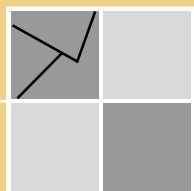


# TRANSFORMING PROBATION THROUGH LEADERSHIP: THE “BROKEN WINDOWS” MODEL



BY THE  
REINVENTING PROBATION COUNCIL

Published by

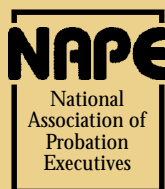


CENTER FOR CIVIC INNOVATION  
AT THE MANHATTAN INSTITUTE

and the

Robert A. Fox Leadership Program  
at the University of Pennsylvania

In conjunction with



# **TRANSFORMING PROBATION THROUGH LEADERSHIP: THE “BROKEN WINDOWS” MODEL**

*by the*

## **REINVENTING PROBATION COUNCIL**

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## PREFACE

The Reinventing Probation Council and the Manhattan Institute are pleased to present you with the second in a series of publications on the “Broken Windows” model of reforming probation practice. At the release of the initial manifesto in New York City last Summer, we promised a monograph that elaborated on the ideas and examples presented in the initial publication. This new publication — Transforming Probation Through Leadership: The “Broken Windows” Model — is a fulfillment of that promise.

More than anything else, we had hoped that the initial “Broken Windows” publication would jump-start a serious reexamination across our profession of the true ends and real business of probation. It seems to have done so. Based on the responses we have received and the number of local and regional conferences that have taken up this topic, we have some sense that the work of reinvention has begun. We must hasten to add that a number of leading jurisdictions had already begun that work and, in a sense, we are standing on the shoulders of giants.

We hope this monograph provides both critical information and helpful examples of a reinvented probation in action. As an adjunct to this second publication, we have received sufficient financial support from the Manhattan Institute and the Fox Leadership Program at the University of Pennsylvania, under the direction of our colleague and patron Dr. John J. Dilulio, to work in five to ten jurisdictions to provide technical assistance in the implementation of this model. I want you to know that while the members of the Reinventing Probation Council will take the responsibility to coordinate and deliver this technical assistance, we have agreed to take no fees for performing this work. The funds will be used for travel, per diem, training, publications, etc. We are committed to seeing this through.

As the result of our work in pilot sites over the next two years, and it is important to note that we have already begun working in New York City, we plan a third publication which will focus on case studies of “Broken Windows” in practice and will include a “user’s manual” for the development of a “Broken Windows” effort. In this way, we hope to continue to provide both useful information to our field and encouragement to the champions of reinvention.

I would like to conclude by expressing a debt of gratitude to the Manhattan Institute and the Fox Leadership Program for their critical support and to Dr. Ed Rhine, without whose extraordinary writing and editing skills — and incredible appetite for hard work — this publication would not have been possible.

Ronald P. Corbett, Jr., Ed.D.  
Chair, Reinventing Probation Council

## ACKNOWLEDGMENTS

In March 1997 a meeting was held at the Manhattan Institute in New York to assess the state of probation and the future prospects for its reinvention. The gathering was facilitated by John J. DiIulio, Jr., formerly of Princeton University and now with the University of Pennsylvania. DiIulio, who is also affiliated with the Manhattan Institute in New York and Public/Private Ventures in Philadelphia, provided the inspiration, visionary leadership and reassuring support for the formation of what was eventually to become the Reinventing Probation Council. His erudite presence and steady guidance of the Council during the past several years were indispensable to the production of the monograph that follows.

Ronald P. Corbett, Jr., Second Deputy Commissioner of the Massachusetts Probation Service, assisted in organizing the meeting and identifying academicians and practitioners alike to attend. In addition to DiIulio and Corbett, those present included Larry Anderson, Dan Richard Beto, Todd Clear, Michael J. Cleary, David Kennedy, Richard Kipp, Rocco A. Pozzi, Edward Rhine, and Jonathan Simon. The general consensus of the participants was that the timing was right to mobilize a national initiative to reinvent probation.

Shortly afterwards, Corbett was asked by DiIulio to serve as the chair of the Reinventing Probation Council. For over three years he has capably and tirelessly steered the work of the Council. Corbett's passionate commitment to probation and renaissance-like mastery of the fields of criminal justice and public administration exerted an enormous and enduring impact on the deliberations of the Council and the focus and substance of this publication.

The membership of the Reinventing Probation Council which evolved subsequent to the 1997 brainstorming session in New York consisted of knowledgeable and experienced probation practitioners who enthusiastically gave their time and shared their expertise in meetings that moved from Philadelphia to Boston and twice back to Philadelphia. During this process, individual members of the Council developed a series of working papers addressing wide-ranging issues and concerns affecting the practice of probation. The working papers were, in turn, edited and integrated into a comprehensive monograph. It is a document that reflects the imprint and collective judgments of the individual members of the Council. The membership of the Council included the following individuals. Those who served as authors of the working papers are noted by an asterisk.

\*Ronald P. Corbett, Jr., Chair, Reinventing Probation Council; Second Deputy Commissioner, Massachusetts Probation Service; and Past President, National Association of Probation Executives.

\*Dan Richard Beto, Director, Correctional Management Institute of Texas, Sam Houston State University; and Vice-President, National Association of Probation Executives.

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Edward E. Rhine, Special Projects Administrator, Division of Parole and Community Services, Ohio Department of Rehabilitation and Correction.

Nancy Lick, Westchester County, served as a co-author of the working paper submitted by Rocco Pozzi. Judge James Dolan, Massachusetts, served as a co-author of the working paper submitted by John G. Perry. In addition, several individuals offered invaluable comments, program summaries and editorial input on the monograph as it was being drafted. These individuals include William D. Burrell, Administrative Office of the Courts, New Jersey; Jill Goldhart, Ohio Department of Rehabilitation and Correction; Cheryl K. Townsend, Maricopa County Juvenile Probation Department; and, Henry Olsen, Manhattan Institute. Likewise, members of the Texas Reinventing Probation Strategy Group provided editorial review of the monograph and have helped promote the reinventing movement in the Lone Star State. Finally, deep appreciation is extended to Christie Davidson with the Correctional Management Institute of Texas and Rick Carpenter of Sam Houston Press & Copy Center for their thorough editorial guidance.

The work of the Reinventing Probation Council was funded under the auspices of the Center for Civic Innovation at the Manhattan Institute in New York, Public/Private Ventures in Philadelphia and the Fox Center at the University of Pennsylvania. These organizations are dedicated to improving public policies and the quality of urban and community life. Their gracious support and ready willingness to invest in the Council's efforts over the course of several years made the publication of this monograph possible.

Finally, a debt of gratitude is owed to the leadership of the National Association of Probation Executives and the American Probation and Parole Association. A very special thank you is due to Robert L. Bingham, Ray Wahl, and Carl Wicklund for providing the backing of their respective professional associations and for including a forum through *Executive Exchange* and *Perspectives* for numerous articles and commentaries on the value and importance of reinventing probation.

Edward E. Rhine, Ph.D.  
Council Member and Editor-in-Chief

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## INTRODUCTION

### ***OVER FOUR MILLION PROBATIONERS IN OUR MIDST AND GROWING!***

Thirty-one million Americans were victimized by crime in 1998 (Rennison 1999). Yet, criminal victimizations of individuals are the lowest they have been since such information began to be collected through the National Crime Victimization Survey in 1973. Even more, violent crime rates have fallen nationally by 27 percent since 1993 (Rennison 1999). While this decline represents a welcome reversal to the steady escalation in crime rates during the past 30 years, it masks the unprecedented long-term growth in violent crime, especially in urban areas. The problem of crime continues to impact dramatically on citizens' quality of life.

Some of the drop in crime is undoubtedly due to so-called "broken windows" law enforcement and community policing. The former draws from a metaphor first introduced by Wilson and Kelling in 1982 in an article entitled "Broken Windows: The Police and Neighborhood Safety." The term explained how small disorders and breakdowns in civic norms, if left unattended, contribute in time to larger social disorders and serious crime. It called for the police to focus more of their attention on addressing disorderly behavior, especially in public spaces, and in partnership with the community, on attending to the standards and quality of neighborhood life.

Consistent with the prescriptions of "broken windows," a new community-policing paradigm has emerged that emphasizes a proactive, problem-solving, order maintaining role for the police, not just enforcement alone. This approach views citizens as partners in crime control, as well as customers of the services police provide. The community policing movement, which is underway in numerous urban centers including New York City, Boston, San Francisco, Seattle, and Baltimore, displays considerable variation in practice. It is credited, however, with effectively combating crime by working with and through communities, and by engaging the citizenry in the mission and practice of policing (Kelling and Coles, 1996; Nicholl 1999).

In Boston and other cities, probation departments have also helped cut crime, both on their own and in partnerships with police, community groups and members of the clergy. These efforts while laudable remain all too often at the margins of probation practices. If probation is going to contribute its fair share in keeping crime on the run and in restoring order or maintaining the quality of neighborhood life, it will need to do far more than it has done to date. If it is to make a significant and lasting contribution to crime reduction in communities across the country, it must begin by doing a much better job of supervising the nearly three and one-half million adult probationers and over one-half million juvenile probationers in our midst. This will require an enduring and affirmative commitment to "broken windows" probation.

This monograph represents the work of a baker's dozen of veteran practitioners, including several present or former leaders of the National Association of Probation Executives (NAPE) and American Probation and Parole Association (APPA), who met and deliberated independently over the past two years in Boston, New York and Philadelphia. The focus of our group's deliberations was on the systemic deficiencies of probation, and what strategies needed to be developed to revitalize probation as a critical and valued component of the criminal justice system (Beto 1999). The first product of our efforts was the release of a Manhattan Institute report entitled "*Broken Windows*" *Probation: The Next Step in Fighting Crime* (Reinventing Probation Council). This report was issued at a press conference on August 19, 1999, in New York City and distributed thereafter at the annual NAPE meeting and the APPA National Training Institute, also in New York City.

At the start, it is important to revisit and summarize the consensus of the baker's dozen that evolved during the group's deliberations. In essence, we believe that probation is at once the most troubled and the most promising part of America's criminal justice system. The Council also believes, perhaps even more strongly, that probation's past troubles can be but a prologue to its coming triumphs. This monograph calls for a new era of "broken windows" probation. It admits, perhaps more candidly than leading members of the profession have ever acknowledged, that widespread political and public dissatisfaction with the state of probation has often been fully justified.



*Transforming Probation Through Leadership: The “Broken Windows” Model*

The Council’s members firmly believe that the timing is right for those in the field to embrace and share accountability for taking on the daunting task of reengineering current probation practices. What follows presents a new framework and rationale for doing so, as well as comprehensive strategies, and examples of programs that illustrate various elements of the “Broken Windows Probation” model in practice. There is also a discussion of what steps need to be considered by those in the field who may have an interest in reinventing their own agency in the direction suggested by the model. Though much of the analysis centers on adult felony probation, the comments are applicable to the supervision of juvenile offenders who are adjudicated and given probation as a disposition. A sizeable number of the programs that are highlighted in this monograph refer to innovative and community-focused juvenile supervision practices.

This monograph is sure to attract criticism from those who say the proposals are too soft on criminal offenders, as well as from those who say they are too tough. To those outside of the probation profession who respond that the rationales and strategies for change are too little, too late, and to those who cynically advocate abolishing probation, the Council’s response is, “Get Real!” Taxpayers will not finance what their ideas would imply, tripling the size of the U.S. prison system and expanding juvenile corrections to accommodate the four million plus offenders now on probation. To those within the profession who respond that the proposed changes and ideas concede too much to the field’s many critics and to popular misunderstandings of probation, the Council’s response is, “Wake Up!” As this monograph shows, nearly one out of every five adult felony defendants charged with crimes of violence was on probation at the time they committed their crime. A significant percentage of weapons offenders confined in state prisons across the country were on probation at the time of their admission. The public wants to reduce violent crime NOW. They want to feel safe in their communities and neighborhoods NOW. The Council believes that if probation is to be part of the solution the days of “fortress” (that is, office-bound) supervision must give way to a new era of politically and administratively successful community or “broken windows” probation.

The Council’s members believe that probation has reached a critical turning point in its history. Probation leaders can no longer wait for major shifts or increases in funding or resources to flow their way. They must be willing to take the first steps on their own, with or without new support, and they must demonstrate positive results NOW, under present conditions and in the environments in which they labor daily. They must be willing to fully assume responsibility for creating credible supervision strategies that the public and other critical stakeholders value. They must, in essence, chart a course for the present and the future that establishes the worth of their work and then challenge others to furnish greater support if the desire is there to sustain and expand upon the contributions and accomplishments of probation.

The options and the consequences are clear for probation practitioners. Either probation will be at the political and intellectual core of future policy-oriented efforts to promote public safety and offender rehabilitation in America, or it will continue to be widely devalued, ineffective and woefully under-funded. We hope this monograph not only sparks both professional and public debate, but also sharply enhances civic awareness that “probation matters” thereby launching spirited efforts to “make probation work” in cities across the country.

## CHAPTER ONE

### ***WHY PROBATION MATTERS***

Probation enjoys a unique status within the criminal justice system. Each year ushers in a “new high” in the number of offenders either incarcerated or in the community under supervision, and each year probation serves as the disposition most often imposed by the courts. At the end of 1998, a record breaking total of 5.9 million offenders were under some form of correctional supervision — in prison, in jail, on probation or on parole. Of these, 3,417,613 were adults serving a probation sentence, or *just under 60 percent of the entire adult offender population*. Since 1990 the probation population has increased by 28 percent (Bonczar and Glaze 1999). In terms of juvenile offenders, a total of 634,100 delinquency cases were adjudicated and given a probation term during 1996 (the most recent year for which figures are available (Snyder and Sickmund 1999)).

This means on any given day there are over four million probationers living in communities across the land. With respect to adult offenders, more than one-half of them have been convicted of felony violations of the law. Though they are expected to abide by the rules of probation or other special conditions of supervision, their range of freedom is comparable to that enjoyed by the citizenry at large. They may move about within their neighborhoods, go to the movies, shop, go to work, visit parks and pursue other activities that form the fabric of daily living. How these offenders are supervised impacts on public safety. Even more, the effectiveness of supervision contributes directly to the quality of community life.

As the primary sentencing disposition of the justice system affecting both adult and juvenile offenders, probation is best positioned strategically to contribute to public safety and community well being. As a matter of social policy, probation occupies the borderland between law enforcement and human services. As a justice system sanction, probation is invested with wide-ranging leverage to influence the conduct of offenders. Its strength lies in its authority and capacity to repair broken lives and hold offenders accountable for the harm their actions have caused to victims and communities.

Probation need not be a walk away or a “get-out-of-jail” card for the offender. Probation is the paramount community-based sanction of the justice system. The breadth of its authority allows it to impose significant and demanding accountability from offenders under supervision. By forming significant partnerships with others: law enforcement, the courts, human service agencies, community and neighborhood groups, the faith community, and local stakeholders, probation strengthens immeasurably its capacity to provide effective intervention relative to public safety and offender reform.

Needless to say, developing such partnerships will require a fundamental transformation in how probation conducts its business. Achieving the full value of probation as a critical component of social policy will necessitate civic and political support. In relation to the practice of probation, it will require that a long-term commitment be made to investing in and restoring the community to the business of offender supervision. Acting on these imperatives must begin first by addressing the current state of the field and then by forming strategies for action that are responsive to the reinvention of probation.

#### ***Why Probation is Not Working***

The first and perhaps most critical step towards meaningful change is for those within the field to acknowledge what is wrong with current practices, and to engage in an honest and compelling self-critique that confronts squarely what ails probation. It is necessary to recognize that probation is demonstrably in crisis and to assess the nature of that crisis *before* turning to those principles, strategies and practices that may assist in the reinvention of the field.

### **The Crisis of Legitimacy in the Justice System**

A critical assessment of probation must begin by placing its ailments within the more encompassing and deeper crisis of legitimacy affecting the entire system of justice (LaFree 1998). For nearly three decades, public and political commentators have expressed a heightened anxiety about the problem of crime. Such discourse has been rooted in what Simon (1998) calls a “populist punitiveness” reflecting fear, moralism and a belief in the need to restore punishment as the centerpiece of crime control policy. In most, if not all states, criminal code reforms have been adopted emphasizing mandatory minimum terms, enhanced penalties for violent and repeat offenders, “three-strikes and you’re out” legislation and a growing commitment to “truth-in-sentencing.” Though sentencing systems at the state level are showing signs of fragmenting, there remains broad support for crime control policies that incorporate the core features of retributive justice (Tonry 1999). These reforms in the criminal code are premised on the widespread belief that punishment and incapacitation are the only appropriate goals in a system apparently unable to change offenders’ criminality.

A comparable challenge is underway in the system of juvenile justice. Since the early 1990s, most states have shifted or considered shifting the mission and focus of their juvenile justice systems toward the goal of public safety and an increased reliance on incapacitation (Torbett 1996). A majority of states now have bind-over provisions for juveniles age 14 and even younger, enhanced penalties and mandatory terms of confinement for youth who commit serious acts of violence. These changes reflect a growing commitment to greater determinacy in juvenile dispositions. Juvenile code changes that resemble adult criminal sanctions are being adopted at an unprecedented pace and with a minimum of public debate or political controversy (Feld 1998).

The current crisis in criminal and juvenile justice is fueled by the public’s conviction that the system no longer represents an effective response to the problem of crime. Despite the recent and welcome drops in the crime rate, the citizenry continues to express a widespread fear of crime and a deep skepticism over the justice system’s capacity to provide reasonable assurances of public safety. The crisis in probation has unfolded within and been exacerbated by the striking and corrosive cynicism directed especially at the criminal justice system. Given the dismal results of recent public opinion surveys regarding the performance or effectiveness of probation, it is evident that the field lacks convincing strategies that convey how the public safety risk offenders present can be managed in a credible fashion while they are under supervision in the community.

The monograph focuses on this credibility problem while offering promising new strategies and practices to drive the reinvention of probation. What follows next addresses more specifically why probation is not working as evidenced by the high rates of probationer re-offending and their substantial non-compliance with the rules of probation while they are under community supervision. The discussion offers a critical assessment of the breakdown in how probation supervision is carried out, especially the desk-bound retreat on the part of field staff to the office setting. The chapter closes by commenting on the impact of current funding levels on the practice of probation.

### **Poor to Dismal Probationer Performance**

In an article addressing the crisis in probation, Beto, Corbett, and DiIulio (2000) argue that probation executives must challenge the tendency to normalize relatively high levels of violence, or to use a phrase coined by Senator Daniel Patrick Moynihan, to “define deviancy down.” As they point out, the public has become so accustomed to high levels of crime and violence it now takes a bloodbath to arouse civic and moral passion. As welcome as the recent post-1993 drop in crime is, the level of crime currently experienced is still over twice the crime level shown in the late 1950s and early 1960s. They argue that probation executives must play a leadership role in “defining crime back up,” that is, in promoting a candid view of its seriousness. These same executives should encourage other criminal justice system professionals to join in this dialogue.

According to Beto, Corbett, and DiIulio (2000), the experience of many veteran probation officials suggests that most probationers have rather sobering criminal histories. During its deliberations over the course of the past two years, several members of the Reinventing Probation Council expressed the belief that most probationers

commit another crime within three years of receiving their sentence. The best available empirical evidence seems to support their conviction. In the Council’s view, there is a need to respond effectively to the challenge of probationer recidivism. In this, it is vital to confront the scope and seriousness of the problem of reoffending by probationers. In doing so, it becomes evident that at best the overall performance of probationers ranges from poor to dismal.

One of the most incisive studies of probationer recidivism, and thus their performance under supervision, was conducted in the mid-1980s by the RAND Corporation (Petersilia, et al. 1985). The researchers closely tracked samples of probationers in two California counties — Alameda and Los Angeles. One of the most realistic and relevant of analyses on this topic, the findings showed that nearly 65 percent of probationers were arrested for a felony or misdemeanor during their probation terms; 51 percent were convicted of a new crime during their probation terms; and, within 40 months of receiving their sentences, 34 percent had been incarcerated for probation violations or for new crimes. In addition, 18 percent of these offenders were reconvicted of serious violent crimes, while 75 percent of the official charges that were filed involved burglary/theft, robbery and other violent crimes. The study concluded that felons granted probation in California presented a serious threat to public safety.

It is notable that the arrest rate of 65 percent was for a period when state probation caseloads were just starting to soar in California and other states. By the early 1990s, for example, probation caseloads were so huge — over 500 per officer — that some 60 percent of Los Angeles probationers were tracked solely by computer and had no face-to-face contacts with a probation officer.

Recall that the RAND study measured the performance of probationers from California over a three-year period of time. Another study in 1992 by U.S. Department of Justice researchers reported that 43 percent of probationers were rearrested for a felony within three years of receiving a probation sentence. Overall, 46 percent of probationers were classified as “failures.” This study remains one of the few systematic attempts to gather information on the criminal histories of probationers and ex-probationers in the field (Langan and Cuniff 1992).

In terms of public safety, about two-thirds of probationers commit another crime within three years of their sentence. Many of these crimes involve serious acts of violence. The roughly 162,000 probationers returned to state prisons and incarcerated in 1991 were responsible for at least 6,400 murders, 7,400 rapes, 10,400 assaults and 17,000 robberies. Likewise, records show that 156 of the 1,411 persons convicted of murder in Virginia from 1990-1993 were on probation at the time they killed (Bennett, DiIulio and Walters 1996). Sometimes, probation absconders show up with other probationers and recent ex-probationers as felony defendants in new court cases. For example, the federal government’s pretrial reporting data on the nation’s 75 largest urban counties indicate that nearly one in five felony defendants arrested, and 15 percent of felony defendants charged with a violent crime, were on probation at the very time they committed the new crime (Reaves and Smith 1995). If probation had done a better job, fewer people would have been killed or otherwise harmed by probationers, and the overall crime rate would have been lower.

In California and nationally, the fraction of all persons on probation for so-called person offenses — murder, rape, robbery, and assault — has risen. Today, 57 percent of all probationers are “felony probationers,” and in Massachusetts and many other states about half of all probationers have a history of criminal violence. (Bonczar and Glaze 1999) With burgeoning caseloads, more dangerous offenders and a notable decline in face-to-face contacts between probation officers and those they supervise, it is unlikely that the actual amount of crime committed by probationers, arrested or not, is less today than it was 15 years ago, either in California or elsewhere (Beto, Corbett, and DiIulio 2000).

Of those offenders placed on probation, the long-term trend indicates that an ever smaller percentage complete their terms of supervision successfully. In 1986, of those who exited probation, 74 percent did so successfully. In 1990, 69 percent of those who exited probation successfully completed their terms. This figure dropped to 59 percent in 1998 (Petersilia 1997; Bonczar and Glaze 1999). Though failure rates on probation are not always synonymous with the commission of new crimes during the term of supervision, as Petersilia first pointed out 15 years ago, felons on probation today continue to pose a serious threat to public safety.

Beto, Corbett, and DiIulio (2000) emphasize the importance of dealing with crimes committed by probationers. They define crime as any act prohibited and punishable by law, not just any act for which one is arrested, incarcerated, or otherwise legally sanctioned. They too estimate that roughly two-thirds of probationers reoffend or commit another crime within three years of their sentence. They base their estimate, one which several Council members share, on the arrest rates reported in the best jurisdiction-specific research; the fact that half of all probationers violate the terms of their sentence with another crime; and, the presence of recent ex-probationers who figure prominently on arrest rolls, in plea-bargain-gorged felony courts, and in prisons, all for another crime.

It is evident that the frequency and scale of probationer recidivism represents an issue that carries decisive consequences for the well being of communities across the country. In view of their pivotal position in the justice system, probation executives must play a critical role in confronting the crime problem and in promoting a view of probationer recidivism that recognizes the threat such offenders present to public safety. Even more, the leadership in probation must demonstrate a willingness to “embrace accountability” (Moore 1995) for taking meaningful actions both within the system of justice and through the community to tackle the commission of crimes by probationers.

If these efforts are to achieve credibility with the public, in the view of Beto, Corbett, and DiIulio (2000), we should expect only a maximum of 10 percent of all probationers to commit another crime within three years of a probationary sentence. Embracing this goal as a benchmark against which to measure the performance of the field serves as a bold yet necessary step in addressing the crisis afflicting probation.

Assuming ownership for confronting the challenge of recidivism by probationers is vital to the effort to build credibility for the profession. There is another step, however, that those in the field must take if their actions are to represent an informed and effective response to what ails probation. They must acknowledge candidly the extent to which the traditional strategies and supervision practices adopted by practitioners far too often fail to curb or effectively manage the risk probationers present while in the community. They must admit that probation as currently practiced does not serve as a valued criminal justice sanction to key players and decision makers within the system, nor to the larger citizenry.

### **The Breakdown of Supervision**

Critics of probation have long charged that it has failed to promote public safety, enforce court orders and secure for criminals residing in the community the drug treatment or other help they need to remain crime-free and succeed in life. Some probation administrators have developed innovative and effective supervision strategies in response to these concerns, as several of the programs highlighted later in this monograph show. These initiatives offer promising alternatives to maintaining the status quo. They do not, however, represent typical probation practice. It is the view of the Reinventing Probation Council that all too often the critics of probation stand on solid ground.

What are some of the more widespread practices in the field of probation that undermine its capacity to provide effective intervention and supervision? Again, it is important to point out that there are agencies that represent notable exceptions to such practices. However, too many agencies and probation officers adopt strategies and methods of supervision that permit offenders to return to their communities with anonymity and a nearly total absence of accountability.

Clearly, offenders on probation have a responsibility to comply with the conditions of supervision. When they do not, then it is up to probation to enforce compliance with such terms. It is here though that the practice of probation frequently breaks down. As Clear and Cole (1990) point out, once a person is granted a term of probation, it is not the case that they will be held accountable or removed from the community for serious misbehavior or even for failing to maintain contact with their probation officer. The enforcement of the conditions of probation remains all too often sporadic and ineffectual. Over 90 percent of probationers are ordered by the courts to get substance abuse counseling, abide by house arrest, perform community service or meet other court-ordered conditions. Unfortunately, studies have found that nearly half of all probationers do not comply with the terms of their sentence, and only a fifth of those who violate their sentences ever go to jail for their noncompliance (Langan 1994).

The track record with respect to those who abscond from probation is even worse. Probation absconders not only fail to comply with the terms of their court order, they do not even stay in contact with their probation officer. The latest national survey of probationers reveals that ten percent of them — about 340,000 persons in 1998 — have officially “absconded,” a euphemism for probation violators who have failed to keep in touch with their probation officer and whom the system makes little effort to find, serve with warrants, or otherwise bring to justice (Bonczar and Glaze 1999). While on absconder status, these offenders remain out of contact with probation, out of compliance with court orders and out from under any control or monitoring. In too many jurisdictions, next to nothing is being done to apprehend these scofflaws, a number of whom are “hiding in plain view.” The lesson is not lost on new probationers, who may find their obligations too onerous: Stop complying — they will not come after you. If the remedy to this problem is partnering with sheriff’s departments or the local police to enforce warrants, it is a solution that is yet to be widely adopted.

With respect to programmatic intervention, the efforts of probation are frequently ineffective in helping probationers avoid drugs, learn to read, obtain jobs or otherwise reconnect their lives with prosocial peers and others. Research data indicate that almost half of today’s probationers were under the influence of alcohol or drugs when they committed their latest offense. Practitioners in the field have long argued that probationers need to obtain community-based substance abuse treatment. But only 37 percent of all probationers nationwide participate in any type of drug treatment program during their supervision, and only 32.5 percent nationally are tested for drug use once they do receive treatment (Bonczar 1997). Yet, a substantial body of research shows that effective drug treatment curbs the likelihood of reoffending (National Center on Addiction and Substance Abuse 1998).

Perhaps the most widespread and damning practice is the extent to which probation supervision is carried out from within the confines of an office. Referred to by the Reinventing Probation Council as “fortress” or “bunker probation,” this style of supervision relies on office-bound interactions with probationers, mostly during the working weekday hours of 8:00 a.m. — 5:00 p.m., to gather information and monitor offender compliance. It is estimated that probation officers spend an average of five to twenty minutes once a month with offenders in an office setting where they are dependent on the offenders to give them truthful and accurate information regarding their activities. Very little, if any, time is spent supervising offenders in the neighborhoods where they live, work, and play (Bonczar 1997).

This passivity in case management results not just in offender anonymity, but the absence of a visible presence in the communities and neighborhoods probation officers are assigned to serve. Given the operational culture of many agencies, probation officers place a paramount emphasis on administrative paperwork and processing required reports. Increasingly, managerial and organizational demands reward the timely submission of reports and the ability to document minimum compliance with the contact standards for supervision, not outcomes that contribute to public safety. As Smith and Dickey (1998) point out, this produces a passivity in supervision that elevates an approach to case management they refer to as “harvesting the failures.” In a passage that has great resonance for many probation agencies across the country, they state:

When probation and parole officers lacking resources and plausible technique are made responsible for dispersed caseloads of individuals who proved themselves motivated offenders in the past, who are located where crime and vulnerable victims abound, and who are effectively anonymous because they are without formal or informal supervision for weeks on end, the agents are inclined to let nature take its course — to wait for police to arrest those offenders under their supervision who, unsupervised, commit new crimes (Smith and Dickey 1998: 20).

Fortress probation and passivity in case management serve to undermine the rigorous enforcement of the conditions of probation. Months may go by from the time a violation is detected to the point at which corrective action, if any, is taken. As an example, drug testing is in some jurisdictions scheduled in advance, yet test results are provided sometimes a week or more after the tests are administered. The testing is done infrequently and, as a result, is ineffective either as a deterrent or as a tool to prevent drug use. It is troubling and ironic that these practices have become the great “enablers” for continued noncompliant and criminal behavior on the part of offenders presumably accountable to probation.

Too many probation agencies do not encourage field-based activities providing meaningful face-to-face supervision to offenders in the neighborhoods where they carry on their lives. Probation has become disconnected from such areas, a situation that has resulted in the removal of the “community” from the business of community supervision. Given this situation, many probation agencies typically fail to draw on the leverage and resources the community may provide in supervising and monitoring offenders. The operation of probation in too many jurisdictions today is far removed from community concerns and needs (Clear and Corbett 1999).

Even more, most probation practitioners have yet to develop in any systematic fashion real interagency cooperation and partnerships with law enforcement, treatment and service providers, community organizations, schools, victims’ groups, and churches to better serve communities. Where partnerships with others outside probation have been forged, they have shown great promise and some real success, as will be shown below. Nonetheless, the failure to pursue such collaborations is far more common and represents a significant shortcoming relative to the effectiveness and credibility of probation operations.

### **The Decline in Funding**

It is evident that the practice of probation has been affected by the criminal justice system’s shift toward punitive crime control policies during the past several decades. This shift has triggered a growing and unrelenting reliance on incarceration in response to crime, accompanied by ever-greater expenditures for prison expansion. The marked increase in the nation’s prison population and the fiscal support necessary to sustain this growth has taken place at the expense of probation, and community corrections more generally. If the track record of probation is characterized by serious deficiencies, and it is, one reason for this is that the field of probation has long been weakly funded, and at times, woefully understaffed.

The past 20 years has witnessed a marked and steady decline of probation funding when compared to prison spending. The historically unprecedented growth in the prison population is well known, but is worth repeating. In 1970, state and federal prisons housed fewer than 200,000 prisoners. In 1990, this figure had grown to 743,382. By 1998, the total number of inmates in state and federal prisons exceeded 1.2 million. Between 1990-1998, the nation’s prison population grew by 65 percent (Beck and Mumola 1999; Bonczar and Glaze 1999). Most, if not all, states have engaged in massive prison construction programs to deal with the increased number of offenders sentenced to a term of confinement. Nationwide, for fiscal year 1996, the states, the District of Columbia and the Federal Bureau of Prisons spent just under 25 billion dollars for prisons (Stephan 1999). Spending on prisons now constitutes about a quarter of total state and local criminal justice spending (including the police, courts and corrections), and about two thirds of the total corrections budget.

The opposite holds true for probation relative to population growth and funding. The number of offenders on probation has shown a steady and significant growth, yet budgetary support and funding has remained static, if not declined. At the start of the decade, a total of 2,670,234 adult offenders were under the supervision of probation. By 1998 this figure had increased (as stated earlier) to 3,417,613. Between 1990-1998 the number of those on probation jumped by 28 percent. Even more telling, probation caseloads have grown from what many argued in the mid-1970s was an ideal offender/probation officer ratio of 30:1, to an average caseload of 175 offenders per probation officer in 1997 (Camp and Camp 1998: 173). As Petersilia points out, this figure actually overestimates the number of probation officers performing supervision, thus increasing the average caseload even more. Using figures drawn from regular supervision caseloads in 1994, she notes that line probation officers were expected to supervise an average of 245 probationers (Petersilia 1997: 167).

Community corrections, which includes probation and parole, has over two-thirds of the persons in criminal custody. Despite the fact that the vast majority of offenders under some form of correctional supervision are in the community, it receives only one-third of the total corrections dollar, about half of what prisons receive to serve less than half the probation population. Significantly, since 1977 spending for probation in proportion to prison spending has shown a steady decline. The disparity between prison and probation budgets becomes most visible by comparing per-offender amounts spent on each. Most states spend between \$20,000 and \$50,000 a year for each person in their prison system. Petersilia notes, however, that some of these same jurisdictions spend barely “\$200 per year per

probationer for supervision.” There is no jurisdiction that invests in probation at a level of funding even remotely comparable to that available to house felons in state prisons (Camp and Camp 1998: 184). At a national level, even though probation alone is responsible for the supervision of nearly six out of ten offenders under some form of correctional supervision, it receives less than ten percent of state and local government funding earmarked for corrections (Petersilia 1997: 150).

There is little doubt that insufficient funding and inadequate staffing have exerted an influence over the general malaise impacting on probation. In some jurisdictions, very high average caseloads, sometimes ranging from 100 to 500 per probation officer, have rendered supervision ineffectual (Nessman 1997). This has contributed in part to the growing problem of offender failure rates on supervision and the even more vexing issue of probationer recidivism. Both are unacceptably high and are evidence of poor to dismal probationer performance while under supervision; both are symptomatic of and speak to the need to redirect the practice of probation.

### ***Probation Reform: Meeting the Public’s Expectations***

As the preceding discussion illustrates, probation is demonstrably in crisis. It is critical that probation executives acknowledge the maladies that affect and cut deeply into the consciousness of their profession. Though this malaise has been sparked by the larger legitimacy crisis afflicting the system of criminal justice, even more, it has been exacerbated over time by the ineffectual performance of probation. It is apparent that the traditional focus of probation officers in supervising only those offenders on their caseloads and the generalized tolerance for passivity in case management are inadequate to achieving public safety goals or reducing recidivism.

The present crisis affecting probation has historical and cultural roots. Just as it took several decades for this situation to develop, it will take a concerted, long-term effort to turn it around and reinvent the practice of probation. It is vital that those in decision-making positions, as well as those line officers whose work takes them into the community, thoughtfully and energetically assume the responsibility for retooling their strategies and methods of operation. To do this successfully will require an understanding of what the citizenry expects and then acting on what matters to them. It will mean reinvesting in and restoring the community to a central role in the business of probation supervision. Fortunately, there is a good deal that is known about what the public expects and what it will take to be responsive to the public’s expectations.

The steady devaluation of probation during the past few decades runs alongside public opinion surveys that show a decline in public confidence in and little knowledge about its operations. Public opinion polls suggest that Americans have rather low confidence in and understanding of probation. These surveys also show that of the main components of the criminal justice system, including the police, courts, prisons and probation, there is an overwhelming dissatisfaction with everyone but the police. A national survey conducted by Sam Houston State University in 1996 on criminal justice issues revealed that roughly 60 percent of those surveyed reacted favorably to the performance of the police. In contrast, only 25 percent of the respondents expressed a “great deal” or “quite a lot” of confidence in probation. Perhaps even more telling, of those surveyed, 22 percent responded that they “did not know” or “refused” to answer the question about their level of confidence in probation. In that same poll, in addition to the high confidence level enjoyed by the local police, only one percent of the respondents indicated that they “did not know” or who refused to answer the question regarding their confidence in the police (Longmire and Sims 1996).

Two years later Sam Houston State University conducted a more comprehensive poll, this time focusing on Texas only. In this survey, 83 percent of the respondents indicated that they had a “great deal” or “some” confidence in local police. In terms of probation, only 46 percent of the respondents expressed “a great deal” or “some” confidence. Of these respondents, only two percent “did not know” or refused to answer the question about the level of confidence they had in police, while 17 percent were unable or refused to answer this question about probation (Longmire and Hignite 1998). This lack of knowledge reinforces the view shared by many that probation is not visible in the community and is truly the “secret service” of the criminal justice system. Even more, if probation executives fail to recognize this rather sizeable group of respondents as an important constituency to reach, they may develop policies and programs that are not responsive to community expectations and needs (Longmire 1998).



The confidence levels expressed in these opinion polls are mirrored in the results of research conducted recently in Vermont. Corrections officials there pursued a market research approach to ask the public what they thought of the job the correctional system was doing and what it was that they expected and wanted from this critical area of public policy. Focus groups were conducted made up of randomly selected citizens in sessions that were videotaped and subsequently analyzed (Perry and Gorczyk 1997).

The answer revealed by the research was that the public believed the job corrections officials were doing was terrible. In fact, they felt their job performance was worse than what corrections officials thought they thought! Only 30 percent of Vermont citizens believed that probation/parole was doing a good or excellent job. The firm that did these surveys — Doble Research Associates — found similar to even lower numbers in other states, including New Hampshire in 1998 (40%), Oregon in 1995 (18%), and Pennsylvania in 1993 (18%). More generally, the Vermont citizens who participated in the focus groups did not think much of the entire criminal justice system. They liked the police best, judges next, then prisons, and last, probation and parole. Seventy-five percent of Vermont citizens, and similar percentages in other states studied, thought the system of justice required a fundamental overhaul (Boyle, 1999). Clearly, the public does not trust the justice system or its players.

The results of the research in Vermont showed even more. Despite recent trends to the contrary, the public, including victims, believe that crime is increasing, especially drug crime and violent crime. They think the system is letting violent felons out early, instead of serving their sentence, to make room for drug offenders. They do not believe that treatment occurs, but they do believe that cases are plea-bargained just to get the cases processed. The respondents know that probation/parole caseloads are overwhelming, and they think that the prisons are crowded with individuals who do not need to be there. They think prisons and jails make people worse. They do not believe that probation and parole make them better. They think sentences for most crimes are a joke. They do not believe the justice system provides either treatment or education, in prison or out. They think the victim is ignored and the community is shut out. They think, in short, that the criminal justice system is a secret society that covers up its mistakes and does not let anyone see behind the closed doors of chambers, offices, prisons, and treatment rooms.

### **What Does the Public Want from the Justice System?**

The Vermont researchers pursued citizens’ views not just in relation to their dissatisfaction with the justice system, but even more, relative to their expectations of what the justice system should seek to achieve. The researchers asked the public what did they want in terms of outcomes? The question was not posed as how long should the sentence be for the most heinous crime imaginable, but rather, what the citizens wanted from corrections, from justice and from offenders. First, the citizens told the researchers that they wanted just five simple things from the correctional system.

- Safety from violent predators;
- Accountability for the offense;
- Repair of the damage done;
- Education and treatment of the offender; and
- Involvement in making decisions.

By implication, these are the very things or outcomes that the citizens felt the system was not accomplishing. In sharp contrast to current sentencing practices, the public believes prisons should be reserved only for violent, dangerous felons, especially sex offenders, and major drug dealers. Nobody else should be put in prison, especially not non-violent youth and substance abusers. The public knows that prisons make offenders worse. They know that prisons cost too much to use for anyone other than those who are so dangerous nothing else will keep the communities they live in safe. But once such offenders are behind bars, the public expects them to remain confined.

The public believes that the vast majority of criminals are not being held accountable by the system. They know the jails are full, and they do not think jail is the right answer for these offenders. The public thinks these offenders need to be held accountable for their crimes, yet they do not think probation holds anyone accountable. The public

believes probation is less than a slap on the wrist, and they think parole is a means of letting them out early, to save money, because the prisons are so crowded.

The public also wants the damage repaired. The public wants what was broken, fixed; what was stolen, returned; what was destroyed, replaced. They think the correctional system spends all of its time thinking about the offender, when it should be thinking about the victim and the community.

The public also wants the offender, especially if he or she is young, to receive an education and to be placed in effective treatment, particularly for substance abuse. The public does not expect it to work every time, but they expect correctional officials to try. They do not think probation does much in this regard. The numbers, in fact, are lower for probation than for the correctional system overall.

Finally, the public is tired of being kept out of the justice process. The citizens want in, and not just on the edges. They think they can make the decisions about what to do with offenders, better than those who work in the correctional system.

### **What Does the Public Want from Offenders?**

Beyond what they want and expect from the correctional system, what does the public expect from offenders? They desire the following outcomes. Offenders when they leave the system should:

- Fully accept responsibility for their behavior;
- Understand the harm their actions caused;
- Acknowledge doing something wrong;
- Offer an apology;
- Repair the harm; and
- Make restitution for the harm.

If the public sees these outcomes achieved in practice, they do not need punishment. Punishment is for those offenders who refuse to accept responsibility, who deny wrongdoing, who insist on blaming others, who do not make restitution, and who do not understand or acknowledge the impact of their behavior on others.

It is evident, however, to the citizenry that the correctional system does not give them any of these outcomes, particularly for the crimes they care about, the crimes that affect the quality of their own lives, in their own neighborhoods. Clearly, the citizens are concerned about serious, violent predators and the offenses they commit, but only to the extent of being appreciative that such crime is not found in their neighborhood. What they want those in the system to do is to take meaningful steps to address the crimes they feel are in their neighborhoods, and to closely monitor the individuals that are leaving the correctional system and returning there.

It is obvious that correctional officials, including those working in probation, have some explaining to do. The public still thinks that crime is up, especially in their neighborhoods. They still think criminals are let out too early. The public thinks this happens to save money and they believe that such a practice is a bad idea. On the other hand, the public believes that offenders can and should be reintegrated, carefully and slowly, under intense supervision, with treatment and educational services designed to give them the skills and knowledge to succeed in the open community. They like the idea of citizen involvement on local boards that handle non-violent criminals. The citizens are willing to expand the use of such boards to more serious crimes, if they are able to get assistance from professional corrections staff. They very much like the idea of citizen review of criminal justice decisions.

The critical, if not trenchant, findings revealed by the surveys cited above contribute to what Doble (1999) calls “the seeming paradox of public opinion.” On the one hand, the public apparently wants more punishment. On the other hand, the citizenry does not want non-violent offenders in prison, and they favor, sometimes strongly, the use of alternatives to incarceration. It is evident that their sentiments carry more nuance than what is typically presented in the evening news or all too often in political debate.

### **Victims: What Do They Want?**

Recall that the National Crime Victimization Survey cited earlier indicated that 31 million violent and property victimizations were experienced in 1998. Property crimes far exceeded violent crimes. In fact, criminal victimizations included about 22.9 million property crimes, while there were 8.1 million violent crimes (Rennison, 1999). The same Bureau of Justice Statistics report also observed that violent crime rates declined seven percent, and property crime rates fell 12 percent from 1997 to 1998, the latter representing the lowest rates recorded since the inception of the survey in 1973 (Rennison 1999). Between 1993-1998 violent victimizations and property crimes decreased in nearly every available demographic category that was considered.

It is comforting, especially for those working in the criminal justice system, to take credit for the drop in crime rates. As was stated at the start of the monograph, the recent reduction in criminal victimizations represents a welcome reversal in long-term crime trends. Nonetheless, this trend must be balanced against other more sobering findings. A survey of nine northeastern states conducted in 1998 by the Council on State Governments asked how many respondents had been victims of a crime. Approximately 80 percent reported some type of victimization. Forty-four percent had been the victim of a violent crime. Of these, 20 percent had been victimized within the previous four years (Boyle 1999).

For some time, victims have been viewed as a separate component of the market, with special needs for attention and services. What the survey by the Council on State Government shows is that victims are not nearly as distinct a sub-group of the population, as is commonly assumed. Of even greater importance, from the victim’s point of view, crime is a cumulative event, not an aggregate rate reported in a national survey. The crime that has not been responded to, as well as the crime that has been plea bargained down to a less serious charge (if not dismissed altogether), is a crime that the victim carries inside day to day. That crime, and the response of the justice system to that crime, stays forever.

Just like the public, victims of crime express a desire for outcomes that create something of value. Such outcomes include a desire for safety, knowledge, restitution, services, meaning and involvement. These outcomes, not surprisingly, overlap with the expectations of the public. Each is explained briefly below.

In terms of *safety*, those who are victimized want to be assured that the perpetrator of their crime will not hurt them again. They want to know that other offenders as well will not hurt them again. They want to be protected from harassment or intimidation by the offender.

In terms of *knowledge*, they want to know where the offender is in the judicial system, and afterwards. They want to know what happened, and what the system is doing about it. They want to know if the system is working, and what they can do to protect themselves. They want to be notified of the offender’s processing. They believe they should not have to work or make special efforts on their own to find out.

In terms of *restitution*, they want the damage paid for, with interest. They want what was taken, returned; what was broken repaired; what was destroyed, replaced. They want these things quickly, up front and they want to be first in line. The system and its needs should come after, not before, those of the victim.

In terms of *services*, they want, above all, respect from the criminal justice system and the service providers. They want and need to be in charge of determining what these services are. They may want counseling, contact with other victims, confrontation with the offender, or anything else, but they want first and foremost, to be the one to decide what they need. They want prompt, responsive service. They want the court cases to proceed quickly. They want to get it OVER with.

In terms of *meaning*, they want some meaning to be derived from the crime and its aftermath. They want some good to come of it, and some wider effect than on just them or the offender. They want some hope. They want the system to change, to treat the next victim better, more respectfully, more carefully. They want what they have suffered to *matter*— to the courts, to corrections, and to the offender. They want their suffering to make a difference.

In terms of *involvement*, most victims want to be involved with the criminal justice process, but some do not. They want to know what is going on, but even more they want to be consulted in decisions. They also want to be involved with the planning for offenders, and they want to be heard at sentencing. Being victimized by crime results in a feeling of powerlessness, incompetence and a loss of control. It is thus not surprising that victims want to have their power and control over their lives restored, and to feel competent again. They want the courts to listen to them, and they want to tell their stories. Many want the opportunity to tell the offender about the harm their offense has caused. Most of all, they want to be asked, and they want to be treated with dignity and respect.

### **What Does the Public Want from Justice?**

The public (including victims, voters and taxpayers) wants *the truth* above all else. They do not mean “truth-in-sentencing,” as it has been variously portrayed. They mean, simply, that they expect the system to do what it says it is doing. They want to know that a sentence is a sentence, and that those on whom it is imposed will abide by its requirements. The public also wants to know who is in their neighborhood. They want the justice system to tell them if someone is dangerous, and to be informed when the reverse is true. They want to know as well what the offender really did, not what expedience and the requisites of due process allowed the ultimate charge to be.

The public expects to derive some sense of meaning from the processes of justice. They want what happens in the justice process to bear some relationship to reality. *They want the sentence to fit the crime, the offender and the circumstances.* Probation, for example, should in its everyday performance show some relationship to common sense. If an offender has a drug problem, then the public expects that offender to participate in drug treatment. If the offender needs a job, then they expect him or her to be employed or obtain the skills necessary to become employed.

The public likewise wants *some good to come of justice*. They do not want the process of justice to be a dead loss. They want to feel that justice creates value for the offender, for the victim and for the community. They want to believe that those working within the justice system know what they are doing, and that what they do somehow adds value to their lives.

Finally, they want *safety*. Public safety is the bottom line. They view controlling violent and dangerous offenders as the justice system’s ultimate responsibility. They are willing to pay for that. What they will not tolerate is trading their safety for the sake of reducing the costs of running the system. They are willing to help. They want to be partners in the process, if only the system of justice will let them in.

Given the expectations of the citizenry, and victims, who is the customer of the justice system and probation? If the strategies and practices of probation are to meet these expectations, and they must, they will need to be based on a definition of the customer that is far more expansive than what the field has focused on traditionally. It is a redefinition, in fact, that will for many in the field create some cognitive dissonance. Most practitioners in probation have spent the past 30 years or so taking for granted that the customer of corrections was the offender. In fact, many practitioners in the field still refer to offenders as “clients” assuming they are the primary if not exclusive recipients of correctional services. *Within the framework provided below, the customer is the community, inclusive, however, of both victims and offenders. Of equal if not greater note, the product is not services to the offender, but public safety.*

*Transforming Probation Through Leadership: The “Broken Windows” Model*

## CHAPTER TWO

### *HOW PROBATION CAN WORK*

In many respects, probation is the “dark figure” in the criminal justice world. Though responsible for nearly two-thirds of offenders under correctional control, amazingly little in-depth research has been conducted on its activities or impact, except in the limited area of intensive supervision programs (Petersilia 1999). Very little can be said with confidence about what probation does and to what effect. On the other hand, probation (like its law enforcement cousin) protects the public around the clock. Probation is the untapped giant of the public safety arena and has greater potential to control the behaviors of offenders than any other criminal justice component.

Similarly, probation has neglected the area of constructing a “theory of practice” to guide practitioners. Mission statements call for enforcing court orders and providing treatment options in the service of reducing recidivism. Extraordinarily little has been put forth regarding the most appropriate supervision strategies for achieving these goals. When this is compared with the richness of the available practice theory in such domains as counseling, social work, and even police work, the extent of inattention to the “how” of probation supervision becomes manifest.

To make matters worse, those in the field with responsibility for supervision have little control over who is placed on probation or why. In too many jurisdictions, prosecutors, public defenders, and judges negotiate plea bargains based on little to no information or on cursory assessments that determine placement for treatment and supervision. It is not unusual to see the worst of offenders being placed in the community with charges reduced down via the plea bargaining process, while high-risk youth go to prison because “they have an attitude.”

In the face of public and political climates that have grown steadily more conservative on crime, probation is poorly positioned — both in terms of know-how and resources — to meet the challenge posed by staggering and surprisingly high-risk caseloads. If nearly one-fifth of all felony arrests are of active probationers, those in the field must be prepared to make a better accounting of their work than is possible under current circumstances.

How might probation reinvent itself and, in doing so, become a credible justice system disposition? While adequate resources are critical for doing an effective job, they are unlikely to be generated until such time as the public — and its key elected representatives — are persuaded that probation is more than a “get-out-of-jail for free card,” a hollow experience that trivializes the offense, demeans and enrages the victim, and emboldens the offender.

The transformation of probation from the anemic intervention it too often is now to a sentencing option worthy of public support — both moral and financial — depends critically on the capacity of probation to define itself and its mission coherently and convincingly. It must endeavor to align its practices with what the broad middle of the American people expect from their justice system. In essence, the practitioners of probation will have to learn how to work “smarter” by devising supervision strategies that are informed by a vision rooted in community values and outcomes that have clear public relevance.

#### *Community Justice and a New Narrative for Probation*

This transformational effort will require that probation practitioners develop a plausible narrative of community-based supervision. This narrative must convey, both in what it says and what it does, how the risk offenders present while under supervision can be addressed in a credible fashion in the community. A sound narrative in probation must confront and provide an accurate accounting of the problem of crime, its extent, and what can be done to address it. The story it tells must also recognize and be responsive to the “rationality demands” that are placed on the system. It must clearly articulate the goals that the system is pursuing and defend its strategies and practices as viable means of accomplishing those goals (Corbett 1996; Rhine 1997).

A narrative provides a vehicle for communicating to the citizenry what probation does. The new narrative must give the public reason to believe in probation’s capacity to control offenders under supervision in the community.

Even more, the narrative must be framed as a story that connects the efforts of probation to important public values. A new narrative for probation must, of necessity, convey a vision of important public values to be realized through the work of those in the field (Burrell 1999a; 1999b). As part of this vision and the story it tells, the narrative must necessarily explain the outcomes that will be produced through probation, as well as describe the strategies that will be used to achieve these results.

In essence, the reinvention of probation requires that practitioners develop a new narrative grounded in a coherent and convincing vision. They must also embrace and employ methods and strategies embedded within the narrative that will engender the public’s confidence and support. What, then, needs to be considered in constructing such a narrative? What are those key strategies that will move probation from an under-valued, and ineffectual correctional option to one that is “at the table” when criminal justice policy is crafted and that plays a preeminent role in promoting public safety?

The discussion that follows places the answers to these questions within a community justice framework. The principles and core values associated with community justice provide the context for the strategies and practices that are essential to the reinvention of probation. Given the importance of this framework to what follows, it is necessary to distinguish this approach from that of restorative justice. Both the community justice and restorative justice movements have been gaining momentum during the past decade (Nicholl 1999). Both developments call for approaches to crime and delinquency that depart dramatically from current justice system practices. Though community justice draws from restorative justice, the former suggests a more expansive and community-centered framework for responding to the problem of crime and criminality.

The concept and practices called for by restorative justice differ fundamentally from traditional justice system responses to crime in the emphasis placed on the harm done to victims. Restorative justice views crime first and foremost as an offense against human relationships. The community’s need to sanction, viewed most often in terms of retribution and punishment, is redefined within this perspective to focus on the nature of the harm suffered by victims of crime. Crime is sanctioned most effectively when offenders take responsibility for their crimes and the harm caused to victims, when offenders make amends by restoring victims’ losses, and when communities and victims take active roles in the sanctioning process. Within this perspective, justice professionals, victim services providers, community representatives and allied professionals are called on to work together to assess victim needs, and to provide timely and sensitive services that offer short- and long-term support following a crime. Restorative justice practices seek first and foremost to respond to the full extent of the harm caused by criminal offenses, thereby promoting healing, reparation and reconciliation among those parties suffering from such harm (Zehr 1990; Umbreit 1994).

Community justice is a concept closely related to but clearly distinguishable from restorative justice (Barajas 1995; 1998; Clear and Karp 1998; Carey 1999). Both perspectives share a focus on repairing harm and both concepts direct attention to victims’ needs and issues. However, as defined in a recent position statement by the American Probation and Parole Association (2000), “community justice is a strategic method of crime reduction and prevention, which builds or enhances partnerships within communities.” The crime fighting policies that are called for under this approach emphasize proactive, problem-solving practices intended to prevent, control, reduce and repair crime’s harm. The overriding goal of community justice is to create and contribute to healthy, safe, vibrant and just communities and to improve citizens’ quality of life.

In practice, community justice is concerned with fostering partnerships between and among the public agencies that share responsibility for public safety and with forging new relationships with community residents and community organizations. Striving to repair the harm caused by crime and promoting community protection are critical benefits to be provided by the justice system working in concert with individual communities. Interventions designed to change offender behavior are part of the overall strategy. The pursuit of community justice requires the formation of working partnerships between and among the various public agencies and community groups that have a stake in public safety. The courts, prosecutors, law enforcement and corrections agencies, along with probation and parole agencies, must necessarily work in tandem with community-based organizations to sanction offenders, prevent crime and increase public safety.

Community justice, defined in this way, is a conceptual framework that draws collaboratively from restorative justice. As this discussion shows, the latter is crucial to the success of the former. The principles governing community justice, as well as restorative justice, move away from the unproductive debate between punishment and treatment. They offer an alternative that is neither retributive in focus, nor offender-centered. In terms of probation, a commitment to community justice recognizes that communities are necessarily active participants in co-producing the outcomes associated with justice. Such a commitment seeks to draw on the greater operational and resource capacities of local communities in responding effectively to the problem of crime. Within this framework, the community serves as the ultimate customer and partner of the justice system.

Several jurisdictions have embraced a commitment to community justice in their vision statements and in their practices. The following presents a vision statement, a mission statement and the beliefs created by a working group of community members and probation and justice system practitioners in Iowa. It was developed over a one and one-half year period and reflects a clear commitment to community justice. It illustrates how the perspective of community justice differs from the more traditional response of the criminal justice system.

#### **VISION STATEMENT**

Cedar Rapids is a safe and just community, where we actively care about each other and gladly assist in restoring community members who have been harmed. We promote justice for victims, public safety for the community, accountability for change in the offender, and respectful treatment for all involved. In such a community, we have fewer victims.

#### **MISSION STATEMENT**

Community justice seeks to enhance community safety and well-being using a model of personal responsibility. Community justice creates an environment where:

- Victims are acknowledged and included;
- Offenders are held accountable, and given the opportunity and encouragement to change; and
- The community is actively involved in the process.

#### **BELIEFS**

- The community owns the process of justice.
- A fundamental role of the community justice system is to define and produce positive results.
- Standards for acceptable behavior are agreed on and expected to be modeled by the whole community; not imposed by a part of the community on the rest of the community.
- When individuals violate the acceptable standards of behavior, they must be held accountable in ways that demonstrate respect and allow people to change; a community must build on all of its assets.
- Victims are at the center of the process of defining the harm done to them and play an active role in determining how their needs can best be met.
- Offenders are responsible to understand, acknowledge, and to the extent possible, repair the harm done to victims and their community.
- Keeping a balanced focus on victim, community and offender deepens our understanding and commitment to justice.
- Understanding, respecting, and promoting racial and social diversity is our strength.
- Community partnerships must be developed and strengthened to foster understanding and accomplish our goals.

The value of a community justice framework is in its connection to the broad middle of public expectations regarding justice system outcomes and its call to move beyond offender-centered activities to be inclusive of



communities’ and victims’ needs. It provides a principled and pragmatic approach to transforming the entire system of justice. The strategies and practices for probation that are presented below are housed within this framework. The Reinventing Probation Council believes that reengineering probation will be successful to the extent it is consistent with the principles and values associated with community justice.

### ***Embracing Key Strategies for a Rational Probation System***

In December 1998 the Office of Justice Programs of the U.S. Department of Justice sponsored a two-day forum designed to facilitate a strategic discussion on rethinking the future of probation and parole. Innovators and leaders gathered from across the country to debate, among other things, whether the timing was right and the knowledge base sufficient to argue for a major reinvestment in probation or parole. The participants discussed whether the field was entering a period of great risk and vulnerability given the scale of correctional resources allocated increasingly to imprisonment. They asked whether probation was positioned to improve the supervision of offenders in the community in a manner that would make a difference and create something of real value to the public. In essence, the meeting brought together a focus group of knowledgeable practitioners to consider the state of community supervision at the close of the 20th century and its strategic position heading into the first decade of a new century (Dickey and Smith 1998).

Most of those in attendance felt that the moment represented one of “dangerous opportunity” for probation and parole. At the same time, there was tremendous concern about the field’s muddle relative to its purpose and mission. In fact, there was a widespread consensus that the greatest threat to probation (and parole) resided in the absence of clarity about purpose. According to a summary of the meeting, the “lack of clarity emerged as [a] confusion of means with ends: is placement in drug treatment the objective, or does supervision fall short of its purpose unless treatment leads to durable sobriety, which in turn reduces recidivism? Is speedy revocation of a violator’s probation a purpose (a demonstration that offenders are being held accountable), a failure of supervision, or a means to induce self-regulation in the offender? Uncertainty about purpose also led to argument about what problems the field should ‘own’: is it safe to ‘own’ the public safety problem when success so much depends on co-ownership of that problem by others?” (Dickey and Smith 1998: 1).

The Reinventing Probation Council believes that probation must be clear about its purpose and own the problem of public safety. Probation’s practices must be driven by a clear and convincing set of values, values that are held dear by the American people. Meeting these expectations is problematic in that many probation practitioners have for too long been indifferent to local community values and norms and largely inattentive to achieving outcomes that matter to the citizenry. Until these issues are addressed with conviction and consistency, probation will not achieve public legitimacy or significant community support. The importance of addressing these concerns was underscored by one of the participants early in the two-day forum on rethinking probation and parole.

Despite a proliferation of outstanding cutting-edge programs, for the most part and in most places public regard for probation is dangerously low, and for the most part in most places what passes for probation supervision is a joke. It’s conceptually bankrupt and it’s politically not viable. I’m very optimistic in the face of that, because I know the models [that people around this table have] developed, and I think they can add up to a regenerated probation that will have real public value. I throw in with those who think our crisis is not primarily one of finance — though those issues are real — and not primarily one of technique, but one of value: we have to recognize that we won’t have a broad public legitimacy, that people won’t buy into what we’re selling [unless we] connect with a set of values and purposes that people choose to invest in. I’m confident we can do that (Dickey and Smith 1998: v).

The Reinventing Probation Council shares the speaker’s confidence that a regenerated probation that has real public value is possible. The public value of probation, however, and the scale and durability of its reinvention are dependent on adopting a broadly shared purpose and strategies for supervision that carry credibility in the local communities and neighborhoods most directly affected by the problem of crime and social disorder. What follows

embraces the ownership of public safety as the primary purpose of probation. It highlights seven key strategies, inclusive of the need to place public safety first, that are critical to fully implementing a “Broken Windows Probation” model.

### **Strategy #1: Place Public Safety First**

Practitioners in the field have yet to agree on the mission of probation. When asked to articulate a mission, many practitioners are likely to say that probation exists to reduce recidivism, hold offenders accountable, rehabilitate the offender, enforce the orders of the courts, and perform a host of other laudable activities. In the end, insufficient emphasis is placed on the critical role probation must play in promoting public safety, a role that the American people expect it to fulfill. Until probation practitioners reach widespread agreement that public safety is their primary mission, and act accordingly, the practices of the field will not resonate with core public values.

In reinventing probation it is critical that those in the field be always mindful that *the primary concern of the public is to be free from crime*. To the members of the community crime rates, arrest rates, and conviction rates are not as important as what safety looks like in the neighborhoods where they carry on their daily routines. In view of the public’s expectations expressed above, probation practitioners must be responsive to the following questions.

- Can community members walk around the block in the evening without fear?
- Can their children play at the local playground safely?
- Are their schools safe?
- Are offenders living in their neighborhoods? If so, are they being properly managed and held accountable?
- Are probation practices providing effective treatment geared toward offenders’ safe reentry to the community?
- Are there going to be fewer victims in the future?

The only way that those in probation can begin to answer these questions is with an emphasis on *public safety first*. Probation must build strong partnerships to make certain that the public is protected to the greatest extent possible from those under community supervision. Even more, *probation agencies must start thinking outside the box for public safety*, and design supervision strategies and programs that provide for crime prevention and community betterment. Many law enforcement agencies moved in this direction several decades ago through a commitment to community policing. In so doing, they bolstered their public recognition and confidence ratings *and* they increased substantially the funding streams available for developing new programs that provide public safety at the grassroots level in the community (Nicholl 1999). Probation must do likewise.

What this means is that the outcomes that are sought by probation professionals must contribute measurably to the goal, if not the accomplishment, of public safety (Burrell 1998; Rhine and Pappozzi 1999). Given this focus, it is important from the outset to define clearly what constitutes public safety. The concept of public safety and the supervision strategies associated with its achievement must be fundamentally reconceived if its pursuit is to create clear public value in the minds of the citizenry. Recent developments in Wisconsin provide such a redefinition and in so doing offer strategic guidance on how best to accomplish the task of reinventing probation.

In December 1996, a gubernatorial task force in Wisconsin submitted a remarkable report to the Governor calling for a fundamental paradigm shift in its correctional system. The heart of its approach proposed a far-reaching redefinition of public safety, one that is inclusive of the whole social ecology of crime. It offered a set of proposals for strategically reallocating the system’s resources, arguing especially for the need to concentrate corrections resources on community supervision. The work of the task force is unique in its vision and breath. The implications and guidance provided by the task force report for retooling probation are enormous (Proband 1996; Smith and Dickey 1998).

The significance of the task force’s efforts begins with its definition of what public safety is and what it is not. According to traditional political discourse, public safety is viewed as an outcome accomplished by the activities of the justice system. Public safety is achieved by virtue of increasing rates of arrest, the interdiction of drugs and

the confinement of ever more offenders for longer periods of time. In this view, the justice system is positioned, if it receives sufficient resources and support, to contribute directly to public safety. Accomplishing this expectation ever more effectively requires a continuous expansion of the criminal justice system’s capacity to identify, arrest, and incarcerate (or revoke) those individuals who break the law.

From the task force’s point of view, this traditional yet widely accepted definition of public safety equates its outcomes with a falling crime rate, the intensive surveillance of offenders in the community, and/or a significant increase in the prison population. If, however, the paramount goal of the justice system and probation is to achieve outcomes that speak directly to the concerns of the citizenry conveyed earlier, then this definition is fundamentally flawed. It promises what the justice system cannot deliver because it remains focused inordinately on individual offenders, whether they are adults or juveniles.

An offender-centered approach to public safety concentrates its efforts and resources exclusively on controlling those individuals already identified as lawbreakers. With respect to probation, it is of critical importance to monitor offenders closely and hold them accountable while they are at liberty in the community. Yet, as the task force points out, this alone will not achieve public safety. In part, this is because those individuals subject to arrest are often the least skilled at committing their offenses. Even more, new cohorts of adolescents land each year on the lawns of those neighborhoods and communities where public safety is most desperately in need of repair. Within these groups of adolescents, many of those who transgress the law will not come to the attention of law enforcement until long after they have harmed repeatedly either the persons or properties of those who live nearby (Smith and Dickey 1998). Needless to say, targeting individual criminal offenders for correction or confinement will forever remain a necessary but not a sufficient response if the goal is to provide the citizenry with assurances of public and personal safety.

This conveys only part of the public safety equation. It may include but is not synonymous with a higher dosage of incarceration, a lower crime rate, or the effective rehabilitation of those individual offenders who have compromised it. *For the task force, public safety is defined as the extent to which persons and property are free from attack or theft, that is, from the threat or risk of harm in particular places at particular times.* This definition requires a systemic, yet local focus on the social ecology of crime. With respect to probation practitioners, it requires a commitment that extends well beyond individual offenders on assigned caseloads. In fact, it requires a proactive and daily engagement in the wider arena of community and victim vulnerabilities relative to those locales and times of the day where the threats to public safety are greatest. It requires, ultimately, an approach to probation that is community-centered and neighborhood-based.

### **Strategy #2: Supervise Probationers in the Neighborhood, Not the Office**

For too long, probation has embraced a “fortress” or “bunker” mentality, where supervision, such as it is, takes place in the office setting of probation officers. For probation supervision to be effective, it must take place where the offender lives, works and engages in recreational and other activities. While the office is rightfully the *base* of probation supervision, the neighborhood should be the *place* of supervision (Clear and Corbett 1999). Firsthand knowledge of where the offender lives, his family, and his immediate and extended environment are critical elements of meaningful supervision. In addition to just being in the community, probation should be highly visible, and this visibility must be positive in nature.

Effective supervision must focus on achieving public safety. For probation officers, this requires reaching out beyond the management of their individual caseloads to form active partnerships with the local police, community members, offenders’ families, those persons who are important to offenders, neighborhood associations, and other indigenous organizations and groups. Offender-based classification systems targeting risk must be augmented by place-based classifications that address in a meaningful fashion the specific crime problems that compromise neighborhood safety and the quality of life of those who live there.

What this suggests is that effective supervision is active, engaged, community-centered supervision. The strategies and methods relied on by probation officers must reach outward beyond their individual caseloads to the

community. By adopting this type of approach to supervision, probation practitioners will end up devoting a significant portion of their energies to steering offenders toward socializing institutions, and connecting them with prosocial peers, mentors and other adults. At the same time, probation officers must draw on the informal sources of neighborhood and community social control to monitor and respond proactively to the public safety risks presented by those offenders who live there. Effective supervision then is attentive to the social ecology of neighborhood life (Rhine 1998; Clear and Corbett 1999).

Community-centered supervision activities call for the development of supervision strategies that carefully monitor in concert with others the whereabouts and behavior of offenders. Such activities should serve to connect probationers to their local neighborhoods and thereby draw on the influence and leverage presented by the prosocial peers and adults who live there. This approach to supervision requires that probation officers “widen the community net.” The adoption of this approach requires that probation officers redefine their role to serve as a “catalyst” for building these relations, rather than relying exclusively on the techniques of traditional case management for monitoring and enforcing the conditions of supervision (Rhine et al. 1998). In performing such a role, probation officers, in effect, align their efforts with the greater operational and resource capacities that communities exhibit, supplementing the more limited internal resources that are available to probation (Dickey and Smith 1998).

Supervision activities that are community-centered must, of necessity, move beyond the monitoring of offenders on probation caseloads towards the establishment of relations with individuals who may serve as “guardians” in the neighborhoods and areas where such offenders reside. Guardians are found in the relationships significant others have with probationers (e.g., spouse, family members, parents, employers). They are also found in protective relationships with persons who might become potential victims and in places that may be vulnerable to the risk of victimization (e.g., security guards, teachers). The development of active relationships with the various guardians that may be found in the locales where offenders reside furnishes enhanced leverage relative to the enforcement tasks of supervision. At the same time, it represents an invaluable but more complex form of community engagement (Smith and Dickey 1998).

Clearly, by widening the community net, probation officers reduce the anonymity that offenders all too often enjoy while they are under supervision. In sharp contrast to passive case management, active, community-centered supervision requires that probation officers work the neighborhoods where the greatest concentrations of offenders live. It also means acting in a preventive capacity to rebuild the informal resources of social control that are lacking in a given neighborhood or community. Lastly, it means focusing on creative problem-solving at the local level, as well as the pursuit of community-enhancing or neighborhood development activities.

Within this approach, meaningful and effective neighborhood-based supervision must be conducted at times that are not confined to the traditional 8:00 a.m. to 5:00 p.m., Monday through Friday, workday. To be effective, it must be delivered at nights, on weekends, and on holidays. *Two Arizona probation departments — the Maricopa County Adult Probation Department in Phoenix and the Pima County Adult Probation Department in Tucson — have experienced successful offender supervision efforts by increasing the level of offender contact in the community and by working nontraditional hours.*

*In addition to nontraditional work hours, the Maricopa County Adult Probation Department has created a “virtual office” out of its South Port site. The adult probation officers share the building with juvenile probation officers. When in the field the officers are equipped with cell phones and laptop computers where they can plug into the office to receive email, print documents or enter data. They work where their work is located, namely, in the community. In fact, without the traditional office setting, the officers must conduct their work in different community-based locations, seeking out offenders, local residents and others. This approach, if successful, will be expanded throughout the department.*

*The Juvenile Probation Department in Maricopa County under the Superior Court in Arizona implemented “Virtual Office Probation Officers” as well to increase the officers’ productive time in the community and to rationally allocate the department’s resources. These officers only spend one day a week in a traditional office setting. Their virtual office is a briefcase on wheels that carries their laptop computer, cellular phone, and other*

support materials. The department’s Juvenile On-Line Tracking System has been transformed into field book application. The results of drug tests, restitution payments, compliance with other conditions of probation, safety alerts and scheduled court hearings are kept up to date and transmitted to the field book for use by the officer and/or by the court. The probation staff also work as teams to establish collegial groups within the community, allowing juvenile probation officers to develop relationships with businesses, schools, and community organizations within specific neighborhood areas. The project has increased meaningful interaction with juvenile offenders and their families and enhanced the quality of information provided to the court.

### **Strategy #3: Rationally Allocate Resources**

The need for probation departments to rationally and strategically allocate their resources is interdependent with meaningful, neighborhood-centered supervision. Conducting supervision in local neighborhoods and communities must be guided by a commitment to rationally allocate staff and other resources where they are needed the most. Probation practitioners must focus on those offenders who are most at risk to violate their conditions of supervision and on those whose offenses or affiliations pose a public safety risk (e.g., sex offenders, gang members, drug dealers, and those with histories of violence). The rational allocation of resources involves both an accurate knowledge of the offender *and* the rational assignment of field staff to those areas of the community where such offenders present the greatest risk to public safety.

The importance of accurate, information-driven decisions when dealing with offenders under community supervision cannot be overstated. Probation practitioners should develop as much information as possible on the offenders they are expected to supervise through comprehensive presentence investigation reports, juvenile records, psychological evaluations, and risk and need assessments. Probation agencies must rely on sound assessments at the front end of the system to make placement decisions and they should continue to use a variety of assessments for specific offender types to monitor their progress and maintain a proper match relative to programming. *Two systems that place considerable emphasis on assessments are the Dallas County Community Supervision and Corrections Department in Dallas, Texas, and the Sixth Judicial District Department of Correctional Services in Cedar Rapids, Iowa.*

*In Dallas County, Texas, a Comprehensive Assessment and Treatment Services (CATS) program was implemented in 1998 to address the gap in substance abuse and mental health treatment for probationers. The goal of the CATS is to provide early assessment and treatment in order to increase the successful completion of probation. Under this program all felony probationers must be screened. Those who cannot afford the services they require are provided those services by the county. CATS has already screened 4,400 probationers. Of those screened, 62 percent were referred to treatment for substance abuse and 9.5 percent were referred for mental health treatment.*

*The Sixth Judicial District Department of Correctional Services in Iowa has developed a computerized “matrix” that allows probation and parole officers to select supervision and treatment options for targeted offenders based on an assessment of their risk, need and responsivity to programmatic intervention. The matrix uses several assessment tools for this purpose, including the Level of Services Inventory (LSI-R), the Client Management Classification (CMC), the American Society of Addiction Medicine Scale (ASAM), and the Iowa Risk Classification System. It synthesizes this information and uses it to plot a position on a sixteen-grid matrix. Using a mouse to “pop the screen open” the officer finds the most appropriate supervision and treatment strategies available to work with particular offenders. After several years of good results, the district has embarked on developing an enhanced “New Millennium” version of the matrix. This version will include additional assessment instruments, provide special tracks for some offenders (e.g., sex offenders, career criminals, gang members) and more accurately identify resource gaps in the service delivery system.*

In addition to the need for accurate knowledge regarding offenders, probation officers should be strategically assigned for supervision purposes to specific geographical areas. This will foster a more rational allocation of probation’s resources. Such a practice, however, stands in marked contrast to the more typical method of randomly assigning offenders to the next officer on the list as they are placed on probation. The focus on targeting resources to particular localities, referred to earlier as “place-based supervision,” affords an excellent opportunity for

developing law enforcement and corrections partnerships (Clear and Corbett 1999). The agencies can jointly supervise offenders in particular geographic areas, work with neighborhood groups, share data, and cooperate in numerous other ways to enhance public safety. *Several probation departments, including COPS in Spokane, Washington, and the Community Outreach Project of the Juvenile Probation Department of the 23rd Judicial Circuit in Hillsboro, Missouri, have developed meaningful partnerships with police and have strategically placed probation officers in areas thereby achieving greater efficiencies in the rational deployment of their resources.*

A commitment to place-based supervision, in contrast to traditional case management, recognizes that the rate of crime actually reflects the aggregate of many different crime problems, scattered about in hundreds of neighborhoods, located within jurisdictions that may display sharply different rural, suburban and urban characteristics. It is premised on a key assumption highlighted above in the discussion of the Wisconsin task force report. The threats offenders pose to public safety are by definition “local in nature,” disproportionately affecting some neighborhoods, bedrooms, street corners, and public buildings and parks, far more so than others (Smith and Dickey 1998). To ensure that public safety is achieved and the risk of harm thereby reduced requires a strategic redeployment of correctional and community supervision resources. It also requires a major redefinition of the traditional methods of case management that frequently govern the assignment of cases and the efforts of field staff in probation.

Place-based supervision strategies seek to counter passivity in case management with a commitment to managing offender risk in those neighborhoods and other locales where probationers present the greatest public safety hazards to those who live or work there. Such strategies call for the rational allocation of probation resources in a manner that is responsive to local crime problems and community concerns. In terms of the actual place of supervision, field staff should be housed in communities, and neighborhoods where the greatest concentrations of offenders carry on their everyday lives. Small field offices should be established in such places as community centers, municipal offices, public housing projects, police precincts, mental health centers and local storefronts.

A commitment to public safety and the adoption of place-based supervision strategies requires that resources be allocated with a sustained focus on managing the risk of harm posed by probationers at those times and places where community and victim vulnerabilities are greatest. It is well known, for example, that juvenile crime occurs disproportionately in certain areas and neighborhoods and at times that range from mid-afternoon to early evening. In this instance, addressing the risk of harm posed by those under supervision requires a response that is sensitive to established patterns of juvenile offending within given geographic locales or neighborhoods. *The Juvenile Justice and Child Protection Department in Cook County, Illinois developed Evening Reporting Centers. The centers are community agencies that have been identified to supervise and provide structured social and recreational programming during the critical hours between 3:00 p.m. and 8:00 p.m. The program targets minors placed on home confinement who face the consequences of having failed to appear on juvenile arrest warrants, having violated probation, or as ordered by the court. The success rate, as measured by remaining arrest free during the 21-day program, is 95 percent. The same applies to adult offenders.*

*Three years ago the Maricopa County Juvenile Probation Department identified the 20 zip codes with the highest rate of referral to the Juvenile Court and sought funding for community crime prevention efforts in these areas. Six projects have now been funded for two years through the county. Profiles of the youth are provided to the community, along with promising prevention practices based on empirical research. During this time referrals to the juvenile court have decreased 12 percent overall in the 20 zip codes and violent juvenile crime referrals have been reduced by more than 30 percent. An analysis determined that the project has realized a potential cost reduction savings of \$6 million.*

*Another good illustration of a far-reaching, place-based approach to supervision is found in the Davidson County Juvenile Probation Department in Nashville, Tennessee (Rubin 1997). The department has decentralized its operations and has placed its 27 probation officers throughout selected public housing projects, community centers, schools and mental health centers. The chief probation officer shares offices with three intensive supervision officers in a public housing apartment. Seven to eight probation officers form “self-directed work teams” within reasonably contiguous parts of the county.*

*Reflecting community justice principles, the agency has embraced a philosophy of supervision that views probation officers as agents of prevention with responsibility for improving the neighborhoods in which probationers live. The officers are not limited to working their assigned caseloads, but become engaged with children of any age, families that may need some form of assistance, and local neighborhood associations. The probation officers work in concert with the community-based policing strategy of the Nashville Police Department. The strategic focus and rational allocation of staff resources involves a tangible reaching out in selected areas and neighborhoods in the interest of community involvement, delinquency reduction, and crime prevention.*

These examples illustrate place-based supervision strategies in practice. Such strategies require that probation administrators redirect staff, resources, and intervention efforts toward a carefully considered, rational and strategic targeting of communities, places, and times where the threat and reality of harm presented by offenders under supervision is the greatest.

#### **Strategy #4: Provide for Strong Enforcement of Probation Conditions and a Quick Response to Violations**

All too frequently offenders on probation come to the realization that they can expect two or more “free ones” when it comes to dirty urine samples, electronic monitoring violations, or failure to comply with their supervision conditions. As was discussed above, offenders subject to probation learn that behavior in violation of the rules, even serious violations, will not necessarily result in their revocation and removal from supervision (Clear and Cole 1990). Recall that one study showed that nearly one-half of those on probation violate the conditions of their supervision, yet only one-fifth of them are incarcerated as a result (Langan 1994). It is also the case that hundreds of thousands of probationers abscond from supervision annually. The best available data suggest this figure reached ten percent in 1998. While a majority, if not all, jurisdictions issue warrants for such violators, little is done systematically to locate absconders, serve them with warrants or hold them in any way accountable for compliance with their sentence.

For probation to be meaningful, this permissiveness and laxity in enforcement practice must be reversed. In its place, probation practitioners must be committed to the strong enforcement of all probation conditions and to providing timely responses to all violations. If offenders know they have several “bites at the apple” before they are held accountable, they have every reason to feel relatively safe in continuing those behaviors that caused them to be placed on probation. Each and every condition of a probation sentence must be enforced, and all violations must be responded to in a timely fashion. A critical part of enforcing the conditions of probation is the cooperation of the courts, where the violations are usually addressed. Those probation programs that strictly enforce the conditions of supervision and enjoy a supportive relationship with the courts tend to have fewer problems with offender compliance issues.

The key is that the response must be swift and sure. This does not mean that each violation will or should result in the revocation of probation. There are myriad violations that represent significant non-compliance with the expectations of probation, but do not warrant the offender’s return to prison. The revocation of probation is the ultimate and most coercive sanction available to probation. There are many avenues short of reincarcerating the offender that represent appropriate and proportionate graduated responses to the violation (e.g., an increase in reporting requirements, curfew or house arrest, electronic monitoring, mandatory drug treatment). A carefully calibrated continuum of graduated sanctions offers probation officers a range of measured responses short of revoking and returning the offender to custody (Morris and Tonry 1990; Petersilia 1999). What is critical is ensuring a timely and appropriate response when violations are detected.

*An excellent example of a structured, graduated sanctions program is found in the Tarrant County Juvenile Probation Department in Fort Worth, Texas. In addition, the Massachusetts Office of Community Corrections, a newly formed agency mandated to develop intermediate sanctions for high-risk offenders, has in a relatively short period of time opened six regional community corrections centers providing comprehensive programming, including a full menu of sanctions and services coupled with round-the-clock accountability. Probationers who have failed or are inappropriate for standard probation must comply with this strict regime or face incarceration. To date, field managers using the program estimate that 95 percent of all referrals are coming out of probation violation hearings.*

*Transforming Probation Through Leadership: The “Broken Windows” Model*

*Another very good example is the Special Probation Program operated by the Family Court of the Twenty-First Judicial Circuit in St. Louis County, Missouri. This is a nine-month intensive supervision/surveillance program relying on electronic monitoring for older juveniles at risk to reoffend and who would otherwise be committed to the Missouri Division of Youth Services. Two St. Louis County police detectives provide the surveillance while the Deputy Juvenile Officers implement the offender’s treatment plan. If any violations of probation occur, consequences are imposed the same day they are discovered. The consequences range from warnings, to strict house arrest, to a drop in program level, to issuing a warrant to have the juvenile detained. The program is designed to permit “at risk” juveniles to remain in the community under strict accountability to ensure public safety.*

From the point of view of deterrence, an agency’s willingness to respond by revoking those offenders who repeatedly violate certain conditions of supervision may prove effective. *In Iowa a decision was made by officials operating the community-based corrections system to “draw a line in the sand” relative to those offenders placed in residential facilities who tested positive for drug use. A decision was made to revoke all those who tested positive. Initially, correctional officials feared that the shift in policy would contribute to high revocation rates that, in turn, would create significant crowding in the state’s prisons. In actuality, compliance with the residential facilities rules increased, drug abuse subsided, and the actual extent of revocations to prison for drug violations dropped over 70 percent.*

Probation agencies need to focus with steadiness and consistency on offender accountability and compliance with all supervision conditions. Officers’ violation reports must be completed in a timely manner to ensure that the sanctioning imposed is swift and appropriate to the level or degree of noncompliance. If an offender needs more structure, the response must be timely or the offender may commit new offenses, thereby creating new victims. The public expects that “the system” is holding probationers accountable to the terms of their sentence. Even more, it believes the offender got a break by not going to prison in the first place. It is a slap in the face to the public generally and to victims particularly if an emphasis on accountability is not an important component of the supervision strategy.

*Another good illustration of a program that is premised on maintaining offender accountability through the strict enforcement of the conditions of supervision is Operation Night Light in Boston, Massachusetts. This program began as a collaborative partnership between line-level probation and police officers in the early 1990s in response to escalating levels of juvenile and gang violence in certain areas of the city. The goal of the program was to reduce juvenile recidivism and gang-related violence through the aggressive enforcement of curfews and other conditions of probation, the imposition of meaningful restraints on a youth’s movement and associations and the provision of community-based intervention services.*

*In terms of partnering with law enforcement, probation officers and police visit the homes of 10-15 youthful offenders in teams four to five nights a week. They focus on those youth doing poorly on probation or who are thought to be at risk to engage in serious misbehavior. The teams stop at public areas (e.g., parks, street corners, and other areas) where youths are known to congregate. A preliminary evaluation of the program found that the overall approach was effective. Violent crime decreased, and probation obligations were taken more seriously by youth. In addition, the parents of the youth targeted by Operation Night Light, as well as residents in the neighborhoods affected by such violence, appreciated the steady and consistent presence of the teams (Corbett et al. 1996; Corbett 1998).*

The success of this program required and continues to require the strict enforcement of curfew and area restrictions through unannounced home visits, field work conducted during the evening hours and a sure and swift response to those offenders found to be in violation. Early on in the life of the program, probation officers began asking judges to impose probation conditions that included curfew and area restrictions on the movement of the youthful offenders. The judges responded by toughening the terms of supervision. Not surprisingly, the number of recorded violations went up, from 400 in 1990 to 600 in 1991. The benefit of this change, as probation officials expected, was that the increased intensity in responding to violations lowered the number of violations for new arrests as compliance with curfews and other collateral conditions of probation improved. Though the trend has been modest, in the Dorchester jurisdiction, where Night Light has been operating the longest and with the most intensity, probationer arrests declined by nine percent, while the state as a whole experienced a 14 percent increase in the number of probationers who were arrested. A more recent study in Massachusetts indicates that since the implementation of Night Light and similar strategies, probation recidivism has declined 19 percent.



### *Transforming Probation Through Leadership: The “Broken Windows” Model*

Alongside the strict enforcement of supervision conditions, probation agencies also need to adopt tough-minded and proactive policies relative to apprehending absconders from probation. Many jurisdictions not only have a high percentage of absconders from supervision, they do not aggressively try to apprehend them. If it is easier for an offender to abscond than to comply with the terms and conditions of probation, then the agency’s policy simply encourages this behavior. Probation administrators need to develop specialized units that work continuously with law enforcement to apprehend offenders who abscond from supervision.

Given the scale of the problem across jurisdictions, can probation do anything about the absconder problem? Or are probationers free to roam the community without supervision, immune from accountability and in open defiance of the expectations of the public, the court and their sentence?

*The experience of Williamson County in Texas suggests an answer. In 1997, a decision was made by the local probation department to aggressively pursue absconders from supervision. By employing a variety of technology and databases to track the missing probationers, the department arrested 470 probation violators during the first year of operation. In addition to bringing these offenders to justice, the absconder unit recovered nearly \$15,000 in outstanding fees. By 1998, the unit was successful in arresting 605 probationers and collecting nearly \$51,000 in unpaid penalties, a significant jump in just one year. This rather notable accomplishment was made possible through the formation of a two-person unit, staffed by one officer and a caseworker!*

*Another good example of a specialized absconder unit is found in McLennan County Community Supervision and Corrections Department in Waco, Texas. Two more examples include the warrant unit in Suffolk County, New York and the adult probation department in Maricopa County, Arizona. Suffolk County Probation has a warrant unit consisting of specially trained probation officers with full-time responsibility for the location, apprehension, and arrest of probation violators who have absconded. In 1997, the unit, sometimes with assistance from other probation officers, made 209 arrests of absconders. That number rose to 331 in 1998. Large urban jurisdictions that are well managed can achieve even greater results. In 1998, Maricopa County Adult Probation served an astounding 2,200 warrants for felony probationers.*

### **Strategy #5: Develop Partners in the Community**

The justice system has over the past several decades come to rely increasingly on the expertise and specialized vocabulary of numerous professional groups (e.g., psychiatrists, social workers, probation and parole officers, criminologists). In terms of probation, the language and acronyms adopted by practitioners to describe the conduct of supervision has become disconnected from the normative concerns and desires of the communities and neighborhoods to which offenders return. Local community values and expectations have been pushed aside by internal performance measures defined by the needs of probation to demonstrate technical effectiveness and accountability (e.g., the frequency of contacts, the number of drug tests, the number of employment referrals). The current focus on managing high-risk offender populations and the system’s nearly exclusive reliance on professional expertise has served to marginalize, if not exclude altogether, community involvement in decision-making about offenders (Simon 1993; Simon and Feeley 1995).

Within a community justice framework, the need to establish enduring partnerships with the citizenry, other agencies, and local interest groups is critical to the success of probation. Forming such partnerships increases probation’s leverage in dealing with offenders and contributes to a shared co-ownership for managing the risk such offenders present under community supervision. What this demands is that the community be involved in the business of community supervision. In sharp contrast to the trend toward the insulation of the justice system from the community, this shift will require that probation agencies practice inclusiveness by reaching out well beyond the traditional boundaries that currently guide their organization’s interactions with others (Hinzman 1999).

Probation administrators should include community participation whenever there is a need to develop policies, initiate new programs, craft supervision strategies, or deliver services. Their participation may take a variety of forms, including community advisory boards, local neighborhood associations, community justice centers or citizens’ boards of directors. In essence, the community needs to play a vital and participatory role in community

corrections. Bringing in the community as a significant partner will, however, require a major redirection in focus and thinking on the part of probation practitioners.

As was shown earlier, the need to maintain a paramount focus on achieving public safety requires active partnerships with community and neighborhood groups and with law enforcement and human services agencies. Focusing on and achieving public safety goals is premised on the very necessity of engaging the community in offender supervision and accountability. If the goals of crime prevention, reduction and control are to be pursued, and if reparation of the harm caused by criminal actions is to be addressed, then it is vital that community members be involved in new and meaningful ways with those agencies and professionals responsible for the business of supervision.

The commitment to solicit the active participation of the citizenry makes an assumption that is more often implicit than explicit, yet it is one that carries significant implications for the future of doing supervision, if not more generally, the business of criminal and juvenile justice. It presumes there is a pressing need to bring-in the expertise of community-based, non-professionals as full participants in justice system processes if those outcomes most valued by the citizenry are to be achieved (Rhine and Hinzman 2000). Addressing this need will of necessity require that the practitioners of probation connect to the communities they serve. As noted in an earlier section, it also means finding out what the public expects, and what outcomes it wants to see achieved through the intervention provided by community supervision. Ultimately, real partnering requires that professionals and non-professionals willingly share their expertise in a non-traditional, problem-solving and decision-making capacity (Clear and Karp 1998).

In some agencies, a commitment to restoring the community-to-community supervision is already underway. Administrators and field staff are replacing traditional, office-bound case management techniques with innovative supervision strategies and programmatic initiatives that are more firmly connected to local communities and neighborhoods. These initiatives share in common a commitment to restore the community and by implication the expertise that resides at the local level to a prominent role in offender supervision. Though the trend towards greater partnering and community involvement still exists largely in the margins of contemporary supervision practices, it is taking hold at an accelerating pace.

*Five Community Justice Centers have been created by the Maricopa County Juvenile Probation Department located in areas with the highest concentration of juvenile offenders under supervision. The staff assigned to these centers cross division lines and work as a team with the surrounding community in community-organized cleanups, economic development, and the development of accessible and needed services within the neighborhood. Probation offices are used for tutoring, community and treatment groups, and as a meeting place for Community Justice Committees. The latter involve 400 plus volunteers who meet in panels of three with a Juvenile Probation Officer, victims, and individual offenders and their families. The committees seek to achieve a consensus on the consequences for cases approved for diversion and supervise the completion of those consequences.*

Probation agencies must move such collaborations and partnerships from the margins to the center of what they do. In so doing, they must work with other agencies and community groups to establish a shared co-production for managing the risks presented by offenders under supervision. This is simply too big of a job for any one agency to try to resolve alone. Probation administrators have an obligation to share information about offenders, and participate in task force and interagency work groups that monitor offender behavior, thereby providing for enhanced public safety. These groups include criminal justice agencies, as well as child protective services, churches, and schools. Probation agencies have access to vital information that should be shared with the community.

Probation administrators have an affirmative professional responsibility to work in partnership with other agencies and community groups to coordinate public safety efforts. The development of strategies for “place-based supervision” efforts, for example, may be firmly woven into an existing network of community policing practices (Malcon 1997; Minetti and Malcon 1997). Partnerships may be developed with schools to address the student dropout population and with workforce development or community colleges to prepare offenders for work. All such partnerships, properly managed, are more efficient and more cost effective.

There are many other potential partners with whom to collaborate. When probation agencies build these collaborative relationships, they are more often able to effectively supervise offenders, impose greater leverage and accountability over them and return them safely to the community. Each collaboration that is formed contributes to the provision of greater public safety and a growing set of probation practices that are regarded as more credible given their deepening ties to the social ecology of neighborhood and community relations — both formal and informal. These collaborations serve to expand significantly the limited operational capacity of probation by drawing on the “social capital” furnished by local community groups and institutions.

The importance of social capital has been addressed by DiIulio (1995) and Rose and Clear (1999). DiIulio has defined social capital as the “socializing forces, civilizing institutions, or cooperative mechanisms for achieving collective social purposes (e.g., families, schools, churches, civic associations, community organizations) and the pro-social, community-oriented, public regarding norms, values, virtues and behaviors that they foster, facilitate, and enforce” (1995: 454). Rose and Clear define social capital as “the social skills and resources needed to effect positive change in neighborhood life” (1999: 455). The experiences associated with the neighborhood, family and schooling are central ingredients of social capital. As they point out, social capital is rooted in relationships grounded in trust and binding obligations that constrain certain actions by community members and encourage and assist others. It fosters a sense of collectivity at the local neighborhood level uniting individuals. Where communities have insufficient supplies of social capital, they suffer from crime and other forms of social disorganization. Nonetheless, social capital may be found even in the most disorganized communities where social order is in serious disrepair (Bazemore 1999).

Establishing collaborative relationships that draw on the social capital available in the communities where supervision efforts are targeted will enhance the effectiveness of probation. *Several very effective collaborative relationships have been formed by probation departments in Boston, Massachusetts, in Suffolk County, New York, in the eight community-based corrections districts located throughout the state of Iowa, in the Maricopa County Adult Probation Department in Phoenix, Arizona, and in the Oakland County Youth Assistance Program in Michigan.*

*In Boston, since the implementation of Operation Night Light and related community partnerships, homicide rates (the intended target) have dropped dramatically. In the years leading up to the redirection in supervision strategies, the city averaged a hundred or so homicides annually. Since 1995, when the program began, the drop in homicides has been the steepest in the nation. In 1996, the city experienced 61 murders, down from 96 in the previous year (1990 was the high water mark with 153 homicides). In 1997, the toll fell to 43, in 1998 to 35. By August 1999, the number stood at 19.*

The fruits of such strategies are also evident in the neighborhood-based operations of the Maricopa County, Arizona Adult Probation Department where residents have declared they would as soon have probation officers working in their community as police officers. In the conference referenced earlier in Washington, D.C., in December 1998, the chief of the Maricopa County adult probation department, Norm Helber, discussed the benefits attached to “doing probation” in the community by the residents of the Coronado Neighborhood Association after approximately three years. As he explains:

[W]e met again with all the community leadership and said, “What can we do in this neighborhood?” I was moving three probation officers in there . . . and they started working on things I never would have thought of in my life were things the community was concerned about, [like] the speed of cars going down back alleys between the rows of houses — a danger for their children. Well, now we’ve completely rebuilt the Coronado Neighborhood Association headquarters, re-roofed it, painted it, gave them a landscape that gave something they were really proud of in that neighborhood. And when the probationers were all done [with that] work, the president of the Neighborhood Association invited all those people on probation over to her house for a cookout . . . A year later, about a month ago, my wife and I were at a charity event and were getting ready to leave and a woman approached me and said, “You’re the chief probation officer, aren’t you?” And I said yes and she said, “Well, you probably don’t remember me. We met at this meeting.” And she

said, “I just want to tell you about the three probation officers you have in this Coronado neighborhood” — and she proceeded to name them, which I couldn’t do. She named them, and she said, “Let me tell you about what they’re doing and what they have done . . . . You know, our neighborhood association met just a couple of weeks ago and we were talking about the impact the probation department has had in this community. It came down to this: If we had to lose one or the other, we would rather keep the probation department and lose the police.” And I thought, it’s kind of gone full circle” (Dickey and Smith 1998: 18).

Communities expect offenders to provide reparative services and to participate in programs that ensure some form of “pay back” for the harm they have done. These same communities also want resources such as grants and revenue sharing money to maintain the quality of life in their neighborhoods. If they are invited in to participate with probation practitioners and others in the justice system, they can and will become valuable assets in fighting crime. Through collaborative partnerships, the citizenry can and will play a critical role in providing public safety through participation in crime watch groups, as volunteers and mentors, as community service monitors, and by serving on victim impact panels, sentencing panels, mediation panels, and community reparative boards.

It is vital then that probation develop collaborative relationships between key players such as law enforcement, other corrections agencies, human services (both public and non-profit), the faith-based community, and neighborhood groups. However, such partnerships must be entered into with proper planning. There are a number of issues to be resolved when forming new relationships with others, if the outcomes that are sought are to be achieved. When partnering with other agencies it is necessary to consider formal reciprocal or sharing agreements for resources, joint personnel and operations, joint information and communications systems, and joint treatment strategies and the sharing of treatment resources. Most of all, there must be a joint vision and mission to create an environment where there are fewer victims in the future.

#### **Strategy #6: Establish Performance-Based Initiatives**

Probation practitioners have a crucial need for information-based decision-making. This information pertains, in part, to conducting comprehensive offender assessments to facilitate the targeting of high-risk or problematic offender populations for appropriate programming and supervision. Even more, the strategic and rational allocation of resources by probation agencies must be premised on developing, adjusting, and retaining programs based on performance. This means that probation administrators must rely increasingly on evidence-based practices when justifying the continued operation or retention of particular programs.

Likewise, good evaluation models must be developed to measure program effectiveness. Sound evaluation models consider not only the achievement of clearly defined program outcomes, but also planning and implementation issues associated with the administration of the program. A good program may prove unsuccessful if there is a poorly developed or ambiguous action plan, weak or inconsistent implementation, or staff who are not properly trained or did not understand the program’s philosophy.

A commitment to performance-based initiatives requires that probation agencies develop appropriate and effective programming, draw on research that speaks to what works, and pay careful attention to program design, implementation and evaluation. What follows addresses the need for developing effective offender programming as a key component of performance-based initiatives.

Achieving public safety within a community justice framework means more than reducing the recidivism of offenders. However, its accomplishment is enhanced significantly through effective programming for offenders. Reducing the threat or risk of harm presented by offenders *requires* the development of programmatic interventions that connect offenders to environments that have prosocial supports and structure. As Ole Instrupp, Commissioner of the Correctional Service of Canada, notes, “There is no difference between reintegrating offenders and protecting the public, because we’re not talking about reintegrating people, no matter what they are like, back into society. We’re talking about reintegrating people back into society as law abiding citizens” (1999: 27).

If performance-based initiatives are to be successful relative to offender intervention and treatment, probation administrators must be mindful of the “what works” literature in corrections. They must seek to incorporate the findings and the principles established in this research into community-centered supervision strategies and practices. Academicians and researchers from Canada and the United States have published a voluminous literature on what works when dealing with adult and juvenile offenders (Gendreau and Ross 1987; Gendreau and Paparozzi 1995; Gendreau 1996; Andrews and Bonta 1998; Cullen and Gendreau, forthcoming). Starting in the 1980s and continuing ever since, these researchers have systematically reviewed hundreds of studies using meta-analytic techniques. These studies have involved controlled evaluations of community and correctional interventions with results that sometimes showed substantial reductions in recidivism. In terms of probation, it is notable that the greatest reductions were associated with community-based programs, not programs found in institutional settings. The best interventions are able to reduce offender recidivism on average by 30 percent (Andrew and Bonta 1998).

Clearly, there is an impressive wealth of literature that probation agencies may draw on in developing meaningful programs; programs that will, if designed properly and implemented with “therapeutic integrity,” produce significant outcomes relative to reducing offender recidivism. The findings show that some things work in correctional practice — certain types of programs are effective vehicles for rehabilitating certain types of offenders. Those programs that are most effective target such dynamic risk factors as antisocial attitudes, values and beliefs, delinquent and criminal peers, self-control, self-management and problem-solving skills. Significantly, the research has also identified three principles that are most closely associated with effective correctional programming: risk, criminogenic need, and responsivity.

The application of the risk principle allows probation practitioners to identify offenders’ risk levels and to thereby target supervision strategies appropriately. The level of risk is determined by taking into account a number of static and dynamic factors that help predict the likelihood of reoffending. The assessment of risk answers the question of *who to target* for the greatest amount of supervision. Criminogenic needs represent dynamic risk factors or behavioral areas that can be changed as a result of correctional interventions. The criminogenic need principle directs attention to *what should be targeted* for programmatic interventions (e.g., antisocial attitudes, thinking patterns and values, procriminal associates, weak problem-solving skills).

The principle of responsivity addresses the need to match offenders’ learning style with appropriate program placements. It highlights the importance of the quality of the interpersonal relationship between the offender and correctional staff member. The research shows that programmatic interventions are most effective when those working with the offender are respectful, caring, concerned, interested, enthusiastic, and engaged. Correctional workers must also model behavior and reinforce prosocial alternatives to antisocial styles of thinking, feeling, and acting. They must provide concrete assistance to the offender, help the offender in problem-solving efforts, and advocate for the offender in community settings. The most effective interventions are those responsive to individual differences.

According to this research, those interventions that begin with a general assessment of risk, target criminogenic needs and match programming appropriately with offenders’ learning styles and needs are more effective than those that do not. In addition, the research speaks to the importance of program design and implementation. If a program is to be effective, the program administrators must ensure a consistent and sustained focus on “therapeutic integrity.” Those programs that work continue over a fairly long period of time and do what they set out to do (Gendreau, Goggin, and Smith, forthcoming).

A commitment to performance-based initiatives requires that probation administrators be attentive to the level of support for the programmatic initiatives adopted by their agency. This includes measuring staff attitudes towards the tools used for offender assessments and treatment and staff understanding and buy-in with the program goals and outcomes. It also means that probation administrators must understand the importance of developing good action and implementation plans.

Proper program implementation necessarily starts by collecting base-line information, followed by program and staff assessments. The next step involves developing time frames for the management and implementation of

an action plan. It is essential that effective oversight occur to guard against program drift, or informal efforts by staff that by intent or lack of understanding seeks to change or modify the original goals or design of the program.

Probation agencies need to employ performance-based initiatives that are properly implemented and that meet their stated goals. In doing so, managers and staff will be better positioned to deploy their limited resources more effectively. The development and implementation of strong program models are essential elements of managing probation agencies now and they will remain so in the future.

### **Strategy #7: Cultivate Strong Leadership**

This monograph has identified the key strategies that are necessary for building a rational and effective probation system. In the final analysis, however, leadership is the most important element in reengineering probation towards a system that has clear values, emphasizes public safety, rationally allocates resources, provides meaningful supervision and a quick response to violations, practices inclusiveness and assumes accountability for results.

As Beto, Corbett, and DiIulio (2000) point out, probation leadership does not come from some unwieldy state bureaucracy, nor does it emanate from the work of committees. Leadership comes from individuals — individuals who care about probation, and who are not satisfied with the *status quo*. It comes from those who possess the courage to acknowledge that all is not well with the profession and the vision and dedication to do something about it.

There is a wealth of talent in the probation profession, yet much of the talent remains unchallenged, untapped, and misdirected. If practitioners are content with having probation remain under funded, under appreciated, and unknown, then they need to do nothing but remain on the current path; one that has produced ineffectual practices and increasing irrelevance. If though they want probation to assume its rightful place in the criminal justice system, then it is incumbent on practitioners to step up to the task of leadership (Beto, Corbett, and DiIulio, 2000).

Stepping up to this task will, however, require that probation administrators carefully consider the topic of leadership and what it will demand of them. This is because the definition, the methods, and the expectations of leadership have changed dramatically during the past several decades. If, as many believe, there is a void in public leadership today, it is the result of several factors (Seiter 1999). First, the presence of leadership is much harder to identify today than it was in the past. This is because the process of leading organizations and agencies is more long-term and less situational. Second, as many leaders in the public sector have found, their personal character is often challenged, and their flaws or failings used to undermine their good faith efforts to produce meaningful change. Finally, given the close scrutiny correctional leaders experience from legislators and the public alike, those who attempt to go too far too quickly in terms of innovation and change run the risk of becoming controversial, if not vulnerable, to removal from their position.

As Corbett notes in a special issue of *Corrections Management Quarterly* devoted to this topic, leadership is discussed at far greater length than it is understood. And it is to be contrasted sharply with the myriad, yet critical responsibilities that are part of management. In a fitting observation of just how elusive the task of defining leadership is, he states:

Leadership is poetry where management is prose. Leadership is tomorrow, not today — dreams not realities. ‘What if . . .,’ not ‘yes, but . . .’ Leadership means risk and danger, not safety and security. It inspires; it does not mollify. It’s jazz, not classical — hard rock, not easy listening. Leadership will scare you, worry you sick, infuriate you, make you crazy but never bore you and at the end of the day, take you places management has never visited and is not curious about. It is hell bent, over the top, and in your face. It takes no prisoners. It is all high wire, no net. It is a contact sport and when you win, you win big. It is the big dance (1999: vi).

Leadership is by Corbett’s own acknowledgement even more than the metaphor above suggests. Today, leadership is more diffuse than in years past, less command and control-centered. It involves an active commitment to team building and staff empowerment. What this means is that the tasks of leadership have changed as well.

In an important work addressing strategic management in the public sector, Moore (1995) argues that public sector leadership requires a particular commitment by those who are in charge. Those individuals who enjoy direct authority over the allocation of public resources and who are held accountable for performance, that is, those leaders who are the primary stewards of their agencies, are responsible through their work for creating public value. Managerial success and the leadership to achieve such success means “initiating and reshaping public sector enterprises in ways that increase their value to the public in both the short- and the long-run” (Moore 1995:10).

According to Moore, it is the task of those who lead and manage agencies in the public sector to produce “value creating organizations.” In this view, public managers are seen as “explorers” who are committed in their work to discovering, defining and then marshalling the resources to produce public value. Such a commitment goes well beyond figuring out how best to accomplish the various purposes mandated for an agency. It requires that those who lead, if not the workforce as a whole, act as principled players in discovering and defining what it is that is publicly valuable to do.

The stewards of public sector agencies are responsible, of course, for ensuring a certain measure of continuity. But they are also innovators who must of necessity seek to change what their organizations do and how they go about doing it. This may, at times, mean increasing operational efficiencies or adopting new programs that respond to a new public or political need. On other occasions, it may require redefining the agency’s mission or redirecting resources for alternative purposes. Ultimately, it means focusing unflinchingly on how the conduct of the agency and the efforts of its workforce produce clear public value.

*The leaders and practitioners of probation must consider how and in what ways their vision and actions move their agencies toward the creation of public value.* However, there is another critical element in providing leadership in the public sector. That is the additional and vital need to “embrace accountability” for producing the changes that are necessary (Moore, 1995: 273). Embracing accountability means clearly articulating the organization’s goals with those who oversee its operation and committing the agency to achieving concrete objectives responsive to these goals. In terms of probation, embracing accountability requires a far reaching, if not tenacious, commitment to pursuing outcomes that contribute tangibly to public safety.

Such actions seek to stimulate and focus public expectations rather than to insulate the agency from the incessant and often conflicting demands it invariably encounters. This adds a political dimension to leadership. Yet, in several instances which Moore cites such actions by the leadership triggered significant improvements in the organizations affected. The leadership effected substantial changes by commanding greater political support from the agency’s external environment and by anchoring specific objectives with the agency’s overseers. In so doing, these leaders’ “strategic visions ceased being the idiosyncratic views of transient figureheads, instead becoming a ‘reality’ to which the organizations had to respond” (Moore 1995: 274).

Taking such steps, albeit within a commitment to a long-term change process, will require that the leadership in probation concern itself with the direction it is seeking to move towards. Clear (1999: 14) argues that the “field has a desperate need for leaders who are able to bring the *content* of the organization’s work sharply to the forefront of everyone’s awareness — inside and outside the organization.” With this in mind, Clear notes that correctional leaders must embrace three major attitudinal shifts if they are to be effective. These shifts or themes have direct applicability to probation administrators who are committed to reinventing probation from within the strategic framework of community justice.

The first shift requires a change from the “get tough” rhetoric that often characterizes public policy pronouncements on corrections to an agenda that targets the community’s quality of life. Rather than seeking how to become tougher in dealing with offenders, Clear proposes asking what it is that corrections can do, and what steps it can take to improve the quality of life in communities across the land. Posing the question in this manner moves the discussion towards the ends of correctional work and away from the means of punishment. It defines the quality of community life as the primary end to be pursued. It provides the context and a focus for building support for community-centered supervision strategies and practices. Needless to say, this redirection offers a more positive pursuit for those committed to making a difference in the field.

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The second shift requires a commitment to move beyond professionalism to embrace the democracy of citizen partnerships. Clear argues that the field of corrections, and by implication probation, has become isolated and estranged from those it presumably serves — citizens in the community. Probation professionals and other practitioners in the justice system, as noted in an earlier section of the monograph, have assumed an internal system discourse and a claim to special expertise that effectively excludes meaningful citizen participation or involvement in decision-making about offenders

It is not necessary that those in the field deny the professional importance of their training or the expertise they bring to their work. However, probation leaders must recognize that the work they do represents public policy and must at all times be focused on creating public value. There are numerous publics with which the efforts of probation practitioners must connect. These publics move well beyond offenders and their families. They are inclusive of local neighborhood groups, community organizations, the faith community, and other agencies and organizations that work with or are impacted by the problem of crime.

Finally, Clear notes that effective leadership must encourage staff to step well beyond the standard routines of offender case management to the creativity of problem-solving. The correctional environment has grown more complex during the past several decades requiring decision-making systems that are responsive to the “white water” of incessant change. Offender case management systems are typically designed to deal with the average case in fast moving settings where average cases are not the norm. Such systems offer tools for field staff, but not a problem-solving philosophy. The adoption of a philosophy that emphasizes creative problem-solving draws on and moves beyond a traditional case management approach. As Clear states, “it redefines the worker’s task from implementing defensible policies to locating workable solutions” (1999: 17). The challenge for correctional leadership is to guide staff in the use of effective case management strategies for supervision bounded by a work ethic and philosophy that accents the importance of problem-solving.

Effective leadership is an indispensable element when it comes to reengineering the field of probation. It requires a willingness to create something of public value by steering an agency toward a vision that energizes and a philosophy of management that empowers all staff. Ultimately, it demands that those who are entrusted with the mantle of leadership embrace accountability for producing outcomes that matter.





## CHAPTER THREE

### *HOLDING PROBATION ACCOUNTABLE*

Probation will change when those who run probation departments are held accountable for achieving — or failing to achieve — specific outcomes. The paramount outcome for probation is public safety. There are also other valued results that must be addressed if probation is to be successfully reengineered. These include balancing commitments to achieving just and proportionate punishments, crime prevention, and a restorative commitment to victims and communities. These outcomes express the public's expectation that the justice system is doing its job. These are the outcomes that matter and that require ongoing and careful measurement by probation practitioners. Accomplishing these results through the efforts of probation, working in concert with others, will produce public value.

The reinvention of probation must provide a credible narrative of how offenders in the community will be supervised, and how the strategies and practices that are adopted will contribute to public safety. Ultimately, what is envisioned must also be produced. This represents the sine qua non of a value driven organization. In measuring outcomes that create public value, corrections in general and probation in particular must apply business principles to everyday and long-term operations, except, of course, the principle driving the pursuit of profit or financial gain. A crucial step in this process is to clearly define the bottom line.

#### *The Application of Business and Market Principles to Probation*

Most modern management texts define four basic approaches to improving the bottom line. The first focuses on the product, a focus that translates into a sustained effort to improve service delivery. In practice, this emphasis results in organizational efforts aimed at enhancing the delivery of services by improving the components, raw materials, or the engineering process. For probation, the traditional product improvements, many of which were developed during the 1980s, included adding tougher conditions of supervision, creating boot camps, imposing shock probation, or making probation more like prison and thus more attractive to political stakeholders and the public (e.g., intensive supervision, electronic monitoring).

The second approach is to improve the bottom line by focusing on production, that is, on making the service more efficient. In the private sector this often involves an assessment of the manufacturing process, and the engineering of changes to tighten it up — using cheaper raw materials, relying on new technology, or automating a growing array of functions. In government, the response in terms of production is often times an effort to reduce the costs by increasing the work expectations. If probation is too expensive a service at 90 offenders per officer, then increase average caseloads to 180. Or, conversely, build more manufacturing plants (that is, hire more probation officers) and increase production (that is, supervise more offenders). This presumes, of course, legislative support.

The third strategy is to increase the sales and advertising associated with the product. This is designed to make the customers believe that the product being manufactured is the one they want. In probation, this issue has often been taken for granted. Probation practitioners have often assumed that given the growing numbers of offenders placed under supervision, there is and will continue to be a pressing need for the “service” or “product” they provide. As a result, they frequently underestimate the extent of public and political discontent with their “business.”

The fourth approach, and the one least often taken, is market research, that is, a disciplined commitment to understanding the needs of the market. This strategy involves finding out what the customers of a particular product want. Once this is known, then steps are taken first to change the product to meet the needs of the customer, then to change the sales message to respond to such needs and, finally, to shift production to achieve the bottom line. The product may be redesigned or new products may be invented.

The latter strategy involves an element of risk. In the public sector, it also means stepping into relatively uncharted territory. Government bureaucracies usually do not assess or consider the needs of the markets they serve.

They generally do what they are told to do by executives and legislators. Elected officials often serve as de facto market representatives, listening and recording what their voters tell them and drawing on these expectations when dealing with public sector agencies.

Fortunately, as the earlier discussion of the public’s expectations showed, surveys and market research have revealed a good deal about what the citizenry expects from its system of justice. These surveys and the efforts to tap into the public’s desires confirm that the current operation of probation and its lack of focus on the bottom line (that is, public safety) are held in rather low regard (Perry and Gorczyk 1997). By reinventing probation (through the adoption of the strategies proposed in this report), it will be possible in time to more effectively meet and even exceed the public’s expectations.

As in business, the focus on clearly articulated results would drive a myriad of everyday supervision practices designed to be relevant to the accomplishment of such results. Three key business practices must be given due attention, however, if this is to occur. These include:

- Research and development — identifying state-of-the-art strategies for achieving effectiveness with maximum efficiency, and the ongoing pursuit of evidence-based best practices;
- Staffing — ensuring that the values, vision and competencies of staff are supportive of the desired results; and,
- Management information systems — developing mechanisms for measuring intermediate performance indicators and organizational practices, as well as the reporting of accomplishments related to the desired outcomes.

The discussion above has addressed many of these issues, especially in the call for establishing performance-based initiatives and the need to incorporate the research and principles associated with the “what works” literature into sound strategies for programming and supervision. A major challenge facing the reinvention of probation is to ensure that the integration of these business practices maintains a position of organizational prominence. The reinvention of probation will be a dynamic process. It will demand that those working in the field pay careful attention to state-of-the-art research and evaluation regarding the effectiveness of their own practices.

### ***Measuring What Matters***

Fortunately, a good deal has been written regarding the importance of results-driven management and the steps that are necessary to properly implement performance-based measures (DiIulio 1993a; Boone et al. 1995; Burrell 1999c). What follows stresses the importance of measuring those outcomes that connect to the public’s expectations. It also offers some guidance on what should be measured. It highlights what many practitioners in the field know, but all too often fail to emphasize. *It is necessary to move well beyond the measurement of process and activities towards results and outcomes that matter to the public.* If part of any change process means redefining what the agency measures, then it is incumbent on probation leaders to measure less of what they do relative to everyday activities, and more on those results that connect to public safety, both short- and long-term. The field of probation must concentrate its primary focus on measuring what matters (Rhine and Pappozzi 1999).

A wide array of performance-based results, or performance measures may be used to systematically guide everyday supervision practices. These measures, as well as any others that an agency adopts, must be rationally related to the goals that are sought. The targets — meaning the numbers of units of measurement for satisfactorily meeting an objective — will necessarily vary across states and within the different jurisdictions located at different levels of government. Nonetheless, while the targets may vary, the performance measure remains fixed. There must be a clear nexus between the objectives that are developed by probation and the publicly-valued goals that are being sought and accomplished.

## **Public Safety and Recidivism**

As was pointed out in an earlier section, the citizenry is increasingly demanding outcomes that are important to them and that are attentive to their concerns. Such outcomes are connected to public safety. Probation must demonstrate in tangible ways how its actions address the public’s need to live free of risk or harm in their neighborhoods, at work, at play and as they travel about. Ultimately, citizens want assurances regarding their personal safety — in the places they live, at work, and elsewhere. The outcomes that are sought by probation practitioners must contribute measurably to the goal, if not the accomplishment, of public safety (Burrell 1998; Rhine and Paparozzi 1999).

Throughout this monograph an emphasis has been placed on connecting the work of probation to public safety as its primary product. *A critical element in achieving public safety is reducing offender recidivism through the efforts of probation.* Whether probation officers apply community-centered supervision strategies, seek to place offenders in rehabilitative programs that reflect the “what works” principles for effective intervention, or draw on other evidence-based practices (Petersilia 1999), it is necessary to focus on offender recidivism. As was noted above, public safety is clearly more than reducing the rate of probationer recidivism. However, when probation “works” it must demonstrate a capacity to reduce the overall rate of reoffending among those individuals subject to supervision.

As part of their public safety mandate, probation practitioners must own recidivism rates for those in their charge. “Owning” offender recidivism rates does not imply the ability to predict with exactness or specificity which offenders will reoffend. Rather, ownership in this context means accepting the responsibility for pursuing aggregate and individual reductions in the overall rates of recidivism. It means embracing accountability for designing supervision strategies and programs that target reduced recidivism as one of the agency’s long-term public safety goals. The adoption of the “what works” principles and evidence-based practices in the day to day business of supervision is a necessary step in the direction of achieving public safety in the long-run.

If the goal is achieving *public safety through reductions in offender recidivism*, then following performance measures should be employed.

### *Performance Measures:*

- Rates of technical probation and parole violations;
- Absconder rates;
- Quantity of drug use screens and proportion of positive to negative results;
- Amount of time to an offender’s first new arrest;
- If there are new arrests, the nature of the new charge(s);
- Quantity and quality of individual risk and need assessments;
- Relevance of offender case management plans to risk and needs assessments;
- Participation and completion of offenders in appropriate treatment programs (versus tracking the number of program referrals);
- Measurement of the quality of treatment services provided to offenders (that is, are the treatment services grounded in the principles for effective intervention?); and
- Amount of time that those under probation supervision are engaged in and/or have completed employment, or school, or vocational training.

## **Probation as Punishment**

With some notable exceptions, probation agencies have been slow to implement the “what works” agenda. It is likely that the “get tough” political environment of the past decade has served as a barrier to its dissemination. The phrase “getting tough” on crime is often indistinguishable from punishment. In an effort to appear tough and to embrace supervision practices that are distasteful to offenders, politicians and some within the general public have called for punishment-based approaches — approaches they claim will contribute to the goal of public safety. This

linkage grounds punishment in the utilitarian goal of public safety rather than in the retributive or just deserts model where ideologically, it belongs.

Nonetheless, probation is a sanction of the criminal and juvenile justice systems. It is punitive in so far as it places restrictions on an individual’s liberty and freedom of movement and time. Evaluation research has been rather critical of the various “punishing smarter” programs (e.g., electronic monitoring) that have been adopted by some probation (and parole) agencies, if the outcome sought is that of public safety or reduced offender recidivism (Gendreau and Paparozzi 1995). Such programs, however, have a demonstrated utility in meeting the retributive expectations of legislators and the public alike. And, if they are properly designed, they may contribute indirectly to public safety.

If the goal of probation is to serve as a *sanction or punishment*, then the following performance measures should be used.

*Performance Measures:*

- Amount of free time available to offenders;
- Curfew requirements;
- Electronically monitored house arrest;
- Intensity of reporting requirements;
- Rate of collection of fines, penalties and supervision fees;
- Compliance with employer notification requirements;
- Compliance with sex offender notification laws; and
- Mandated public works projects.

Many of the suggested measures overlap with other goals of probation, especially that of public safety. For example, limiting an offender’s free time through curfews, electronic monitoring, and public works projects represent sanctions imposed as part of the term of probation. Such sanctions also serve as excellent tools for structuring offenders’ time so that their participation in antisocial activities and involvement with criminal associations are curtailed. This is critical given two important principles associated with the “what works” research: (a) structure offenders’ time in programming or other activities in the range of 40 to 70 percent; and (b) reduce offenders’ contacts with delinquent and/or criminal peers.

### **Crime Prevention and Creating Safer Communities**

There are other goals and objectives that connect to more broad-based community concerns and needs. Traditionally, probation practitioners have rarely focused beyond the measurement of offender-centered supervision activities. Individual offenders have often served as the sole and exclusive point of reference. Given the larger goal of public safety, this is problematic. A focus on individual offenders leaves the community and its involvement in the justice process out of the equation. Without community involvement, it is (and will remain) very difficult to build meaningful partnerships and connections that contribute to crime prevention and control and to improvements in the quality of life of local residents.

As was noted earlier, the customers of the justice system are the community, and victims, as well as offenders. The product is public safety. Probation practitioners must develop supervision strategies and programs that incorporate this more inclusive framework. The reinvention of probation recognizes that crime is a community problem that requires a systemic, yet local focus on the social ecology of crime. Though strategies and programs that seek reductions in offender recidivism rates are of critical long-term importance, such efforts will fall short unless they are expanded to include two additional goals: (1) systematic efforts to prevent new juvenile and criminal offenders from “emerging;” and (2) community mobilizing initiatives that seek to instill a sense of personal safety and security in those most directly confronted with the reality of not being able to move freely in the neighborhoods in which they live. The first goal is that of crime prevention, while the second goal is most aptly termed creating safer communities by responding to the fear and reality of crime at the local level.

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Within a community justice paradigm, probation practitioners necessarily pursue these goals by serving as catalysts for community improvements. In contrast to providing services to offenders only, this shift in focus calls for service delivery to neighborhoods, if not entire communities. Working in partnership with these other constituencies, as noted above, offers a critical mechanism for achieving the long-term goal of public safety.

Community justice as an approach requires that probation practitioners know or find out what is uppermost in the minds of local residents with respect to crime and disorder. This means understanding the citizenry’s bottom line in those areas served by probation. By conducting a “market” analysis of their expectations, probation agencies are better positioned to address the quality of life issues in the communities they serve. This approach seeks to enlist communities as viable and contributing partners in the supervision and management of probationers in their midst — mainly by enhancing their guardianship capabilities, investing in their expertise and drawing on their more diversified resources. It represents a dramatic departure from current practice.

Achieving these goals will necessitate a fundamental rethinking of how probation conducts its business in the community. Proactive community involvement conducted within a problem-solving philosophy will present a plethora of new and different issues and problems for probation practitioners. The solutions to these problems, however, will be found well beyond the bureaucratic boundaries of traditional probation. They will be identified through innovative linkages with numerous public and private partnerships. The need to collaborate with others in a comprehensive problem-solving manner will require those in the field to build and expand ongoing contacts with law enforcement agencies, public health service providers, economic development organizations, private sector businesses, community advocacy organizations and others.

If the goal of probation is to achieve *crime prevention*, then the following performance measures should be used.

*Performance Measures:*

- Number of referrals and completions to parenting programs for offenders under supervision and for community residents not under supervision;
- Number of literacy programs identified and developed for offenders and the larger community;
- Frequency of probation officer participation in civic associations, neighborhood watch/block association meetings;
- Frequency of involvement in community redevelopment projects;
- Community service programs that have a reparative value (e.g., designed to involve offenders in community redevelopment);
- Mentoring program development and offender involvement;
- Nature and type of linkages with law enforcement agencies;
- Staff involvement on economic development, social service and public health boards and associations;
- Amount and type of cross-training involving probation practitioners and other professions involved with offender populations; and
- Nature and type of linkages with faith communities.

If the goal of probation is to *create safer communities* and thereby *reduce citizens’ fear of crime*, then the following objectives should be measured.

*Performance Measures:*

- Results of a market analysis with community members and neighborhood groups on what steps to take to reduce the fear of crime;
- Maintenance of ongoing community feedback mechanisms for ensuring effective supervision strategies and programs;
- Amount and types of programs developed to reduce fear of local residents;

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- Number and types of programs designed to enhance resident safety and security;
- Number and types of probation referrals and outcomes to other service providers for resolution of problems confronting local residents;
- Number of businesses established or facilitated; and
- Number of abandoned buildings or homes revitalized.

As a word of caution, it is important to note that the public cares very little about the activities that are generated by probation practitioners, except perhaps as these activities serve to appropriately sanction offender wrongdoing. Though there are some exceptions, most probation agencies measure such activities as the number of office visits, home visits, employment contacts, referrals for treatment services and related matters. These reporting requirements affirm the business of probation, but they say very little about its value relative to the accomplishment of public safety.

Given the goals or outcomes discussed throughout this monograph, it is critical that probation practitioners establish a clear nexus between the activities and outcomes sought by staff. There must also be a well-defined system of accountability for reporting meaningful results to the public. A well-known maxim in business is that what gets measured is what gets done. This principle captured the attention of some probation administrators with the publication of Osborne and Gaebler’s book *Reinventing Government* (1992). As probation shifts its focus to strategies and outcomes that have clear public relevance, it is critical that their management information systems move from being primarily activities-oriented to being results-oriented.

Many of the structural and organizational constraints affecting probation undermine its present capacity to measure much beyond internal processes and activities. There are myriad organizational norms and cultural values often unrecognized by practitioners themselves that provide taken-for-granted rationales for the practice of probation today. In the view of the Reinventing Probation Council, these rationales represent significant barriers to envisioning a different vision and future for probation. Yet, it is the case that shifting the focus of probation is a matter of the willingness of those in the field to do so.

Nonetheless, measuring what matters represents a two-edged sword for probation. On the one hand, a disciplined adherence to emphasizing results is likely to increase the public relevance and value of the profession. With this will come increased accountability for achieving public safety outcomes. On the other hand, it is a frightening proposition to openly acknowledge ownership over issues that have heretofore occupied the margins of attention and action (DiIulio 1993b). In the end, though, if probation practitioners do not measure what matters, then they will likely be measuring that which is irrelevant or does not matter. In that case, it is fair to ask: why should taxpayers’ dollars fund such an enterprise in the first place?

## CHAPTER FOUR

### ***STRUCTURAL ISSUES IN RETHINKING PROBATION***

This section is designed to serve as an organizational road map for probation professionals who wish to implement the “Broken Windows Probation” strategies and practices presented throughout the monograph. It is intended to serve those who are pondering, perhaps for the first time, how to translate the suggestions for reinventing probation into day-to-day operations. Numerous examples have been offered of agencies that have already ventured down the path of retooling how they conduct community supervision. These agencies provide important illustrations of how to manage organizational change processes that redirect the mission and work of probation practitioners.

The discussion that follows addresses both internal cultural and organizational issues and external concerns connected to the larger community. It ties the practical short-term steps that an agency must consider together with the broader and more complex actions that must be taken to restore the community-to-community supervision.

The overriding focus for those who begin this journey must be on the outcomes to be achieved. Those who are leading a change process geared toward the reinvention of their agency must begin with the end in mind. They must ask several basic questions. Just because probation administrators opt for change, does that mean field staff understand the essence of the change? And, once they do, will they buy into the fundamental changes that are called for in how they currently conduct the business of supervision? Over time, what will be required to encourage and ensure that staff integrates the new concepts and strategies into their daily work routine? How will the leadership know?

The structural issues associated with reinventing probation are varied, and multidimensional. Those working in the field start from different perspectives and work within very different systems. Probation practitioners have different personal experiences, and different starting points relative to the importance they attach to rethinking the conduct of probation. Those in positions of leadership within an agency must discuss the commonalities or points of consensus staff share and work toward an outcome-based system that will fit within the organizational settings in which they labor. These points of consensus serve as the strategic starting point for rethinking probation.

Those working to reinvent the field share in common the mission of promoting public safety. They likewise share a commitment to effective community-centered supervision practices that contribute to outcomes that have clear public value. There is a limited capacity on the part of probation, acting alone, to effect change in the lives of offenders. For this reason, and perhaps of most importance, those who embark on the reinvention movement share a collective willingness to push probation out of centralized bureaucracies and offices into local neighborhoods and street corners *in partnership with and through* the communities they serve.

If there is an agreement that there is a critical need for a national push to reinvent the field and thereby get probation back into the community, then it is necessary to look at what structural impediments exist and how they might be overcome.

#### ***Impediments to Change in Probation***

There are numerous impediments that may be encountered by probation administrators, managers and practitioners, many of them grounded in organizational structure and culture. These impediments or barriers are presented below. Each will be discussed, briefly.

- Traditional Work Hours for Field Staff
- Office-Based Supervision
- Traditional Supervision and Accountability Practices by Managers
- Probation Officer Hiring and Job Qualifications
- Standard Training Practices



- Absence of Community and Other Agency Involvement
- Caseload Size and Results
- Insufficient Use of Available Technology
- Case Assignment Practices

### **Traditional Work Hours for Field Staff**

Many probation officers have been locked into an eight to five regimen for so long that it will be very difficult for them to break their routine. If probation practitioners are to achieve the goals that have been articulated in the discussion above, then the first barrier that must fall is the widespread assumption that the job can be done between 8:00 a.m. and 5:00 p.m. Ultimately, each probation officer must accept the responsibility for determining what range of work hours make him or her most effective in the communities or neighborhoods they serve. This may require that they conduct their own “market research,” in order to find out how they can best respond to the needs and problems within their assigned areas of responsibility. There is no doubt that working during the evenings and weekends will, of necessity, become part of the routine of supervision.

### **Office-Based Supervision**

Many probation agencies have become accustomed to the practices associated with “fortress probation.” Recall that this style of supervision relies mainly on office-bound interactions with offenders within an “official” setting. It produces invariably barriers to communication and a notable distancing in the probation officer’s relationship with a probationer. If the work of probation cannot be done from eight to five, then it is also the case that the business of supervision cannot be carried out from behind a desk. It is no longer feasible for probation officers to sit in safe office environments and wait passively for offenders to come by and share what it is they think their probation officers want to hear.

A new role envisioned for administrators and supervisors is to move the probation officers out into the street. At least initially, as they move probation officers out of their offices and into the community, it may be necessary, especially for those who have never ventured into the field, to ease probation officers into their new roles by requiring daytime home visits. This should be combined with proactive efforts to ensure the availability of officer safety training.

Once they are out into the community, probation officers will encounter a whole new set of problems and dilemmas. It will become both an empowering and energizing experience, perhaps even at times overwhelming. Over time probation officers will necessarily develop new skills and rediscover old ones. Gradually, they will become much better positioned to create alliances within the community, thereby enlisting support and leverage in the supervision of probationers. Probation, of necessity, will become more involved in the day-to-day life of the communities and neighborhoods where the greatest concentrations of offenders reside.

If and when probation officers are given ownership of certain areas, and with appropriate managerial support, they will become more creative in their approach to their job. The work and focus of probation will evolve into one that is predicated on problem-solving. As this occurs, the probation officers will become more results-oriented in their outlook.

### **Traditional Supervision and Accountability Practices by Managers**

The role of administrators and middle managers will also undergo significant changes in the way they supervise and hold staff accountable. The shift in focus and work hours for field staff will require comparable modifications in how they supervise such staff. The problems presented by becoming based in the community are especially troublesome for those who are charged with the supervision of probation personnel. It will be extremely difficult for many managers to lose control over time sheets. Yet, the need to know where staff are and what they are doing must necessarily become less of a concern than whether they are doing their job and achieving those outcomes that the agency has determined through market research and other means create clear public value.

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The outcomes of supervision and accountability will no longer be measured by how many cases have been assessed or how many pre-sentence investigations have been completed. It will become more important to develop new ways to measure and evaluate what staff accomplishes. It will become imperative that staff at all levels, but especially managers and administrators, obtain ongoing feedback from the communities in which they work so that they can become ever more effective. The perceptions and expressed needs of the community will provide probation agencies with a sharper focus for strategically allocating staff and resources.

Over a period of time, a commitment to the new model of probation will enable administrators to shift resources. It is quite feasible that the savings realized by scheduling probation staff out in the field may be used to purchase the equipment needed to support community-centered supervision activities. Again, this assumes that the place of business is no longer the office.

The supervisors will also become an important resource person for their field officers. They will find themselves in the role of ombudsman to community resources and agencies. They will become problem solvers for staff in the field. In this transition, the tasks of supervisors will shift in the direction of removing obstacles and impediments to the line officers’ effective performance of their jobs.

#### **Probation Officer Hiring and Job Qualifications**

Given the new emphasis on the community as the primary client, probation managers will need to think more about how they hire and whom they hire. Job descriptions and job qualifications may have to be completely restructured. Probation staff will in time have to become as varied as the communities in which they work. Field staff should be hired, specifically, for the areas in which they will be working.

The skills that are needed will not be the skills that were once considered important. The ability to create administrative reports or to “move paper” will not be as important as the ability to create partnerships — in the community or with other agencies. The ability to create alliances in the community will make the job easier to do and will likely have a more lasting and, positive, effect on offenders under supervision.

In their new role in the community, different and expanded skills will come into play. Community organizing, public relations and defensive tactics will all become more important in doing an effective job. Creative problem-solving skills will be needed, as well as a capacity to work as much with adults and local stakeholders as with offenders on caseloads. For some trainees, an urban “Outward Bound” type program might be considered. In addition, for the integrity of program implementation and delivery, administrators must also be especially concerned with the selection of skilled and well-trained staff, and the supervision of such employees.

It also makes sense to decentralize the hiring process. Those probation officers with a demonstrated track record of success in the field should be integrally involved in the hiring process. It is essential that probation administrators consider what works or has proven effective in the field and then shape the new job descriptions accordingly.

#### **Standard Training Practices**

Training methods must change as a probation agency moves to embrace its new mission. Once hired, appropriate training becomes very important. A program where new officers are assigned to older more experienced officers for a period of time makes sense. This may require the creation of a cadre of training officers.

The Maricopa County Adult Probation Department in Phoenix provides a model for what this type of training might look like. It has developed a training unit to provide standard, consistent, and coordinated training. Newly hired probation officers attend a two-week training academy followed by their assignment to the training unit for four months. During this period they are under the watchful eye of a “training mentor” and a training supervisor. They carry a reduced caseload. The approach provides trainees with an increased level of attention as they learn the many details of the job. It also provides future supervisors with a highly trained officer who has completed a set training schedule.

### **Absence of Community and Other Agency Involvement**

Too many probation departments fail to engage the community and other agencies in their daily work. Such involvement may take many forms, including program planning, resource development, and cooperative partnering. Probation acting alone does not have sufficient capacity to achieve public safety goals. It needs the involvement and support of other agencies and the community. This may be accomplished by:

- Creating a system that has meaningful participation from victims and the community;
- Developing partnerships with neighborhood groups, schools, local businesses, and faith communities to bring offenders into environments that have pro-social supports and structure;
- Establishing cooperative partnerships between probation, law enforcement, and other criminal justice agencies that focus on public safety;
- Partnering with human services, treatment, and non-profit agencies to provide enhanced services to assess, diagnose, treat, and supervise offenders; and
- Creating a comprehensive education campaign to make citizens aware of the crime problem, steps being taken to address it, and communicating the message that their involvement is desired.

In building new alliances and partnerships in the community, it is important that probation practitioners reach out to agencies, churches and community organizations. Unless a dialogue is begun and allies are eventually established, the effort will fail. Probation must build a constituency to get the tools it needs to do its job well. And in soliciting community involvement, probation has to have to sell itself and its products and outcomes well. It is important to never underestimate the value or the need for effective and credible public relations. The public must be convinced that the work of probation is worthwhile and that it is not possible to supervise offenders in the community without local help and support.

### **Caseload Size and Results**

Once constituencies have been built, probation administrators will be better positioned to elicit their support to get the tools needed to accomplish the myriad of outcomes associated with the community-centered supervision of offenders. However, the feasibility of probation officers being held accountable for geographic areas of assignment is dependent on the manageability of caseload sizes. Caseloads that average 100-500 offenders are not manageable. They compromise sound supervision strategies that otherwise might prove effective. It is possible to make a claim for additional staffing and resources by noting that if probation proves effective in the community then fewer prison beds will be needed. The more proactive probation officers are in the community, the better handle they will have on crime in those areas and neighborhoods where the risks to public safety are greatest. The more probation does its job in the community, the less need there will be for centralized office space. Recall the “virtual offices” discussed earlier.

The pursuit of the new model proposed for probation will require a reallocation of resources. And there can be no turning back once the commitment is made to do the job differently. Just as in education, the smaller the average class size the greater the likelihood of academic success, a publicly-valued outcome. Though there is no precise number around which caseloads should average, moving to more manageable caseloads is a critical factor in ensuring the success of reinventing probation.

### **Insufficient Use of Available Technology**

The full and efficient use of the technology that is available for communication and offender accountability will become ever more important as probation officers work in the community. Both probation officers and supervisors will need to have access to information “around the clock.” Too many agencies are ill prepared or simply reluctant to ensure that field staff is comprehensively equipped with current technology. There is an understandable concern with maintaining accountability for the proper use and security of any technology that is adopted. If, however, probation’s place of work is to be community-based, the effectiveness of this shift will require an increased reliance on the use of laptop computers (or their successors), pagers, radios, and cellular phones, as well as emergency technologies.

Technical support is as crucial to probation’s relocation to the community as is a reduction in caseloads and the infusion of resources. Clearly, sophisticated yet user-friendly management information systems are also essential for communication and information sharing on a daily basis. Once such systems are in place, they provide for an economy of time management and access to information that cannot be obtained in any other way. They likewise reduce the present over reliance on processing hard copies of administrative and other reports. Probation administrators choosing to move in this direction must design their information systems in a manner that reinforces and supports the outcomes sought by the agency’s mission.

### **Case Assignment Practices**

A commitment to community probation will require a fundamental change in the traditional system for assigning cases used by most probation agencies. New cases are often assigned to the next probation officer on the list. This practice is designed to maintain an equal number of offenders on individual caseloads within an agency. All too frequently this practice results in cases being assigned in a manner that dissipates the limited staff capacity that is available. Several probation officers within the same unit may unknowingly supervise offenders living on the same block or in the same neighborhood. They do so in the absence of sharing information or strategies for supervision.

If supervision is to be community-centered, then case assignments must reflect a new assignment system, one premised on geographical specialization. With a reduction in caseloads, offenders should be assigned by the area or neighborhood in which they reside. Probation officers should be given ownership of an area or neighborhood beat in a fashion comparable to police officers working within a community policing approach. This makes better, if not more strategic use of the organization’s resources. Probation officers do not have to cover an entire county or more when caseload assignments are limited to designated geographical areas. Field staff, in turn, will be held accountable for clearly defined supervision activities and outcomes in their area or neighborhood. This approach will encourage them to move toward a results-driven approach to supervision.

### ***Community Mobilization and Capacity Building***

Most probation practitioners attach great importance to developing offender employment opportunities. Field staff by taking ownership of a neighborhood will be compelled to develop resources in that neighborhood, not the least of which will involve pursuing the creation of job opportunities. This is where community partnerships can prove most helpful. It is possible to envision businesses in the community, at the urging of the neighborhood probation officer, bringing some of their resources to the table knowing that there is someone who will be accountable for the referrals. These services could, conceivably, run the gamut from job readiness training to full employment.

In confronting this issue and the others above, probation administrators need to solicit the assistance of other community entities. They need to think about creating “partners in accountability.” Without a “road map” for implementing the new strategies that are called for in this monograph, many administrators may become wildly excited and greatly perplexed at the same time. It is one thing to read and hear about what needs to be done and quite another to go about doing it.

Currently efforts are underway to teach and sell communities on the methods of developing community collaborations. Throughout 1999 the National Institute of Justice sponsored a series of workshops across the country on law enforcement and corrections partnerships. The Institute for Law and Justice, working with nationally recognized facilitators, has worked with teams from 20 communities at each of four regional sites. Criminal Justice Associates has done similar work, particularly in Knoxville, Tennessee and with the Southeastern Community-Oriented Policing Education Institute, or SCOPE, in the southeast part of the country. Joined Together, a national resource for communities fighting substance abuse, links over a dozen communities who are “Fighting Back.”

Despite these efforts, and even among agencies and communities that have been active in this area for many years, there is still evidence of great struggle in dealing with community collaboration and partnership building. Community mobilization and capacity building is very difficult to undertake and sustain. There are a number of issues to keep in mind in seeking to establish partnerships with the community (Hinzman 2000).

One of the guiding principles in starting down this path is “*reciprocal forbearance*.” This is defined as the art of inclusiveness, recognizing and tolerating differences, the desire and ability to get along and understand others’ viewpoints. It requires a willingness to compromise and allow others to have their day. It relies on the power of differences and mutual accommodation to build capacity and broaden horizons.

Probation practitioners often think that there is a single *community* when, in fact, there are many diverse communities co-existing within the same neighborhoods or geographical areas. The task of *community building* may become central to the overall task of probation. More often than not there needs to be a realization that diverse groups can assist one another to meet a set of goals and objectives. This is especially true when addressing public safety issues.

It is important to recognize that some of the best examples of partnerships (e.g., Boston’s Operation Night Light, Spokane’s COP Shops) did not start by a community desire to build partnerships. They grew out of necessity over grave community concerns. In Boston it was the growing juvenile homicide rate that provided the spark (Corbett et al. 1996). In Spokane it was the disappearance of two teenage girls (one later found murdered and the other never found) that mobilized and rallied the community (Spokane Police Department 1997). Once organized these initiatives have sustained their community focus and serve as a model for others. However, this is quite different than mobilizing the community without a crisis.

Probation administrators need to pursue an organized process for reaching out if there is to be any prospect of achieving the desired outcomes associated with collaboration and developing partners in accountability, (Hinzman 1999). This process consists of four stages identified as networking, harmonizing, collaboration, and performance. As a group works through these four stages they begin to develop a “maturity level” that will remain and enable the group to take on new tasks more effectively. The maturity level is defined as the capacity and willingness of the group to attain achievable goals and objectives articulated in a jointly designed action plan.

The role of *initiator* may best describe the *first stage of networking*. The primary task of networking is to organize the community into action. As such there needs to be a good understanding of the power structures and dynamics in the community. Networking can begin with a smaller task force of five to ten people. Many community corrections agencies already have advisory boards that could be tasked with this responsibility. It is important that the group understands that its mission is to grow into a larger “permission giving” community-oriented task force.

When identifying the membership it is also important to understand “who is who” in local agencies. It is important to get the right people involved. There are individuals in every community who enjoy a reputation for getting things done. Probation administrators should be able to look at the group and say with confidence that this is the group that can do the job. If key stakeholders are not personally “at the table,” then there must be someone from that agency or group that can carry their message and be empowered to make decisions. If those who are involved in the task of networking fail to recognize this it will allow a key stakeholder to remain in the office and become the gatekeeper.

The task force must then organize neighborhood informational meetings to educate and recruit members of the community. This will take many weeks to complete. It must occur, however, before the group finally sits down to begin discussing the process for setting the goals and objectives of community partnerships. In several communities the task force’s efforts included the provision of training to probation officers and police officers at regularly scheduled training sessions. It is good to get staff buy-in as the community begins to explore this process.

The group has now reached the *second or harmonizing stage*. The facilitator(s) must now take the role of a *visionary*. The group will go through a great deal of visioning, brainstorming, and conceptualizing during this stage. Throughout this stage the group should begin to mature as its members learn about each other’s role, mission, and interests.

As the process continues to mature and mutual trust and respect are established, the group will move through the *third or collaborative stage*. Here each person must follow the example of the facilitator as a *team player*. They are expected to actively participate in a process referred to as participation responsibility. There must be relationship effectiveness, which is the extent to which the group engages in open communications with its members to establish trust and ongoing relationships. Finally, there must be task achievement, which is defined as the extent to which the group works together to complete the task of identifying goals and objectives to be outlined in an action plan.

At the end of the process there should be a set of “community owned” goals and objectives. Afterward the group may want to sub-divide into action-oriented interest groups. As the group divides they may seek to determine who is interested in family resource centers or cop shops, or who is interested in youth and family issues, or who is interested in treatment issues, or who has an interest in community or restorative justice. The process has now reached the *fourth and final performance stage*.

During the performance stage policies will need to be developed. Oftentimes, the policies of multiple agencies must be coordinated to address the issues driving the partnerships. There may be additional information or training that needs to be given to staff or delivered to people in the community. Do staff and other key people understand their role? Are they willing to buy into the plan? Will they support it? Are they doing it? This becomes an issue of developing good action plans, sound implementation plans, and ensuring staff training and readiness for effective program delivery.

These four stages when completed will contribute to viable partners in the community with whom and through whom the business of probation may be conducted. Sharing partners in accountability places probation in a much stronger strategic position to reduce offender recidivism and increase public safety. It will also provide greater success in securing offender compliance with the expectations of probation.

When building such partnerships it is vital that probation agencies mobilize to retool their internal operations at the same time. The development of these partnerships will support and enhance the effectiveness of the changes probation administrators make in their supervision strategies and practices, and in addressing the other impediments to change noted above.

As discussed throughout this monograph, these changes include accomplishing the following.

- The role of the probation officer must be redefined (e.g., attending neighborhood meetings, participating in local crime prevention activities), “place-based” supervision strategies must be adopted and non-traditional operating hours must be established.
- Criminal justice task forces must be created (inclusive of human services and/or the faith community) working together to develop enforcement strategies to reduce crime in the community. Such task forces should establish formal written agreements and protocols, co-locate in community offices, conduct joint staffings and share accountability for curtailing crime.
- Prevention strategies must be developed to work with community partners that engage the child and family in a holistic manner to ensure service delivery to the entire family.
- Community betterment activities should be pursued working with neighborhood groups, business organizations, religious leaders, and city agencies.
- Collaborative supervision strategies must be developed to carefully monitor offenders in the community and to hold them rigorously accountable for the payment of all fines, restitution, and other just debts. This necessarily includes a protocol for the public both to provide information and obtain feedback on crime issues and offenders in their neighborhoods and to participate in shaping strategies to address these issues.
- A continuum of sanctions and a continuum of treatment must be formed across the justice system that ensure rapid placement, a method to maintain public safety and to hold offenders accountable for all violating behaviors.

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In order to accomplish these changes, it seems inevitable that there must be a loosening of organizational structure (Domurad 2000). There will be a decentralization of tasks with the support of a good management information system to maintain reasonable accountability. The system will become more results driven and field staff will become more creative in their approach to problem-solving. They will also become more empowered in their new assignments. The ability to assess problems, create solutions and determine priorities will foster a new era of creativity and credibility for the field of probation.

## CONCLUSION

This monograph began by noting that probation is both the most troubled and the most promising component of the criminal justice system. Its troubles are rooted partly in the crisis of confidence directed at the system of criminal justice by political leaders and the public alike. In the main, however, probation has experienced a notable devaluation due to its inability to convey and demonstrate credibly how its strategies and methods of supervision contribute to public safety. The supervision of offenders is regarded as anemic and ineffectual. Its capacity to sanction offenders and hold them accountable is treated with derision. The failure rate for probationers is much too high relative to recidivism and in terms of everyday compliance with the conditions of supervision. Though there are probation departments that have strong and effective systems of supervision in place, they are the exceptions rather than the rule. Probation is demonstrably in crisis.

If probation is to address its troubles, and thereby produce outcomes that create something of lasting public value, it must confront the monumental task of reinventing itself. Nonetheless, the challenge is not insurmountable and therein lies the promise of probation. Many of the programs cited throughout the monograph, and no doubt there are more, highlight that the drive to reinvent the practice of probation is gaining momentum. Increasingly, practitioners are grappling with strategies for replacing old methods of doing business with those that demonstrate clear public value. For the past several years, the field has witnessed the steady march of innovative initiatives that offer promising alternatives to maintaining the status quo. Whether in Boston, Spokane, Phoenix, in numerous districts throughout Iowa, Maryland, or elsewhere, the strategies and practices that have been adopted incorporate many of the elements associated with “Broken Windows Probation.”

These efforts, however, and the larger paradigm shift that is underway, represent a still nascent trend. They continue to occupy the margins of criminal justice policy and probation practice. If these efforts are to move from the fringes of current practice to the center of probation operations, the leadership in the field must be willing to assume the daunting and vexing challenges of retooling how they do business. As this monograph has shown, a commitment to the “Broken Windows Probation” model requires a very substantial redirection in mission and focus. It requires that the strategies, tools and methods adopted for supervision draw on and reflect community justice principles and goals. Even more, it requires that the production and maintenance of public safety serve as the primary goal of the field.

Those agencies that have moved in the direction called for by this model share a common, yet far-reaching assumption. Probation officers must become much more firmly linked to the communities and neighborhoods in which offenders live if they are to have an impact on public safety. These agencies also recognize that achieving public safety requires that probation enhance its limited operational capacity by drawing on the social capital available in most communities and neighborhoods. There is of necessity a heightened focus on achieving public safety goals through active partnerships with local or indigenous groups, faith communities, law enforcement and other human services agencies. These partnerships when done thoughtfully and strategically provide for greatly expanded leverage when dealing with offenders under supervision.

As the earlier report of the Reinventing Probation Council (1999) pointed out, sustaining a long-term commitment to reengineering the field will require that traditional agency forces do not stymie progress. Those in positions of leadership must guard against the powerful weight of organizational culture and routine and its capacity to suppress a very different and more viable vision of the future. This is a vision that places probation “at the table” when criminal justice and public safety issues are debated and resolved. It is a vision that creates pride and a sense of accomplishment at the end of the day. Ultimately, it is a vision that reconnects probation practitioners as willing partners in working with and contributing to the quality of community life.





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## Praise for “Broken Windows” Probation

“Probation has many of the problems we had in policing before we corrected them. The results from reinventing policing are clear: a significant decline in crime nationally over the past six years. If the ‘Broken Windows’ model of probation were rigorously implemented, crime would drop significantly again.”

William J. Bratton  
Former Police Commissioner  
New York City

“I think the report *‘Broken Windows’ Probation: The Next Step in Fighting Crime* is the best document about our field that I have seen in my 25 years in probation. In simple language, the report gives me the blueprint I need to continue building toward my objectives.”

E. Robert Czaplicki  
Commissioner of Probation  
Onondaga Probation Department  
Syracuse, New York

“I read with interest *‘Broken Windows’ Probation: The Next Step in Fighting Crime*. . . . It should be required reading for every probation administrator in the country, and become the ‘bible’ for future operations.”

Barry Nidorf  
Chief Probation Officer (Retired)  
Los Angeles County, CA



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