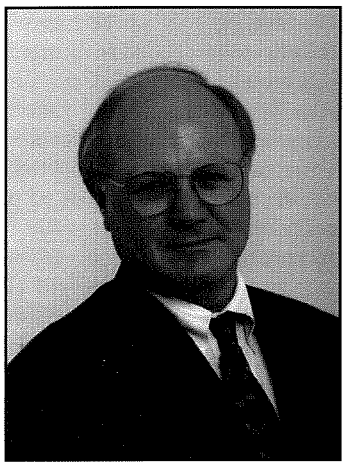
National Association of Probation Executives
EXECUTIVE EXCHANGE

ISSN 1075-2234 SPRING 2003

PRESIDENT'S MESSAGE

I recently received the latest Bureau of Justice Statistics Bulletin "Prison and Jail Inmates at Midyear 2002." It contained very little good news. During the 12-month period ending June 30, 2002, the number of prisoners under state jurisdiction rose by 0.9%, while the number under federal jurisdiction rose by 5.8%. The supposed good news was that nine jurisdictions, including Illinois, Texas, and New York had decreases in their prison populations. Unfortunately, more current information indicates that prison populations in most of these states are again on the rise. Many States, like Texas, are facing imminent overcrowding despite record additions to capacity.



The "get tough on criminals" strategy required certain targeted offenders to be locked up for longer periods of time. In some jurisdictions this strategy did yield a temporary drop in crime and a short-lived drop in prison populations. The prison experience appears to accomplish little in deterring future criminal behavior with over 66% of releasees being arrested within 3 years of release. The problem persists and the price for keeping the problem at bay is ever increasing.

The solution seems obvious. Punish more people in the community and employ methods that have been proven to change behavior. If this solution is so obvious, why does community supervision and corrections receive so little consideration for funding? If evidence shows that community corrections is significantly cheaper than institutional corrections and that recidivism rates are far lower for community corrections, why is there a reluctance to invest monies in what appears to be a far superior strategy?

I suggest three answers to the question. First, we rely heavily on the meta-analysis, which formed the basis of the "what works" literature, as evidence that community corrections can be effective in changing behavior. Critics might agree that we have identified approaches that have positive results and some that have negligible, if not negative, results. They would be quick, however, to point out that we have provided little evidence for the effectiveness for many activities that consume the bulk of our budgets. What is the value of an offender reporting to a community supervision office? What is the value of increasing the frequency of the reports? What takes place during these visits? Are there specific actions, methods, or tools employed during these contacts that can be measured and evaluated? Is there evidence that home inspections effect outcomes? How much time is consumed doing record keeping and reports?

Second, few community supervision offices have oversight agencies that are willing or able to secure independent and objective research efforts. When research is done internally it immediately becomes suspect to funding sources. The use of consultants is frequently greeted with the question: "did you purchase the research or the results?"

Finally, very few people know that any evidence exists. We discuss the research and literature amongst ourselves and seldom share it with others. We inundate legislators with empirical information during legislative sessions and provide anecdotal information in between. We rarely design research projects that would have value for other disciplines. Nor do we involve the community or other agencies in formulating research issues and questions that have value for them.

Most taxpayers appreciate the value of incapacitating someone who presents a threat to the community. Therefore, some level of institutional corrections will always be supported. The argument for community corrections is more difficult to make. Even in these times of limited resources we must realize that we cannot afford not to fund meaningful research. We must examine each of the activities that we define as part of our job and establish either empirical evidence that the action contributes to a positive behavior change for the offender or evidence that the activity is demanded and expected by *cont'd on page 10*

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REINVENTING PROBATION IN AN ERA OF DIMINISHING RESOURCES

by

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Introduction

For over four years, the Bell/Lampasas Counties Community Supervision and Corrections Department (CSCD), headquartered in Belton, Texas, has been actively involved in "reinventing probation." This undertaking has entailed such measures as making significant capital investments, retraining of probation officers and staff, reorganizing the operations of the department, and changing the culture of the agency. The Bell/Lampasas Counties CSCD has undertaken these measures in an era of diminishing resources. This article will examine the steps that the department has taken to reinvent probation and the challenges it has had to confront in implementing change.

Bell and Lampasas Counties are coterminous political entities located approximately sixty miles north of the state capital. Lampasas County is a rural area with a population of 17,762 and an economy that is largely dependent on farming and ranching. The county is 85 percent Anglo, 13 percent Hispanic, and only two percent Black. Bell County has a population of 237,974, 66 percent of whom are Anglo, 19 percent are Black, and 13 percent are Hispanic. The western part of the county also has a sizeable Asian population. West Bell County is dominated by Fort Hood, the largest military base in the United States. The economic base for East Bell County consists of several large medical facilities, diversified manufacturing, and agricultural production.

The Bell/Lampasas Counties CSCD is classified as a medium-sized department in the State of Texas. The department has 87 employees, including 40 probation officers, and directly supervises 3,014 adult probationers. Seventy percent of the offenders supervised by the department have been convicted of a felony offense and 30 percent of a misdemeanor offense. Moreover, 89 percent of the offenders under supervision are classified as high or medium risk and only eleven percent are classified as low risk.

The department maintains five separate satellite offices in order to better serve the distinct population centers within its jurisdiction. Although the department has an annual operating budget of $4,035,473.00, it has no direct taxing authority for raising revenues to cover the expenses for managing the department. Instead the department must depend on revenues allocated by the State, on fees and payments provided by offenders, and on facilities, utilities, and equipment contributed by the two counties. While operating costs have increased dramatically, since 1994 there has been no significant increase in the State's funding of adult probation services in Texas.

The Need for Change

One may ask, considering the tenuous nature and recent history of funding of adult probation services in the State, why the Bell/Lampasas Counties CSCD would want to reinvent probation at this time. The answer is quite simple. It was determined that the former approach, which often appeared to be little more than "report and pay" supervision, was not working. Such an approach was not protecting the public and was not serving the best interests of the offenders. Although this approach to probation made few demands on offenders, it was also setting them up for failure. It was not giving them the necessary skills to enable them to live successful, crime-free lives and all too often the offenders were given several "free rides" before the accumulation of violations resulted in their probation being revoked and being sentenced to prison or jail.

Making the Initial Investment

Prior to making any substantial change to the manner in which offenders were being supervised in the jurisdiction, the Bell/Lampasas Counties CSCD realized that there would have to be certain improvements to the department's capital assets. These improvements dealt primarily in the area of computerization and information technology. For example, it was determined that for any new comprehensive supervision of offenders to be realized, the current "paper" system for maintaining case files would no longer be viable. Thus, in order for the department to become "paperless" it would be necessary to make a sizeable investment in procuring computers for each officer and for training the officers and staff on the use of computers.

A greater investment, both in terms of money and time, was needed for developing the proper information system for case management. Although serious consideration had been given to procuring a separate server for the department and hiring sufficient staff to develop a case management software package, it became apparent that the costs for developing this information system would be very expensive and such an undertaking by a medium-sized adult probation department would be very difficult. Besides, the department had been relying on the information system maintained by Bell County and to develop a parallel system would have been disruptive to the operation of the county's system and not cost effective. Thus it was decided that the department should work closely with county personnel to develop an information system that could serve the future needs of the adult probation department.

In order to develop this new information system, senior management within the department first conducted an information needs analysis. This needs analysis began with management meeting with a cross section of staff to receive their input concerning what data they needed to conduct assessments and evaluations of offenders, develop proper supervision plans, and to provide the courts with the necessary information regarding an offender's progress. Management then developed a series of flow charts that outlined the ideal manner in which this information should appear and be maintained in electronic form.

It was only after management had completed its needs analysis that meetings began with personnel of the county's information system regarding the feasibility of developing a comprehensive data maintenance, retrieval, and case management system for the department. The department presented its proposal to county personnel for an "ideal" system and made adjustments according to the constraints on time and priorities facing the county and the budgetary concerns for developing such an information system. Because it was readily understood that there would be a time delay of several years in finalizing such a system, it was determined that the system should be implemented in stages and that the adult probation department should proceed with its reinvention of probation during the developmental phase of the information system.

Adopting the Right Model of Probation

Surprisingly, one of the easier decisions in the undertaking to reinvent probation was the determination of which model of probation to follow. Through contacts with academics and administrators at the George J. Beto Criminal Justice Center at Sam Houston State University in Huntsville, Texas, the department was briefed on the existence of a "Broken Windows" probation model that was being propounded by the Manhattan Institute in New York City and the Reinventing Probation Council, a group of nationally recognized leaders in the field of community corrections (Reinventing Probation Council, 1999; Reinventing Probation Council, 2000). In addition, the department found that the principles espoused under the "Broken Windows" model corresponded very well with the department's already established course of action and provided the best means of achieving its goals of enhancing the protection of the public and changing the lives of offenders.

The "Broken Windows" model of probation takes the principles of community policing and replicates them for community corrections. It makes the protection of the public the primary mission of adult probation. The reinvention of probation redirects community supervision officers to devote the majority of their time in the field, interacting with the public and offenders and dealing with problems that afflict neighborhoods. It advocates interagency cooperation between various law enforcement agencies, social service agencies, and nonprofit organizations. The proponents of the reinvention of probation believe that offenders on probation must be held accountable for their actions and that the conditions of community supervision imposed by the courts must be vigorously enforced. Finally "Broken Windows" probation also necessitates the meaningful input of communities for reducing crime and the utilization of community based resources for addressing the risk and needs of offenders.

Developing a Strategy for Change

After the Bell/Lampasas Counties CSCD determined that the "Broken Windows" model of probation best reflected its vision for improving the quality of supervision for offenders, management matched the elements of the "Broken Windows" model with the existing practices within the department. The management then determined what facets of the department would have to change, including the revision of current policies and procedures, the retraining of officers, the development of new supervision strategies, and the construction of new methods of supervising offenders. Management then developed a process and time line for implementing the "Broken Windows" model of probation and also established review dates in order to assess the progress that was being made. Finally, prior to finalizing any decision to go forward with this new endeavor, all the judges within the jurisdiction were fully briefed regarding the department's proposal to reinvent probation, the steps the department intended to follow in implementing the "Broken Windows" model of probation, and the benefits that would accrue by adopting this model of supervision. It was only upon the approval by the judges of this proposed initiative that the department began the actual steps of reinventing probation in its jurisdiction.

Selling the Staff on a New Vision

Once the Bell/Lampasas Counties CSCD decided to adopt the "Broken Windows" model of community supervision, it was necessary not only to educate the staff on this new approach to supervising probationers but also to explain to them why changing the way that offenders were being supervised was so important. Moreover, the department recognized that not only must the employees fully understand the new direction the department was taking but the staff must also embrace this new approach. Employee "buy in" for any new endeavor can only be achieved by on-going discussions between management and staff. Management must be able to articulate a vision of the future and to respond to concerns expressed by staff. Thus management must not only encourage candidness but also be prepared to address issues raised by staff in a constructive and non-intimidating manner.

Communication is essential to implementing change. However, in order to achieve a genuine commitment from staff to follow a new model of community corrections, the staff must play a significant role in determining implementation strategies. In the Bell/Lampasas Counties CSCD staff was assigned to certain committees to study various issues related to the project to reinvent probation. For example, selected staff from each of the department's satellite units met in order to identify what factors must be present to indicate that quality supervision and programs were being provided to offenders. The purpose of identifying these factors was to develop audits that focused on the efficacy of services delivered to probationers and to ascertain that officers were properly supervising their offenders. Allowing staff to identify indicators of quality ensured that they would accept the results of future audits and correct any deficiencies noted in the audits.

Staff also had significant input in recommending solutions to the problems in current community supervision practices that the Reinventing Probation Council had noted in its advocacy

for changing the approach to supervising offenders. For example, one serious problem identified by the Council was that conditions of community supervision were not being adequately enforced. The Bell / Lampasas Counties CSCD assigned a cross-section of the officers within the department to form a committee to develop a range of sanctions that probation officers could impose in a consistent and expeditious manner on all probationers who had violated the conditions of their probation.

The first task of this committee was to solicit recommendations from all of the officers within the department concerning appropriate types of sanctions that should be applied to probationers for failing to pay court-ordered fees, failing to report, failing to participate in a program or service, for testing positive for the presence of alcohol or a controlled substance, and for violations by probationers on specialized caseloads, to-wit: those offenders on either a substance abuse or sex offender caseload. Armed with this information, the committee was then charged with incorporating the suggestions into a range of sanctions that progressively applied more punitive measures for recurrent violations and also incorporated programs to address the underlying causes that contributed to the violations of the conditions of community supervision.

The committee developed a menu of options that an officer could apply for certain types of violations and for repeated violations. The reason for developing a menu was to increase the consistency of the application of sanctions for offenders who had committed a similar or the same violation while not eliminating all officer discretion in applying an appropriate sanction. Once management approved the committee's recommendations and prior to final implementation, training was held throughout the department on the new range of sanctions. Moreover, six months after the graduated sanctions policy had been implemented, cases were audited throughout the department in order to determine whether the policy was being followed as intended.

Implementing Change

The Reinventing Probation Council (Beto, Corbett, and DiIulio, 2000) had identified eleven problem areas facing community supervision throughout the country. These eleven problem areas were:

1) that current probation practices had adopted a "fortress" probation attitude, i.e., that officers tended to conduct most, if not all, of their work in their offices;
2) that the public in general had very little confidence in the efficacy of probation;
3) that the efforts and activities of probation officers were not visible to the public;
4) that conditions of community supervision were not being enforced, i.e., that violations of conditions were not sanctioned;
5) that there needed to be a renewed emphasis on public safety;
6) that there was a lack of interagency cooperation with both local law enforcement agencies and service agencies;
7) that probation officers spent the bulk of their time doing paperwork and not enough time interacting with the offenders;
8) that there was a lack of focus on the mission and goals of probation due all too often to the ill-defined nature of the mission and goals of the department;
9) that there was a lack of clear cut values among the probation officers themselves and management;
10) that there was a lack of marketing strategy, i.e., that probation failed to project a positive image and show that probation offered a valuable service to the public; and
11) that when policies dealing with criminal justice issues were being formulated and funds allocated to the various criminal justice components, probation was not at the table.

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The Correctional Management Institute of Texas at Sam Houston State University serves as the Secretariat for the National Association of Probation Executives. *Executive Exchange* is published by Sam Houston Press.

The Bell / Lampasas Counties CSCD decided that it would tackle all eleven of the identified problems simultaneously.

In regard to breaking the fortress probation mentality and increasing the emphasis on public safety, the Bell / Lampasas Counties CSCD decided that officers would start spending a greater proportion of their time in the field than in the office. Management developed policies stating that home and field visits would be conducted on all probationers being supervised by the department and linking the frequency of home and contact visits to the particular risk level of an offender. In addition, curfews were mandated for high risk offenders. Officers were informed that field visits were a high priority with the department and that compliance audits would be regularly conducted in order to ensure that this policy was being followed.

Each satellite unit was encouraged to develop flexible schedules in order to allow officers to meet these new requirements. In addition, the department instituted geographical supervision so that all offenders assigned to a particular officer's caseload would be residing within a compact territorial unit and therefore the supervision of them would be more manageable. The department also reviewed the existing conditions of community supervision utilized by the courts and made certain recommendations to add conditions directed toward enhancing the safety of the public. For example, the courts in the department's jurisdiction approved suggestions to impose additional conditions restricting access to the Internet, computers, and other electronic imaging devices for offenders convicted of sex offenses, and also to strengthen victim contact or location restrictions for this offender population. Moreover, the department reviewed its data collection and retrieval system in order to ensure that high risk offenders were being properly identified.

To increase the visibility of probation in the public, the department made a significant capital investment to purchase vehicles for all the satellite offices and boldly marked these vehicles with the department's name and logo. Officers and other staff were then restricted from using their personal vehicles for making field visits or conducting department business. In addition, employees were assigned identification badges and issued jackets and shirts as part of their official uniforms so that they were clearly identified as employees of the Bell / Lampasas Counties CSCD while conducting home and field visits.

In order to establish a clear set of values within the department and to sharpen the focus on the mission and goals of the department, the Bell / Lampasas Counties CSCD repeatedly emphasized to all its employees that the protection of the public was the primary mission of the department and the goals of offender accountability and rehabilitation were solely for the purpose of enhancing the safety of the community. The department also took a number of administrative steps toward crystallizing the focus of the employees on the mission and goals of the department. For example, management made the decision to have all intake functions, i.e., substance abuse screenings, psychological assessments, sex offender inventories, and employment and educational evaluations, performed prior to the court hearing in which an offender was placed on community supervision in order that the attention of the supervision officer could immediately be directed toward supervising the probationer at the initial office visit. In addition, the department created balloon caseloads for low risk offenders in order that officers could devote more of their time dealing with high risk offenders.

Establishing balloon caseloads and moving the intake functions were also ways for the department to reduce the burden of paperwork for the officers. Moreover, one of the reasons for developing a new information retrieval system was to reduce the number of times in which staff would have to enter data and also to eliminate the maintenance of duplicate information. Furthermore, in order to encourage officers to make chronological entries contemporaneously with conducting home and field visits, the department purchased laptop computers for its employees. The purpose of reducing paper work was to enable officers monthly to spend at least ten to fifteen minutes in the office with each low or medium risk offender on the officer's caseload and at least twenty to thirty minutes with each high risk offender and to have officers devote no less than 60 percent of their time in the field and no more than forty percent in the office.

In an effort to improve interagency cooperation, management first appointed a representative from the department to serve as a liaison with the county and district attorney's offices. The purpose for establishing this liaison was to solicit recommendations for improving the judicial process, facilitate communications between individual prosecutors and department staff, and to serve as an ombudsman in regard to any concerns voiced by prosecuting attorneys. The department also began participating in the area's narcotics task force and working with the county sheriff to assist in easing jail overcrowding problems. In addition, the department started meeting regularly with local service providers in order to improve the delivery of programs offered to probationers and arranged a meeting with area clergy to explore the feasibility of developing faith-based programs. Finally, the department conducted site visits to sister community supervision and corrections departments within the State in order to learn how other departments were addressing problems similar to the ones confronting the Bell / Lampasas Counties CSCD.

As part of its efforts to improve interagency cooperation, the department solicited suggestions from various law enforcement and public service entities regarding ways that the department could provide a service to these other entities. For example, the department contacted one municipal police agency in order to ascertain whether the department could aid in addressing any needs of that agency. The police department informed the CSCD that it was trying to significantly improve the compliance rate of offenders' registering under the state's sex offender registration law. The department agreed that it would routinely send e-mail messages to a contact person within the police agency informing that individual of any person who was placed on probation for a reportable sex offense and who was residing within the municipality. Moreover, the department agreed to notify the police agency whenever a person with a reportable sex offense moved from or relocated to the municipality.

The department further instituted a policy that whenever a probationer tested positive for the presence of a controlled substance in his body, the probationer would be asked to identify who supplied the individual with the drug and where the individual obtained it. Information regarding the identity of a drug dealer or places of heavy drug trafficking would then be shared with the local narcotics task force. The department also contacted a local housing authority in order to assist the authority

in protecting the residents. The housing authority had a number of very useful programs and services it offered to its residents for learning to become self-sufficient and living independent lives but the authority often had difficulties in getting the residents to complete these programs or follow up on available services. The department agreed to periodically notify the housing authority of those residents who were on probation. Then, for residents on probation who refused to participate in the programs and services offered by the housing authority, the department agreed to seek amendments to the conditions of community supervision by adding the required programs and services offered by the housing authority in order to "persuade" the resident to actively participate.

In an effort to improve the confidence of the public regarding the effectiveness of probation and to begin "marketing" probation as an essential and valuable component of the criminal justice system, the department contacted the local media, both personally and through news releases, to inform them of innovative programs being utilized by the department. For example, one local newspaper reporter accompanied department staff to observe the department's "Prison for a Day" program. In addition, the department made representatives available to local civic groups to explain community corrections and answer any questions that the public might have. Finally, the department established victim impact panels that allowed persons to discuss with offenders the effects that crime had on their lives.

As to the last problem identified by the Reinventing Probation Council, that of probation not being at the table when policy issues were decided, the Bell/Lampasas Counties CSCD began working closely with other practitioners in the field of community corrections and with professional organizations to ensure that the state legislators and other policymakers would be fully informed regarding the issues confronting probation departments. These efforts were coordinated in order to ensure that in communicating with the legislature and state policymakers, community corrections would speak in a unified voice. Information packets were prepared for key legislators, meetings were conducted with policymakers and legislative assistants, and articles discussing funding needs and promising policy initiatives were published in professional journals. In addition, the department fully informed the local judges of policy issues adversely impacting community corrections and solicited their assistance in communicating to local lawmakers regarding their concerns and recommendations.

Quality Supervision — the Key to Changing Offender Behavior

The final step in the department's effort to reinvent probation was to enhance the quality of supervision being afforded to probationers. The department maintained that the effectiveness of the interaction between the supervision officer and probationer was the essential ingredient in making a positive impact on the lives of offenders. The department recognized that quality supervision was the primary instrument for reducing recidivism and decreasing the number of revocations based on technical violations. Moreover, quality supervision was the key for redirecting offenders toward more socially acceptable activities and for enabling them to be fully reintegrated into their local communities.

The Bell/Lampasas Counties CSCD affirmed that effective supervision strategies must consist of several basic and interrelated elements. Thus, in order to properly address offender behavior, it was critical that the individual be correctly assessed regarding his/her risk to the community, that the needs and deficiencies of the individual be accurately identified, that the supervision officer formulate a comprehensive plan for allocating resources and targeting services for the offender, that the progress (or lack thereof) of the offender had to be regularly gauged, and that the officer needed to utilize proper interviewing techniques. Moreover, the department readily understood that in order to incorporate all these factors into a comprehensive supervision strategy, it was necessary for the officer to have sufficient time to work with the offender and to visit the individual in his/her environment (Home Office Communication Directorate, 1999).

In regard to assessing the risk and needs of offenders, the department decided to continue with its use of the Wisconsin model that was utilized throughout the State of Texas. The department also followed the Strategies for Case Supervision (SCS), which was used by all adult probation departments in the State, and which was the best case management instrument available. In addition, the department determined that this instrument should be administered to all offenders, both felons and misdemeanants. Furthermore, the department approved the use of a battery of assessment instruments to determine the educational level of a probationer, whether the offender had a learning disability, the vocational skills and aptitude of an offender, the probationer's coping skills, the social and family dynamics of the offender, and the psychological status of the offender. Finally, certain assessments were utilized in order to assist in placing probationers on specialized caseloads.

The department further made substantial revisions to the supervision plans for offenders. The department determined that the plans must have separate sections that address the risk management and risk reduction of the offender. In addition, the department maintained that the risk levels of the offender must be identified in the plan. Furthermore, the department held that the supervision plan must identify the problem areas (or criminogenic needs) of the offender. Once these problem areas were identified, the department mandated that the officer must then develop action stages to address the deficiencies in the offender's life. The department also recognized that while all problem areas had to be addressed, it might be inappropriate or detrimental for an offender to concentrate on two or more areas at the same time. Therefore the policies and procedures of the department allowed an officer to prioritize action items.

More important in developing quality supervision was the department's determination in utilizing new supervision practices. Having given this matter careful thought, the department concluded that the supervision practice that held the optimal degree of increasing the diversions from prison, decreasing the technical revocation rate, and changing offender behavior had to incorporate a cognitive model in the delivery of programs and services for probationers. The department was committed to basing its supervision of offenders on a cognitive model because this model addressed antisocial behavior and antisocial peer influences, the two factors that were the single greatest contributors to criminal behavior but the ones that were also the most amenable to change.

Although several cognitive programs are available to adult probation departments in the country, the Bell/Lampasas Counties CSCD wanted a program that contained three elements. The program elements had to include a cognitive restructuring element to address criminal thinking patterns, a cognitive social skills training element to teach pro-social skills and behavior, and a life skills program. Finally, the department decided that all of its supervision officers should be instructed in using the cognitive approach to supervision. The program that the department finally developed was greatly influenced by the National Institute of Corrections (NIC) cognitive program called "Thinking for a Change" (Bush, Glick, and Taymans, 1999).

Under this initiative, certain medium and high risk offenders who were deemed suitable for a cognitive program were initially selected to participate in cognitive group counseling sessions. Persons best suited to participate in this program were high risk offenders, adolescent offenders, and substance abuse offenders. Persons less suitable were low risk offenders, those with low IQs or who were mentally unstable, and those offenders classified by the SCS as environmental structuring, i.e., those offenders who lack adequate social, vocational, survival, or intellectual skills or those who exhibit high levels of impulsivity. These group counseling sessions, which consisted of 12-15 persons, had 22 lessons of one and one-half hours duration each and were held once or twice weekly for 22 weeks. Attendance in these group sessions was mandatory and participation in this program also entailed intensive surveillance of the offender.

Upon completion of the group session, the offender then participated in an aftercare program. For the highest risk offenders, the department determined that this aftercare would consist of group sessions, followed by other intervention techniques that addressed specific criminogenic needs of the probationer, e.g., substance abuse treatment with a cognitive theoretical basis, and by supervision that reinforced what the offenders had learned in the group. For lower risk offenders who participated in the group sessions, the department decided that the aftercare component should consist of exposure to cognitive principles through normal supervision.

After an offender had participated in the cognitive group counseling sessions and an aftercare program, each supervision officer with the Bell/Lampasas Counties CSCD was to continually reaffirm the thinking techniques that the offender had learned in the cognitive counseling sessions. An officer did this by using certain interview techniques to ascertain whether the offender was reverting to criminal thinking, requiring the probationer to prepare either a written or an oral thinking report, and finally by the officer him- or herself being expected to model prosocial behavior. In order for the department to train all of its officers in the cognitive approach to supervision, the department selected several officers to be qualified to train others in utilizing the cognitive model and then had these individuals provide extensive training to both newly hired and veteran officers.

Measuring Success — the Audit Process

To effectively gauge the progress that was being made in reinventing probation, the Bell/Lampasas Counties CSCD recognized that not only would audits have to be routinely conducted but also that the existing audit process on which the department had traditionally relied would have to be extensively revised. Future audits would have to perform three essential functions. First, audits would have to be tailored to examine specific problems determined by the department to be areas of concern. Second, the audits would have to be designed to determine whether the problems identified were being resolved. Finally, the audits would have to assess whether the measures taken to address a particular problem were the causal agent that accounted for the resolution or alleviation of the problem.

Thus, in reconstructing the audit process of the department, management decided that the eleven problem areas identified by the Reinventing Probation Council were to be the concerns that its new audit process had to address. In addition, the audit process was to examine whether the steps recommended by management and staff for rectifying the problems areas had been properly implemented. Moreover, the department understood that in addition to auditing the problem areas identified by the Reinventing Probation Council, the department also had to develop a new audit approach for evaluating quality supervision and effective supervision strategies. The Bell/Lampasas Counties CSCD recognized that this latter type of audit was essential if the department was to reach its crucial goal of enhancing the rational allocation of resources within the department.

The department readily acknowledged that any audits it developed should be more impact-oriented and less process-driven. Moreover, in order to evaluate whether the actions taken to address the problems actually had a positive impact, the department had to establish measurements that would indicate successful supervision of offenders and demonstrate the value of reinventing probation. Obviously certain measurements, such as the revocation rate, the absconder rate, and percentage of successfully completed terms of community supervision as well as traditional compliance audits would provide meaningful measurements of effectiveness. Nevertheless, certain measurements would have to be less quantifiable and more qualitative if the department were to accurately gauge its progress on addressing all of the problem areas identified by the Reinventing Probation Council. For example, "customer" satisfaction, e.g., the opinion of those stakeholders who would benefit from the "Broken Windows" model of probation, would be a significant measurement of the success – or lack thereof – of the department's efforts to reinvent probation.

In regard to the auditing of supervision plans and strategies the department decided to conduct both comprehensive and special audits. The comprehensive audits would be conducted annually for each office within the department with a follow-up audit conducted six months after the comprehensive audit was completed. The purpose of the follow-up audit, which was always an unscheduled audit, was to ensure that deficiencies in the cases previously identified in the comprehensive audit were corrected. In addition special audits would be conducted periodically in order to ascertain whether the eleven problem areas identified by the Reinventing Probation Council were properly being tackled.

Each unit would generally be notified approximately two weeks prior to scheduling a comprehensive audit. The audit team would randomly identify five files per officer to be drawn on the day of the audit, three or four of which would be felony cases and one or two misdemeanor cases. The audit team con-

sisted of a lead auditor from management, two individuals with middle level supervisory responsibilities, and two line officers. While the lead auditor remained the same for all audits, the supervisory and line officers were rotated. The purpose of rotating officers into the audit team was to give various officers throughout the organization experience in identifying deficient and quality supervision in cases and in reinforcing a basic understanding of the policy, procedures, and operation of the department.

The comprehensive audit developed by the Bell/Lampasas Counties CSCD reviewed multiple facets of the supervision of offenders. It ascertained whether the file was in compliance with state standards and regulations, assessed whether the initial intake of the case was properly processed, examined whether all requisite documentation was included in the file, and determined whether all necessary evaluations and assessments were timely completed. In addition, the audit examined whether sanctions were properly administered, whether the chronological entries were meaningful, and whether revocation proceedings were initiated in accordance with the directives of the courts within the jurisdiction. Moreover, the audit ascertained whether home visits, curfew checks, and urinalyses were conducted pursuant to the department's policy.

The comprehensive audit process further examined whether supervision strategies were being properly developed by the officers. The audit determined not only whether the supervision plan properly identified and prioritized (ranked) the criminogenic needs of the offender but also whether the risk/needs assessment and SCS outcomes were incorporated into the supervision plan and that action items were tied to the supervision strategies recommended in the SCS. The audit further determined whether the supervision plan was a working document, i.e., had been periodically reviewed, updated, and modified, and whether the action items required that steps be taken by both the probationer and the officer. Finally, one member of the audit team witnessed an office visit being conducted between an officer and an offender in order to observe their interaction and determine whether the officer was utilizing the cognitive approach to supervision.

As previously noted, evaluating whether the actions taken by the department have had a positive impact on addressing the nationally identified problems has entailed a reliance on both traditional and unconventional measurements of success. For example, since public safety was to be the prime mission of the Bell/Lampasas Counties CSCD, the department placed a high priority on reducing the number of persons who had absconded from supervision. Thus the department implemented steps that reduced the combined number of felony and misdemeanor absconders by 15 percent between 1999 and 2002. Nevertheless the success in reducing the number of absconders had a slightly detrimental effect on the revocation rate of the department. By bringing more absconders to justice, the revocation rate had an increase from 4.9 percent in 1999 to 6.4 percent in 2002. However since the department was also able to significantly increase its collection of fines, fees, and costs by locating and apprehending more absconders and enhance its efforts to hold probation violators accountable, the department deemed an increase in the revocation rate of 1.5 percent acceptable.

Another goal of the department was to decrease the number of motions to revoke filed in the courts while increasing the number of revocations on those cases heard by the courts. The reasoning was that an emphasis on quality supervision should decrease the overall number of motions having to be filed with the court, especially for technical violations, and that the only cases for which revocation proceedings should be initiated should be for those in which the department had exhausted all means for rehabilitating the offender. Thus by initiating a revocation proceeding, the department was signaling to the court that the department no longer had the adequate means to supervise the offender safely in the community and that prison was the only viable option in the matter. Nevertheless, by focusing on quality supervision, even though there was an increase in the revocation rate and an increase in the number of absconders apprehended, the percent of offenders who had successfully completed their terms of probation remained at 66 percent from 2000 to 2002.

As the "Broken Windows" model of reinventing probation took firm hold with the Bell/Lampasas Counties CSCD, the department began to use different and even unconventional measurements for ascertaining whether the department's actions were successful. For example, once the department began to collaborate with the Federal Bureau of Alcohol, Tobacco, and Firearms, the department began collecting information on the number of weapons seized from the homes of probationers after searches had been conducted by supervision officers. The department also began regularly contacting its constituents, e.g., service providers, local law enforcement agencies, and community organizers, to solicit their opinion regarding the department's efforts to reinvent probation and to learn how the department could better serve their needs. While the level of customer satisfaction may not be quantifiable, it nevertheless is an essential measurement of the success of the department in addressing the critical problems in probation.

The Gravest Challenge to Reinventing Probation

It had taken the department several years and a significant investment in existing resources in order to change the dynamics of probation and implement the "Broken Windows" model of community supervision. Although the development of a new supervision plan and the implementation of new supervision strategies was not the final step in the department's endeavors, they did allow the department to turn the focus of supervision from a "report and pay" approach to protecting the public and changing offender behavior. In addition to the need to continually reinforce the principles and practices of "Broken Windows" probation with staff, many of the problem areas that had been identified by the Reinventing Probation Council had to be addressed on a continual basis. This was especially true in the development of community outreach initiatives and the improvement of interagency cooperation with local law enforcement and service agencies. Finally, after several years of effort to reinvent probation, the department had to face a new challenge to successfully transform the supervision of probationers in Bell and Lampasas Counties.

When the Bell/Lampasas Counties CSCD decided to make sweeping and comprehensive changes to the traditional way that it supervised offenders, the department realized that it would get no additional funding from outside sources and thus would have to rely solely on its existing resources. Indeed, one of the key principles in reinventing probation was to demonstrate a commitment to changing the practice of probation first and not demand an initial infusion of state or other funding prior to such an undertaking. Nevertheless, adult probation departments had not received any new funding from the State in a number of years and natural increases in operational costs could only make the management of a department more difficult. In addition, when the State eventually suffered a serious financial crisis and funding to probation was actually cut, critical functions of the department became a much greater concern to the detriment of promising innovations and practices.

The erosion of adequate resources has had a particularly adverse impact within the department in the area of case management and supervision strategies for probationers. The department determined that in order for the comprehensive supervision plan, programs and services, and cognitive program that it had developed to be effectively administered for all offenders under supervision, it was necessary that an officer have no more than 100 probationers per caseload. Unfortunately the average caseload per officer within the Bell/Lampasas Counties CSCD had grown to 116 offenders and was continuing to increase. The burgeoning caseloads required the department to make certain less than optimum adjustments in order to deal with the reality of the situation.

For example, although the department strongly believed that an SCS assessment should be administered to all probationers and had done so throughout the early stages of the reinventing probation project, it had become apparent that the current sizes of the caseloads could no longer make this goal feasible. It took approximately one hour for an officer to administer the SCS instrument to an offender. With growing caseloads and funding restrictions, it had been recently decided that the SCS should now be administered to all felony probationers but only to certain high risk misdemeanants. In addition, the department had now decided to encourage group reporting of misdemeanor probationers. While this decision would reduce the amount of personal attention given to this offender population, it would allow officers to continue to devote proper attention to felony offenders who posed a potentially greater risk to the community.

A continual reduction in funding would have long-term consequences for this department as well as for community corrections throughout the State. For example, with no increase in funding levels for community corrections, the Bell/Lampasas Counties CSCD expected that caseloads for its officers would average 130 offenders for the coming biennium. Moreover, such an increase in the sizes of caseloads would adversely impact the capability of officers to spend a significant portion of their time in the field and interacting with the community. Finally, the stagnation or decline in funding sources would force the department to seriously examine its funding of programs and services currently being provided to probationers, especially in the area of substance abuse treatment.

New Opportunities and New Challenges

Despite the obstacles that diminishing resources posed for the reinvention of probation, there were still opportunities to replicate much of the "Broken Windows" model of community supervision by increasing community involvement, improving the well-being of neighborhoods, and strengthening interagency cooperation. The department also recognized that developing new partnerships and enhancing community outreach programs offered the best opportunities to not just reinvent probation but to also recapture lost revenue streams through tapping different funding sources. Moreover, the formation of community alliances and partnerships was essential if the adult probation department was to achieve the two fundamental aims of "Broken Windows" probation, to-wit: making community corrections accountable to the public and ensuring that its mission and operation was driven by community-based values.

Nevertheless, in order to develop partnerships and reach the community, a department must be knowledgeable about the communities it serves, have staff who actively participate in community affairs, and make a commitment to developing extensive networks among the stakeholders in a community. To develop this knowledge base of the community, the Bell/Lampasas Counties CSCD has paid for members of its staff to participate in community sponsored leadership programs, encouraged its staff to participate in local civic organizations, and urged that they familiarize themselves with the traditions, histories, amenities, and localities in each community. The department also contacted leaders and activists in the various communities to solicit their views on how probation could best serve the needs of the public.

Partnering and community outreach enabled the department and neighborhoods, governmental agencies, and nonprofit entities to identify common concerns and pool scarce resources. For example, having audited case files in one satellite office and noticing a significant failure on the part of probationers to perform court-ordered community service, the department determined that greater compliance of this condition would be possible if more community service projects were available on weekends instead of during week days when many probationers were working. Since the department did not have funds to employ a supervisor to oversee a community service project on weekends, the department contacted the local chamber of commerce about aiding in the development of alternative community service projects to the ones then being utilized.

The chamber recommended that the department apply for a grant with a local non-profit organization whose mission was to reduce litter in the community. The department was able to successfully obtain a $5,000.00 grant. With this grant the department could employ a person on Saturdays to supervise litter removal on city streets. In the following year the department received a partial grant to continue this program and a matching grant from the city's parks and recreation department to furnish probationers to assist in maintaining parks and recreational facilities in the city in addition to removing litter from the streets and highways. Finally, additional community service projects were established to assist the city's police department in demolishing "crack houses" in high crime neighborhoods and to help renovate historic railroad cars at the city's heritage museum. Through these collaborative efforts not only was the compliance rate for fulfilling community service greatly improved but the municipality was able to perform certain tasks that it would not otherwise have been able to afford.

The department further expanded its collaborative efforts and continued to seek new partnerships in the community. For example, by serving as a member of the local narcotics task force, the department could share information with local law

enforcement agencies about suspected drug activities by offenders being supervised by the department and received assistance from these local enforcement organizations in locating and apprehending fugitive probationers. Moreover, the department began to assist the Federal Bureau of Alcohol, Tobacco, and Firearms in order to seize weapons from probationers and refer cases for federal prosecution instead of processing the matter in state courts. The department also worked closely with its area's council of government in order to identify potential grants that might aid community corrections or other local law enforcement efforts.

Conclusion

Undertaking an initiative to reinvent probation is both an exhilarating and a challenging experience. Such a project involves not just an investment in resources but also a substantial investment in time. Moreover, the implementation of such a sweeping endeavor does not occur overnight and many of its benefits will not be noticed immediately. Thus it is vital that management engage in an on-going dialogue with staff regarding the changes that will be made and how these changes will eventually be to the advantage of all concerned, and informing everyone affected by the project that the department has a systematic approach in implementing these changes and that the implementation will be conducted in a methodical and deliberative manner. In addition, management must not only demonstrate patience and perseverance in completing this project but must also evince a confidence that the "Broken Windows" model is the best approach to supervising offenders in the community.

Nevertheless, the reality remains that there are limits to how far the "Broken Windows" model of community corrections can be implemented with existing resources. Moreover, in times of diminishing resources strategies for the reinvention of probation may have to be significantly altered or scaled back. Reduced funding requires a department to reconsider its priorities and forces a department to reallocate resources to preserve core operations while deferring decisions to deal with other needs of the department. Thus, a department that wants to adopt the "Broken Windows" model of probation may only be able to address a couple but not all of the nationally identified problems with probation. While this may be the best that a department can hope to achieve in periods of scarcity, the failure to fully implement the "Broken Windows" model of probation leaves unfulfilled the immense potential that a truly effective probation system has for improving the overall criminal justice system in this country.

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The Bell / Lampasas Counties Community Supervision and Corrections Department is one of the six departments in the nation that has been selected by the Manhattan Institute as a project site for implementing the "Broken Windows" model for the reinvention of probation. Lawrence F. Tinsley, Director, and Mr. Todd Jermstad, Staff Attorney, are both members of the National Association of Probation Executives.

PRESIDENT'S MESSAGE *cont'd*

the community. We must develop strategies that attract credible and objective researchers to our field. We must involve the community and other outside interested parties in the design of our research and provide the answers to their questions as well as ours. And finally we must package our research findings in such a way that they have appeal for mainstream America. In addition to professional journals, it is equally important that findings about effective methods of behavioral change make their way into *Newsweek*, *People*, *Readers Digest*, and other publications routinely read by the taxpaying public.

Ronald R. Goethals
President

PUBLIC PROTECTION PANELS IN THE UNITED KINGDOM

by

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While writing this article a radio news flash caught my attention. A 10-year-old girl was missing and the Toronto police had issued an "Amber alert" in an effort to find Holly Jones. Within 24 hours she had been located, unfortunately the search for Holly had now become a search for Holly's killer. Her dismembered body had been located near the Toronto waterfront. A massive manhunt is now in progress. Media attention is both intense and intrusive. The slowness of the Canadian Government to institute a national sex offender registration process and a retroactive DNA data bank is causing considerable political debate. Although at the writing of this article (May 2003) there is no clear indication that it is a sex killing. (It may yet turn out to be the case.) What has come to light, since the Province of Ontario does have a sex offender registry, is the fact that currently 200 known sex offenders are living within the neighborhood of the Jones family's residence. There has emerged a group of citizens who have established a public petition calling for the enactment of the proposed national sex offender registry and to call it "Holly's Law."

This development follows similar actions taken in the United States (Megan's Law) and called for in United Kingdom (Sarah's Law). For an interesting and informative analysis of the slowness of the Canadian government to act see a recent article by Michael Petrunik (2003). What this tragic event brings or should bring to our collective awareness is the importance of appropriate and adequate policy instruments and the critical cooperation between levels of government and criminal justice agencies in the provision of public security services.

Developments in the United Kingdom

Over the past couple of years I have been following developments in the United Kingdom regarding the development of various policy instruments aimed at enhancing or improving public protection. (Evans 1999, 2000). One particular approach has been the mandated multi-agency public protection panels anchored by local police and probation services.

Last January (30-31, 2003) I attended a conference on the management of violent offenders including sex offenders. The conference organized by the Conference Permanent European de la Probation (CEP) and the National Probation Service of England and Wales (NPS). We met in London, England. On the first day of the conference we heard presentations from the NPS on assessment instruments used by both the police and probation services (Evans, forthcoming). Also there was a major session on treatment interventions used in the management of violent and sex offenders by the probation service (Evans, forthcoming).

On the second day the conference started with a plenary session on management structures considered critical for dealing with sex offenders. This session led off with a presentation by Tim Bryan, a Detective Inspector on assignment to the National Probation Directorate, as head of the Public Protection Unit. Detective Inspector Bryan is a member of the Metropolitan London Police.

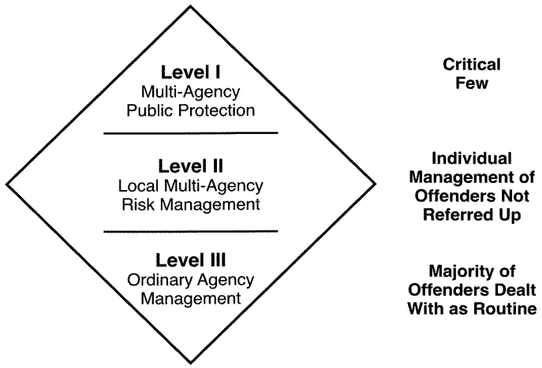
Public Protection Panels

Bryan identified various factors that led to changes in the legislation and policy related to the management of dangerous sexual offenders. These factors included a media campaign as a result of a high profile case. Sarah Payne a young girl was sexually attacked and murdered in the summer of 2000, resulting in public demand for stiffer penalties for sex offenders. There were calls for a Megan's Law equivalent. However, the British Government resisted this approach and instead responded with increased public safety measures. Bryan noted that in the Criminal Justice and Court Services Act (2000) the government reorganized the police and probation services into 42 adjunct areas. Police and Probation were legislatively mandated to create multi-agency partnerships for public protection. These panels would be responsible, among other activities, for ensuring the assessment and management of the risk of serious harm from registered sex offenders and violent offenders. The panels would be required to publish an annual report on their activities (Home Office, 2002). The work of the MAPPA would be guided by the following principles:

- Evidence-based. The panels should work in ways, which have a proven record of success.
- Professional judgment. The panels are required to use validated tools in risk assessment to inform their professional judgment.
- Risk assessment is to be the foundation for effective public protection work.
- Individual offenders. Effective practice requires an understanding of an individual's offending behavior.
- Victim focused. The objective of the panel's work is the protection of known victims and the prevention of future victimization.

The following chart outlines the responsibilities at the different levels of management in the National Probation Services. At the apex of the triangle, the responsibility for organizing and managing appropriate supervision plans for the "critical few," that is the serious offenders who are most likely to re-offend in the immediate future (Evans, 2003). The "critical few" are those offenders who are assessed as having a potential for causing serious harm, require unusual resource allocation, create seri-

ous community concerns and generate undue media interest. Level 2 represents the local multi agency public protection panel responsible for the development and monitoring of the appropriate supervision of those offenders who have committed serious offences but have not been referred to level 1. Level 3 represents the work of the local probation agency dealing with the majority of the offenders through the normal or standard forms of probation supervision.



The MAPPA now include representatives from police, probation, prisons, housing, health, social service, etc. In concluding Bryan noted that these various agencies, with differing agendas and perspectives are united in the common goal of public protection and the belief that co-operative and collaborative work adds value to their individual agencies' efforts. It is clear, as Thomas (2000) notes, that "what has also become increasingly important to the policing of sex offenders is the obtaining, collating and analysis of personal information on sex offenders." Bryan's presentation certainly highlighted this critical aspect of the work of the panels.

Bryan also advised the workshop participants that there were a number of challenges facing the development and expansion of the public protection panels or multi-agency public protection arrangements. He listed the following as challenges to overcome:

- The development of an appropriate and meaningful role or victims in the process;
- The provision of legal protections for offenders that do not interfere with the public's need for security;
- The role of "lay advisors" (volunteers) in the process, including supervision; and
- The ever-present problem of adequate resources for police, probation and other agency partners that would allow for good coordination and management of the panels.

Multi-Agency Practice at the Local Level

The second section of this session, led by Detective Sergeant Keith Giles of the Metropolitan London Police and Alison Dale, Asst. Chief Probation Officer, London Probation, outlined how the MAPPA worked in practice at the local level. Offenders who pose the most serious risk are referred to the MAPPA. Meetings convened by the police and probation and attended by other invited agencies are held monthly. Members share intelligence / information about offenders considered to pose a risk to public safety. A common management plan is devised for each individual offender. Public protection measures available to the MAPPA are:

- Sex Offender Orders to restrict the conduct and mobility of offenders who are considered to pose an imminent risk of harm (Knock 2002).
- Surveillance. This is effective but costly and should be used carefully as part of an overall intervention strategy.
- Disclosure. This is still controversial and its' use needs to balance the safety of the public with the safety of the offender. Limited use of this approach is permitted and only in the most serious cases.

Giles and Dale stated that working in partnerships was very advantageous and obliged other agencies to examine their own practices in relationship to the common goal of public safety. Quoting a government circular sent to police and probation services, Giles noted that the British Government had declared that:

> The public rightly expects that personal information known to public bodies will be properly protected. However, the public also expects the proper sharing of information, as this can be an important weapon against crime. Agencies should, therefore, seek to share information where this would be in the public interest.

Responses of Workshop Participants

After the plenary session the group broke into smaller work groups to discuss benefits and barriers to the use of MAPPAs. These groups were comprised of the workshop participants many who were from a number of different European countries.
Advantages identified by the groups:

- Sharing of information
- Improved assessments
- Enhanced understanding of individual cases
- Leveraging of resources
- Focused on public protection

Barriers identified by the groups:

- Privacy issues
- Pressures to change existing agency structures
- Political will
- Resources
- Legislation
- Agency commitment
- Organizational cultures

There was considered variance among the delegates, especially those from Europe about this approach and although they were mostly appreciative of the utility of partnerships they seemed to be wary of moving in this particular direction.

Research on Public Protection Panels

It is interesting to compare the findings of an earlier research study conducted by Mike Maguire (2001), Professor in Criminology and Criminal Justice, University of Cardiff and a team of researchers. The research had been commissioned by the Policing and Reducing Crime Unit at the Home Office and comprised a paper in their Police Research Series. The study was to be of the multi-agency risk assessment and risk management procedures used in protecting the public from sexual and violent offender. The research team undertook the study of public protection panels in six police areas in 2001. When this study was conducted the majority of the panels were voluntary, they are now required by statute. The findings of this research helped shape the current uses of the MAPPAs. The study into the six areas revealed a wide range of working practices. The research findings included the following:

- The panels allowed the representatives of the police, probation services and other local agencies to exchange information and formulate risk management plans in relation to individual offenders;
- The dominant focus of work tended to be on sex offenders, for whom a statutory response was required;
- Police and probation services were fully committed to partnerships and the working relationships between them were broadly close and harmonious;
- However, the researchers noted that both services suffered from resourcing problems. In fact, in some instances the tasks had been added to normal duties and organizational support was lacking; and
- The research also recommended that more attention be given to managerial oversight and accountability of the public protection systems.

Conclusion

A number of important lessons can be gleaned from the experience of establishing MAPPAs in the United Kingdom. Central to the work of the MAPPAs is the sharing of information on individual offenders by all agencies having involvement with the offender. Critical to rigorous risk assessment is the collation and analysis of relevant information. The MAPPAs provide the UK with a nationwide system for ensuring that all the available information is collected and shared with agencies responsible for public protection services.

Another advantage of sharing information in this manner is that it allows the police and probation services to target resources at the most serious offenders. Improvements in criminal intelligence systems are also contributing to the identification of chronic, prolific and serious offenders, again aiding in the allocation of scare resources. In fact, MAPPAs are another way to contribute to and enhance intelligence-led police and probation services.

However, essential to the effective and efficient management of risk is supervision, which includes the key elements of appropriate conditions that are adequately enforced. Failure to keep the imposed conditions must lead to enforcement action. In order to assist offenders in their own efforts to reduce their likelihood of re-offending the National Probation Service delivers a variety of programs. In the case of sex offenders the NPS has developed programs that address sexual offending and impulsive behavior.

These developments in the United Kingdom, namely the development of robust partnerships, valid assessment systems, strong enforcement procedures and the provision of appropriate programming are essential elements in the development of a relevant probation service. Developments in UK probation may prove to be a useful and fruitful laboratory of innovation for probation services worldwide.

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IDENTIFYING THE SPECIAL NEEDS OF FEMALE OFFENDERS

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It has been suggested by research and practice that female offenders have special needs that are not typically addressed by programs designed for male offenders. The focus on these special needs has been amplified by an increase in the number of female offenders. Even though the total number of female offenders is significantly smaller than males, the startling increase in female offenders has prompted the suggestion that programs need to be gender specific. However, this dramatic increase in female offenders does not coincide with an equivalent increase in female prison facilities or rehabilitation/treatment programs geared toward the needs of female offenders. On the other hand, the National Institute of Corrections produced a directory of community-based programs for women offenders that included 250 programs in 32 states (Harding and Clem, 2000). This may indicate some progress is being made in program development in community corrections. Miller (2002) indicates there is still a nationwide shortage of substance abuse facilities for women with young children. In addition, about 25% of all pregnant women in substance abuse treatment are referred by the criminal justice system (The DASIS Report, 2002).

The correctional system has historically been male-dominated. The structure of prison settings, the rules, the operating procedures, and the treatment programs are largely based on not only the needs of males, but also on research studying the effectiveness of programs based on male subjects. Correctional systems are frequently able to assign male inmates to programs based on the individual rehabilitative or treatment needs of the offender, the severity of the crime the offender committed, and/or the security risk of the offender (Clement, 1997).

Female offenders are not afforded these same considerations. Prison facilities that house female offenders are few in number. Most states within the U.S. have only one facility to house female inmates (Clement, 1997). Thus, most female offenders are assigned to facilities not based on their individual rehabilitative or treatment needs, and not based on issues of security or the severity of the offence committed, but on the sole basis of gender. This is true, even though female offenders who abuse drugs are the fastest growing segment of the criminal justice system (Wellisch, Prendergast, and Anglin, 1994).

Treatment Needs of Female Offenders

Since standard treatment modalities are almost exclusively male dominated in content and structure, most prison facilities are ill prepared to offer women gender specific treatment and aftercare programming. Women with substance abuse problems have specific needs and concerns that are not addressed in standard treatment settings.

Many correctional treatment programs do not assess the multiple problems of substance abusing female offenders (Covington, 2000; Peugh and Belenko, 1999). Female offenders with substance abuse problems are often placed into treatment programs that are based on male needs. However, female substance abusers have needs that are very much different than those of their male counterparts. It is important that the needs of individuals with substance abuse problems be addressed in gender appropriate ways (Peugh and Belenko, 1999).

Both male and female substance abusers experience compounding mental health problems (Alexander, Craig, MacDonald, and Haugland, 1994; Helzer and Pryzbeck, 1988; McCarty, Argeriou, Huebner, and Lubran, 1991; Regier, Farmer, Rae, Locke, Keith, Judd, and Godwwin, 1990; Teplin, Abram, and McClelland, 1996; Wilcox and Yates, 1993). However, female substance abusers experience different types of mental health problems than do males. Females in correctional facilities have a history of experiencing physical, sexual and psychological abuse at higher rates than males (Cosden and Cortez-Ison, 1998; Gomberth and Hirenberg, 1993; Wellisch, Anglin, and Prendergast, 1993; Institute of Medicine, 1990). They also are more likely than men to use drugs and alcohol as a coping mechanism for traumatic events and stress (Peugh and Belenko, 1999; Falkin, Wellisch, Prendergast, Killian, Hawke, Natarajan, Kowalewski, and Owens, 1994; Griffin, Weiss, Mirin, and Lang, 1989; Hser, Anglin and Booth, 1987; McClellan, Farabee, and Crouch, 1997). The differences in the mental health problems between males and females, and the circumstances that precipitate drug and alcohol use need to be confronted in substance abuse treatment using different interventions and auxiliary services.

Hartel (1994) discussed that women who are intravenous drug users are more likely than male injection drug users (IDUs) to engage in high-risk sex with multiple partners, to exchange sex for money or drugs, to share needles, and to engage in unprotected sex with other IDUs. These behaviors lead to an increased risk of contracting a sexually transmitted disease (STD). Untreated STDs in women are likely to lead to serious health complications such as pelvic inflammatory disease, cervical cancer, and infertility. Furthermore, untreated STDs are associated with increased rates of HIV transmission (Eng and Butler, 1996; McCoy, Miles and Inciardi, 1995).

HIV and AIDS are crucial issues for substance involved female inmates. The number of HIV positive female state inmates increased 88% between 1991 and 1995. In contrast, the number of HIV-positive male state inmates increased by 28% during the same frame (Maruschak, 1997). HIV infection rates among females are predominantly related to injecting drugs, engaging in sexual activities with IDUs, the use of crack cocaine, and unsafe sexual practices such as unprotected sex and prostitution for drugs (Center for Disease Control and Prevention, 1996; Inciardi, Lockwood, and Pottieger, 1993; McCoy, Miles, and Inciardi, 1995). Thus, female substance users have a great need for safe sex education.

For female inmates, HIV education and prevention skills are an essential part of substance abuse treatment because the knowledge of the consequences of drug use and the skills necessary to protect themselves against the transmission of HIV is vital. The skills necessary to protect themselves include negotiating with partners to use condoms and asking partners about their sexual and injection drug use histories (Peugh and Belenko, 1999).

Langan and Pelissier (2001) provide additional empirical support for gender differences among prisoners in drug treatment. They found that women prisoners in treatment had more serious patterns of drug use, were more likely to have grown up in homes where drug use was present, were more likely to have experienced physical and sexual abuse as children, and more likely to have co-existing mental disorders. In addition, they suggest that further investigations need to look at increasing self-esteem, decreasing depression, and increasing skills in establishing positive interpersonal relationships with men.

Treatment Techniques and Program Designs

The use of confrontational techniques in group settings, typically used in treatment models for men, are routinely not effective for women (Kelly, Kropp, Manhal-Baugas, 1995; Ramsey, 1980). Confrontational treatment models tend to be threatening to many women and often inhibit the ability of female substance abusers to address the underlying factors of their addiction (Peugh and Belenko, 1999). Some of these factors include physical and sexual abuse, feelings of worthlessness, and extreme desires to please others.

Programs for men also often include anger management training to promote appropriate means of expressing anger. Women, however, are more likely to have trouble expressing anger in any form (Inciardi, Lockwood, and Pottieger, 1993) and would be much better served with alternative skills training. Women tend to respond more positively to treatment that includes techniques that reduce feelings of guilt and self-blame, and that improve self-esteem and self-awareness (Covington,1998; Wells and Jackson, 1992).

Male treatment programs rarely address issues involving parenting training. Females are more receptive to parenting skills training within the treatment process than are men and thus this type of programming is essential for female inmates (Peugh and Belenko, 1999). Correctional Care (1994) reported that 50% - 70% of incarcerated females had one or more children living with them at the time of their imprisonment. Females tend to be the primary care givers of children. Alcohol and drug abuse has been cited as a causative factor in up to 80% of substantiated causes of child abuse and neglect (Azzi-Lessing and Olsen, 1996). Parenting groups have been shown to be highly successful with recovering addicts (Plasse, 1995). A majority of these women claimed that parenting skills classes was "very important" to their treatment program.

Male substance abusers often come from families who abuse drugs and alcohol, however, family issues are rarely brought forth in counseling sessions. Female substance users are even more likely than males to come from drug and alcohol abusive families (Marsh and Miller, 1985). There is an increasing amount of evidence to suggest that women with substance abuse problems frequently have a childhood trauma that may be an important contributing factor to their addictive behavior (Janikowski and Glover, 1994). Family interventions, which are rarely used in correctional facilities (Liddle and Dakof, 1995), have been shown to be effective even when the entire family does not participate (Barber and Gilbertson, 1997; Szapocznik, Kurtines, Foote, Perez-Vidal, and Hervis, 1983).

Vocational and educational programs are readily available to men in substance abuse treatment. The programs offered are traditional male roles in society and allow them to learn a trade that pays a living wage when they re-enter society if they so choose. However, female substance abusers receive very little vocational and educational training (Gray, Mays, and Stoher, 1995). The training that they do receive typically is for low paying jobs with little opportunity for advancement. Most mothers who are also female offenders expect to return to their children after release from the correctional facility. Many of these women do not expect to receive financial or emotional support from their children's father (Prendergast, Wellisch, and Falkin, 1995). Without a marketable skill and the ability to use socially acceptable interpersonal skills, a large majority of female inmates will re-offend (Shearer and Baletka, 1999). Vocational and educational training for incarcerated women enables them to obtain jobs that provide a living wage, thus allowing them to be actively involving in raising their children.

Critical Intervention Issues

Several sources in correctional literature have identified the critical issues that should serve as the foundation for curriculum areas in community and institutional correctional programs. Most of the identified critical issues have arisen from practice and few are empirically supported. In any case, they present some areas of commonality and some unique suggestions for curriculum design.

The Center for Substance Abuse Treatment (1994) identified seventeen issues that needed to be addressed in a comprehensive treatment program for women. These issues ranged from gender specific addiction issues to childcare and custody, including interpersonal violence, relationships with family members, and low self-esteem.

Crowe and Reeves (1994), suggested the areas of co-dependency, incest, abuse, victimization, sexuality, and conflicts with family members. Vigdal (1995) mentions housing needs, education, vocational training, domestic violence, abuse, victimization, and medical services as critical issues in treatment programs for women.

Drabble (1996) presented an extensive overview of elements of effective services for women in substance abuse treatment. She identified several services areas which included medical health care issues, emotional/psychological issues, life skills, partner and parenting issues, and cultural/population specific services.

In 1997, Sanders, McNeil, Rienzi, and DeLouth identified the program needs of incarcerated female felons through the use of a survey designed by inmates. The survey consisted of 36 services that residents were asked to rate in degree of importance.

These 36 areas ranged from self-esteem to alcohol dependency issues. Their survey produced a level of importance ranking for the 36 curriculum issues suggested by the inmates. The reliability and validity of the survey was not established or reported their survey.

Covington (1999), in reviewing the 17 issues in the Center for Substance Abuse report, concluded that professionals and recovering women agreed on the issues most central to recovery. These issues fell into four categories: self, relationships, sexuality, and spirituality. These four issues serve as the foundation for her four treatment modules in a comprehensive program for the use in the Criminal Justice System. Her treatment program is widely accepted and professionally constructed, but it is not clear how a program assesses needs, using her treatment modules.

Bloom and McDiarmid (2000) identified specific women's issues to support an empowerment model of treatment leading to personal independence. Their issues consisted of substance abuse, domestic violence, sexual abuse, pregnancy, parenting, relationships, and gender bias.

Shearer and Baletka (2000) developed a curriculum for female offenders in substance abuse treatment programs that contain modules similar to the previously mentioned resources. Their curriculum design was driven by one of the instruments in the project that was designed to assess program needs of female offenders.

At least two primary program and treatment issues remain, without agreement as to how important they should be. First, Welle, Falkin, and Janchill (1998) indicate that there is not agreement about the role of victimization as a treatment topic. Should victimization be a primary or secondary treatment topic in substance abuse programs for women? They suggest that the answer depends on whether women identified themselves as recovering substance abusers or survivors of violent abusive relationships. In any case, they suggest that programs need to include ways to interupt and recover from cycles of violence, drug use, and criminal activity. Second, Byrne and Howells (2002), have identified the issue of the role of low self-esteem in programs for women offenders. It has been suggested that self-esteem is not a criminogenic need in male offenders. On the other hand, low self-esteem may be a product of earlier victimization for female offenders and, therefore, a priority for treatment programming for female offenders. Their conclusion is that self-esteem difficulties should be a priority for correctional programming.

What seems clear from a discussion of these studies is that not only has a method to assess the needs of women offenders not been developed, but also an empirical assessment tool could be useful to conduct assessments. The focus of this study was to fill this void by building on past research efforts to determine the critical special needs issues of female offenders.

Female Offender Critical Intervention (FOCI) Inventory

In order to measure program specific needs in specific areas, the *Female Offender Critical Intervention Inventory* (FOCI) was developed by first, drawing on the accepted issue areas in the field, and second, testing the internal reliability and validity of the instrument. Consequently, the purpose of the study was to construct and empirically test a needs assessment instrument, the FOCI Inventory. If this testing could produce a valid and reliable instrument, the correctional administrators could conduct a needs assessment that had some degree of empirical support. The new instrument would be more efficient than extensive cumbersome surveys with redundant, overlapping, or irrelevant items. The effective assessment of needs is one of the key aspects of community corrections which requires the implementation of gender-responsive approaches for women under community supervision (Bloom and McDiarmid, 2000).

The FOCI inventory construction drew heavily on the work previously mentioned that was completed by Sanders, McNeill, Rienzi, and DeLouth. In fact, the inventory was an empirical extension of their survey. With minor modifications, the 18 items in their survey that were rated with the highest level of importance were selected for reliability and validity testing in the current study. The eighteen items with the highest ratings were arbitrarily selected because of the need for brevity when each item was read to the subjects in the present study. Most correctional administrators and clinicians are also quite reluctant to attempt surveys containing a large number of items because of the time constraints and reading difficulties. Consequently, the original instrument included eighteen items that were scored on a three-point scale (never, sometimes, frequently). A high score on the scale indicates a greater sensitivity to intervention. A low score indicates a lesser sensitivity to intervention on a specific issue.

The FOCI was administered to four groups of female felony offenders in four units of a prison system in the southwestern United States. All participants were selected by directors of the substance programs based on availability at the time of testing. Participants were instructed prior to the survey that participation was voluntary and anonymous. The survey was read aloud to all groups. Group 1 consisted of 52 female offenders in a state jail. The state jail contained 900 offenders with 100 offenders in substance abuse treatment units (2 pods of 50 each). Twelve of the 52 female offenders did not have children. Group 2 consisted of 52 adult female offenders in a substance abuse felony facility. The treatment program contained 270 female offenders. Fourteen of the women did not have children. Group 3 consisted of 52 adult female offenders in a privately contacted therapeutic community (TC). There were 460 women in the facility who were all members of the TC. Eight of the women did not have children. Group 4 consisted of 32 female offenders in a therapeutic community. The prison unit contained 2144 females and 216 were enrolled in TC. Nine of the participants did not have children.

The notion of children in the description of the survey was made because of the frequent emphasis on childcare and parenting issues in the literature of female offenders who abuse substances. The survey sample contained 72 to 85 percent of subjects who indicated that they had children.

The data indicated large differences between Group 4 and Groups 1, 2, and 3. The group means four groups 1,2,3, and 4 were 23, 25, 29, and 11 respectively. On the FOCI, the higher the number, the greater the reported sensitivity to women's issues in the program. Significances were not tested to determine if these observed differences were statistically different because group 4 was selected with an obvious bias prior to the FOCI survey. It was not the original intent of the research design to have respondents selected based on their resistance to treatment. It could be that the generally resistant attitudes had an overriding effect on the responses to the FOCI even though these issues may have been adequately addressed in the program. Furthermore, Shearer, Myers, and Ogan (2001) found that treatment resistance was consistent across several treatment groups, but elevated resistance scores were observed for Black and Hispanic female offenders. The FOCI scores were not analyzed or compared based on ethnicity, so the observed score differences could be due to ethnicity not being randomly represented in the four groups which may have lead to lower scores in group 4. It is noteworthy to comment that Group 4 was not noticeably different during the survey process also. Group 4 participants were verbally aggressive and voiced numerous individual and collective criticisms concerning their treatment program. It was later identified that program counselors in Group 4 considered the participants to have negative attitudes and to be 'resistant' to treatment.

A factor analysis was performed on the data and a coefficient of reliability was derived. The eighteen items on the scale factored into three separate factors with two items not identifying with any factor. The three factors are labeled: substance abuse/life style risk, personal abuse, and personal attributes. The item with the highest loading (.82) in the first factor was "my counselor or group has talked with me about dependency problems." The internal reliability coefficient for the first factor was .68. The item with the highest loading (.83) in the second factor, labeled "personal abuse," was "my counselor or group has talked to me about physical abuse of a child." This factor included items on personal and child abuse, physical, emotional, and sexual. A coefficient of internal reliability of .85 was obtained on this factor. The item with the highest loading (.96) in the third factor, labeled "personal attributes," was "anger management has been discussed with me by my counselor or group." This factor also included items concerning self-esteem, personal skills, treatment programs, and vocational opportunities. The coefficient of internal reliability for this factor was .72. The magnitude of the internal reliability levels may be partially due to the three point scale (agree-not sure-disagree), and may not have been this high if the response form was a five to six point scale with more "agree-disagree" options.

Using the data produced in the studies mentioned above, the fifteen items were divided between the three factors, so that each factor was converted to a five item scale. Item 9 was excluded because first, it had the lowest loading of items in the first factor. Second, it seemed to lack an obvious conceptual link. Third, the exclusion resulted in a more symmetrical design of five items for each sale. Consequently, the revised FOCI was re-labeled as the FOCI-R. The new scale consists of fifteen items that produce three sub-scale scores and a total score.

Consequently, the results indicated, in this study, the special needs of female offenders can be grouped into three critical areas. These three areas are similar to the four areas identified by Covington (1999), but they do not include spirituality.

Conclusion

The number of female substance abuse related offenders entering federal and state prison systems is escalating dramatically. Gender-specific programming, space, and qualified treatment personnel are not keeping pace with the number of female inmates in need of treatment. To deal with this phenomenon more effective substance abuse treatment programs are needed.

The major conclusions of this study are first, the FOCI-R is, initially, a reliable and valid instrument that can be used for assessing the critical needs of female offenders. Although the results are not definitive in this area, the instrument has shown initial promise as a psychometric tool. Additional work on an experimental instrument of this nature is always recommended. Second, the critical needs of female offenders seem to group into three main areas of curriculum concern. Third, the FOCI-R seems to possess a sufficient degree of sensitivity to effect situations where critical special needs of female offenders are not being met in a substance abuse treatment program. The instrument would, therefore, seem to be able to differentiate between gender sensitive and insensitive programs. On the other hand, the low FOCI inventory scores in one of the groups may be a reflection of general program discontent and not specific discontent with gender issues. It may also be a combination of both. Additional research is needed on this question.

For treatment programs to be effective, reliable assessment tools are needed. The FOCI-R is a 15-item instrument for assessing participant and program needs. Several possible uses can be suggested at this point. First, the FOCI-R can be used to conduct a needs assessment from the client viewpoint by surveying offenders on curriculum areas that are being included or excluded in a program. This is an important element. It is not enough for program administrators and counselors to assume that a specific module or section of a curriculum deals with abuse issues if the clients do not concur that abuse issues have been adequately addressed. The FOCI-R will identify areas lacking within a curriculum and those being successfully implanted from the client's viewpoint.

Second, the FOCI-R can also be used to survey substance abuse counselors on curriculum needs. Counselors will be able to gage effectiveness of programming by using the FOCI-R to monitor and adjust therapeutic activities.

Third, the FOCI-R can be a useful instrument in assessing an individual's client's needs by identifying critical areas that she may not want to discuss in a group or therapeutic setting. It is often difficult to ascertain the topics that will the wants and needs of clients for group or individual counseling discussions. By simple word changes (Ex. I would like my counselor to talk to me about my childhood sexual abuse), the FOCI-R can be a non-threatening and time saving way for counselors to obtain information concerning critical topic areas of concern for the client.

Fourth, the FOCI-R has the ability to guide curriculum development by identifying critical areas to be included in a new program. Fifth, the FOCI-R could be useful in giving administrators a guide for program implementation and/or emphasis when allocating valuable financial or personal resources. The major areas of curriculum development are specified by the general factors of the FOCI-R and the individual items will help guide program content and activities. Finally, with a few slight modifications, the FOCI-R can be used in community correctional settings. Issues of childcare, transportation, and housing could be added to the instrument to make it more responsive to assessing the needs of women under community supervision. In any case the instrument shows promise in identifying the critical supervision and programming needs of women offenders in community and institutional settings.

Effective treatment strategies for female offenders include comprehensive approaches. These comprehensive approached include individual counseling, group counseling, vocational training, parenting training, long term refusal and residence

skills training, and education on safe sex and domestic violence (Peugh & Belenko, 1999; Baletka & Shearer, 2001). The FOCI- R is an example of an assessment tool that can help improve the effectiveness of treatment programs by viewing curriculums through the eyes of the client, thus helping program administrators to provide more comprehensive services. The results of correctional based substance abuse treatment research suggest that well designed, gender specific programs of sufficient length which are linked to aftercare services in the community can reduce post-release criminal activity, relapse, and recidivism.

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