with crime, illiteracy can be reversed. The impact on the economic status of the individual can be dramatically changed. Plus, the change in self esteem usually results in the attainment of positive goals. Abuse of all kinds is directly related to low self esteem; therefore, raising one's perception of self worth is critical to changing negative behavior" (p.6).

Program Profile

In September of 1994 Suffolk County Probation, in partnership with the Board of Cooperative Educational Services I (BOCES I) Suffolk Re-Rout Program, established an interactive computer based literacy program. While there are pro-

grams that are concerned with education for those who are incarcerated, it was felt that the earlier the intervention, the greater the chance for positive change. Since 1981, Suffolk County Re-Rout has consisted of a collection of integrated education and counseling programs designed to facilitate the successful re-entry of offenders into the community. Re-Rout strives to reduce the recidivism rate of criminal offenders who are incarcerated in the Suffolk County Jail and/or sentenced to probation. Re-Rout effectively enhances the linkage among the Suffolk County Sheriff's Department, Suffolk County Probation Department, Suffolk Community College, Suffolk County Department of Labor, and Eastern Suffolk BOCES.

The program currently consists of four phases: career/life/education/plan. In the initial planning stage the probationer completes the Holland's Self-Directed Search. He or she then participates in the Adkins Life Skills Program, Action for Personal Choice, and CHOICES, a computerized career counseling tool. These surveys help the probationer to develop a better sense of who he or she is and assist in bringing about a better understanding of what type of occupation and life style may be most satisfying. With this information the probationer can develop a career/life/education/plan. The objectives are based upon the probationer's long term goals. The goal planning will be realistic, desirable, capable of being achieved and probationer specific, based on the information gathered in the initial planning stage.

The education phase initially starts with an assessment procedure to help determine the educational status and needs of the probationer. The assessment procedure consists of a screening interview and testing of the individual's skills. The testing format utilizes preliminary locator tests such as the Woodcock (word identification) and wide range achievement test (math). Based on the grade indicated by these locator tests the probationer will then be administered the Test of Adult Basic Education (TABE). This will test for reading-vocabulary, comprehension and math computation, concepts and problems. The probationer will also complete the writing sample of the GED. If a student is suspected of limited English proficiency he or she will complete the secondary level English proficiency instrument. Based upon the probationer's career/life/education/plan and recommendations resulting from the evaluation program, the student participates in at least one of three possible instructional components designed to enhance the student's skills in reading, mathematics, oral and written communication.

Component number one emphasizes passage of the high school equivalency diploma examination. This component utilizes BOCES I/New York State approved training outline for adult basic education and high school equivalency as well as the Adkins Life Skills Program, Action for Personal Choice, and CHOICES.

Component number two provides tutorial support to a young student who is expected to return to a school district or a BOCES program upon release from incarceration as well as the Adkins Life Skills Program, Action for Personal Choice, and CHOICES. This component attempts to utilize instructional plans and materials suggested by the student's home school.

Component number three provides employment preparation education which builds upon the student's interest, aptitudes and skills as well as the Adkins Life Skills Program, Action for Personal Choice, and CHOICES.

All instruction and counseling are small group based designed to meet the specific needs of the individual, and interactive computer learning programs are integrated into the instruction process. This has enabled probationers to work at their own pace and level, creating a more relaxed and positive learning atmosphere. We have also incorporated a tutorial program by utilizing college students who earn course credits for participating as tutors during the course semester. This accomplishes a number of benefits. The probationer receives one to one help with instruction material and the college students are introduced to the experience of the realities of the actual working environment concerned with a particular academic course of study. The benefit to the program is a cost efficient and effective means of providing support services without placing any more demand on departmental budget and manpower resources.

Approximately one-third of the instruction is devoted to occupational, physical, and life skills education and counseling, including career exploration, job seeking skills, budget preparation, family and interpersonal relationships, regaining one's rights and transition planning. The remaining two thirds of the instruction time is devoted to instruction in reading, mathematics, oral and written communication.

Job placement is provided in the program in order to aid the probationer in fully developing his specific goals and objectives. A recent outgrowth of the skills program has been the development of a HIV and sexually transmitted diseases education workshop, as part of the probationer's requirements. Currently a series of life skills workshops are being developed on topics which include health issues, communication skills, anger control, family and interpersonal relationships, and parenting skills. High risk probationers will be identified and required to attend designated workshops. The workshop series will be incorporated into their office reporting schedule obligation.

Partnerships

The partnership of the Suffolk County Probation Department and Suffolk County Re-Rout is utilizing an approach that is growing in popularity and success in many parts of the country. In today's economic climate as budget reductions become even greater, government and community agencies need to explore the idea of partnerships even more. "Perhaps the most important outcome of a partnership is the ability to leverage dollars and resources while expanding the delivery model" (O'Connell, Power, p.8). Our experience supports this approach in that it has helped to develop the growth of inter-agency cooperation. In sharing a common idea, purpose, and objective we have been able to evaluate ourselves and our work which has resulted in providing quality services in the community. It has also empowered the Suffolk County Probation Department to have a direct impact on attempting a rehabilitation process of the offender. By being involved in program management and front-line services, communication and contact is direct, clear, and fast between instructors and probation officers. This has resulted in greater and faster accountability of probationers involvement and progress or lack of progress in the program. We have found that the faster we can confront a negative situation the greater the chance of correcting the problem.

Conclusion

Probation can provide public safety through treatment planning and prevention, when carefully administered and applied to only those who can be safely monitored in the community. Society must incarcerate those serious and violent offenders who endanger the community, but for many offenders probation is a cost effective alternative that holds the offender accountable for their crimes. The Suffolk County Probation Department maintains its commitment to public safety through continuing research and development of innovative technology and successful programs to combat crime while "Making Suffolk Safer."

References

O'Connell, Paul, and Jacquelyn M. Power (1992 Fall). "Establishing Literacy Programs in Community Corrections," *Perspectives*.

Siegel, Gayle, R. (1994 Winter). "The Effect of Literacy and General Education Development Programs on Adult Offender on Probation," *Perspectives*.

"Americans Behind Bars" (April, 1993), Edna McConnell Clark Foundation.

NEWS FROM THE FIELD

GARCIA RETIRES

After more than three and a half decades of working for the Maricopa County Juvenile Court in Phoenix, Arizona, **Ernesto Garcia** retired as Director of Juvenile Court Services on June 1, 1995. Garcia, who earned a Bachelor of Science degree in business administration and a Master of Business Administration from Arizona State University, entered the probation profession in 1959 as a detention officer at the Maricopa County Juvenile Court Center. In the ensuing years, he worked as an intake probation officer, Supervisor of Intake, Director of Administrative Services, Assistant Director of Juvenile Court Services and, since 1971, the department's Director.

In his retirement letter to Presiding Juvenile Judge **James E. McDougall**, Garcia wrote the following:

The glory in my working life has been my association with non-political Juvenile Judges, Commissioners, and probation department staff who put the needs of children above all other considerations. I have had the privilege of working for five outstanding Presiding Judges who cared deeply about the Juvenile Court, the Probation Department, and the children we are here to serve.

During his distinguished career, Garcia served on the Arizona State Legislature Criminal Code Revision Commission, Juvenile Information Systems Requirements Analysis Advisory Committee of the National Council of Juvenile and Family Court Judges, Arizona Supreme Court Council on Judicial Education and Training, Arizona Department of Corrections

Advisory Planning Committee for Juvenile Services, Governor's Select Commission on Juvenile Corrections, Arizona Commission on Juvenile Justice, and the Board of Fellows of the National Center for Juvenile Justice.

In 1974 Garcia was the recipient of the Liberty Bell Award given by the Maricopa County Bar Association, and a year later he was presented with the Sam Kirk Award by the Arizona Association for Children with Learning Disabilities. The Arizona State University Center of Criminal Justice recognized him as the outstanding criminal justice administrator at its first annual honors convocation in 1979. Garcia was the recipient of the Outstanding Court Administrator Award by the National Council of Juvenile and Family Court Judges in 1994.

Garcia's leadership in the juvenile justice system will be sorely missed. The National Association of Probation Executives extends to him best wishes in his well deserved retirement.

BUCK TO RETIRE

Gerald S. Buck has announced that he plans to retire as Chief Probation Officer for the Contra Costa County Probation Department on February 1, 1996. A native of California, Buck holds a bachelor's degree in criminology from the University of California at Berkeley and a master's degree in public administration from the University of Southern California.

Buck began his career in probation in California in 1960 as a deputy probation officer with the Orange County Probation Department. During the next 18 years, he assumed positions of increasing responsibility, working as a Delinquency Prevention Coordinator, Unit Supervisor, Staff Development Officer, and Division Director. In 1978 he was named Chief Probation Officer for the Contra Costa County Probation Department.

During a distinguished career which spans a quarter of a century, Buck has represented his profession well on a number of state and national organizations. He served as President of the National Association of Probation Executives, President of the Chief Probation Officers of California, and as a member of the Board of Directors of the California Criminal Justice Research Association. In addition, he has been active in the California Corrections Executives Council, CYA/CPOC Management Council, California Probation, Parole, and Correctional Association, American Probation and Parole Association, and the American Correctional Association. He has also served as a lecturer and consultant for a number of organizations, and co-authored a text on criminal justice management.

He has two grown children, Bonnie Langner and James Buck, and he and his wife, Barbara, reside in Danville, California. His immediate plans following retirement are to spend time with his family, build wooden toys for his two young grandchildren, and riding his mountain bike. He has not closed the door on his correctional career, stating that "if some interesting professional opportunity should arise I would give it consideration once I've had some time off to enjoy my leisure and my family."

The National Association of Probation Executives and the probation profession are indebted to Jerry Buck for his dedicated leadership to community corrections.

CHIEF SOUGHT FOR CONTRA COSTA COUNTY

Contra Costa County, California, is looking for a creative and highly motivated individual to manage its probation department. The County Probation Officer is appointed by the Presiding Juvenile Court Judge and is responsible for a staff of 289 and a \$25 million budget. The department is functionally divided into adult and juvenile divisions. The County and Superior Court are currently reviewing the probation department's organization and service delivery system. This may result in a different organizational framework for the delivery of probation services and different policy direction guiding such services. As a result, candidates who are willing to make changes and who have the ability to overcome resistance to change in a diverse environment are desired. In addition, candidates should possess the ability to define the department's mission and strategic plan and be capable of developing and managing a budget during a period of scarce resources.

Candidates must possess a baccalaureate degree from an accredited college or university with a major in criminal justice administration, public or business administration, or a closely related field. In addition, candidates should have at least five years of full time progressively responsible administrative/management experience in either a probation department, criminal justice agency, or a human service delivery organization. Experience in California is preferred. The salary range for this position is \$70,680 to \$85,908 annually.

Persons interested in this position should contact the Contra Costa County Human Resource Department, 651 Pine Street, 2nd Floor, Martinez, California 94553-1292, for an employment application and supplemental questionnaire. The telephone number for the Human Resource Department is (510) 646-4047.

POSITION AVAILABLE IN MARICOPA COUNTY

The Superior Court in Phoenix, Maricopa County, Arizona, is seeking a Chief Juvenile Probation Officer to manage and direct a multi-faceted, urban juvenile probation and detention system, involving pre-disposition investigations, field services, intensive probation services, and various special purpose programs. Responsibilities include organizing, planning, directing, and administering the activities of the department, formulating policies and administrative procedures, evaluating the effectiveness and efficiency of programs and services, preparing and administering the department's budget, evaluating staff performance, directing research and preparing reports, and performing other high level executive functions related to probation services.

Considerable knowledge is desired in the following areas: the principles and practices of correctional casework and probation services; methods and techniques of rehabilitation; and, administration, budget preparation, office procedures, supervision, and juvenile justice systems. In addition, desired applicant characteristics include: ability to establish and maintain effective working relationships; demonstrated ability in enlisting community involvement in juvenile justice issues and programs; and, the ability to consistently search for new and innovative ways to improve the department and its processes. Finally, candidates are being sought who possess the ability to do

Executive Exchange

the following: foster an environment in which experimentation and risk are encouraged; consistently focus on a desired future direction for the agency; exhibit openness to explore alternative futures; communicate enthusiasm and energy to others in promoting a shared future; and, clearly promote a positive and hopeful outlook for the future of the department.

Candidates will be considered who possess the following qualifications: a master's degree from an academically accredited college or university in a behavioral science, social work, or public administration; and, ten years of experience in the field of justice and/or juvenile probation with at least five years of progressively increasing responsibilities in an administrative capacity. The salary range is from \$66,622 to \$99,944.

Interested applicants should submit a resume (including information regarding size and budget of organizations directed, significant accomplishments, and professional/leadership positions held) no later than 5:00 PM, September 29, 1995, to the Justice Management Institute, 1900 Grant Street, Suite 815, Denver, Colorado 80203. Telephone inquiries may be directed to (303) 831-7564.

NEW MEMBERS

Since the first of the year six new members have joined the National Association of Probation Executives; they are as follows:

Michael E. Costigan
Director of Probation Services
Will County Probation Department
Joliet, Illinois

Judy Holgate
Acting Court Services Director
Pima County Juvenile Center
Tucson, Arizona

Don W. Meyer
Director of Probation and Court Services
Macon County Probation Department
Decatur, Illinois

James Mueller
Director of Court Services
Kane County Judicial Center
St. Charles, Illinois

Larry Peterson
Chief Probation Officer
Cass County Probation Department
Virginia, Illinois

Darlene C. Schimmel
Chief Probation Officer
Oakland County Probation Department
Pontiac, Michigan

We welcome these new members and encourage them to become active in the affairs of the Association.

INFORMATION ABOUT EXECUTIVE EXCHANGE

Executive Exchange, the quarterly journal of the National Association of Probation Executives (NAPE), publishes articles, reports, book reviews, commentaries, and news items of interest to community corrections administrators. In keeping with the ethical standards of NAPE, the contents of articles or other materials contained in *Executive Exchange* do not reflect the endorsements, official attitudes, or positions of the Association and the Criminal Justice Center at Sam Houston State University unless so stated.

The contents of this issue are copyrighted. Articles may be reproduced without charge as long as permission is obtained from the editor and credit is given to both the author and *Executive Exchange*.

Submissions for publication consideration should be typed on 8 1/2 by 11 inch paper, double-spaced, with at least one inch margins. Manuscripts should be submitted in duplicate. Persons submitting articles, commentaries, or book reviews should enclose a brief biographical sketch or resume and a black and white photograph for possible inclusion. Manuscripts exceeding one page in length should be submitted on a computer diskette, with the software used indicated.

Specific questions concerning *Executive Exchange* should be directed to Dan Richard Beto at (409) 294-1675. Facsimiles may be sent to (409) 294-1671. All correspondence regarding *Executive Exchange* should be sent to the following:

Dan Richard Beto, Director
Correctional Management Institute of Texas
Criminal Justice Center
Sam Houston State University
Huntsville, Texas 77341-2296

The Criminal Justice Center at Sam Houston State University serves as the Secretariat for the National Association of Probation Executives. *Executive Exchange* is published by Sam Houston Press.