tools of the trade

a guide to incorporating science into practice

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U.S. Department of Justice

Maryland Department of Public Safety
and Correctional Services

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Table of Contents

Acknowledgements iii
A Note from Carl Wicklund, American Probation and Parole Association iv
Forward by Judith Sachwald, Maryland Division of Parole and Probation v-vii

Introduction: Supervision as a Behavioral Management Process to Reduce Recidivism 1-11
Section 1: Behavior and Change 12-20
- Criminal Behavior and Change 15
- Criminal Thinkers 16
- Changing Criminal Behaviors 17
- Antecedents, Behaviors, and Consequences (ABC) 19

Section 2: Assessment and Planning 21-35
- Criminogenic Needs 26
- Responsivity 27
- Risk, Need, and Responsivity 28
- External vs. Internal Controls 29
- Prioritization 30
- Case Planning 31
- Behavioral Contracts 33
- Problem Solving 34

Section 3: Communication Tools 36-48
- Communication Tools 40
- Deportment: Interview Settings 41
- Interview Structure 42
- Deportment and Interview Skills 44
- Principles of Motivational Interviewing (MI) 46

Section 4: Information Tools 29-57
- Information Tools 52
- Staff-Offender Contacts 53
- Collateral Contacts 55
- Monitoring Technologies 56
- Drug Testing 57

Section 5: Incentives to Shape Offender Behavior 58-64
- Incentive Tools 61
- Delivering Incentives 62
- The Challenge of Rewards 64

Section 6: Service Tools 65-71
- Service Tools 68
- Matching Offender and Services 69
- Appropriate Services for Stages of Change 70

Section 7: Offender Types 72-83
- Substance Abusing Offenders 75
- Domestic Violence Offenders 77
- Mental Health Offenders 79
- Violent Offenders 80
- Gang-Involved Offenders 81
- Sex Offenders 82
- Disassociated Offenders 83

Guiding Principles 84-86
References 87-91

List of Exhibits

Exhibit 1:	Behavioral Management Constructs	4
Exhibit 2:	Behavior Management Process	5
Exhibit 3:	Tools to Facilitate Offender Change	7
Exhibit 4:	Model Stages of Change	18
Exhibit 5:	The ABC Diagram	20
Exhibit 6:	The 'Big Six' Factors of Criminogenic Needs	28
Exhibit 7:	Controls are "Keys" to Supervision	29
Exhibit 8:	Qualities of Good Case Planning	32
Exhibit 9:	Sample Behavioral Contract (Maryland Division of Parole and Probation)	33
Exhibit 10:	The Problem Solving Process	35
Exhibit 11:	Three Steps of Interviewing	42
Exhibit 12:	Techniques to End an Interview	43
Exhibit 13:	Good Communication Leads to Good Outcomes	46
Exhibit 14:	Communication Techniques	47
Exhibit 15:	Example of Maryland Division of Parole and Probation Community Supervision Policies	53
Exhibit 16:	Climbing the Response Ladder	62
Exhibit 17:	Effects of Positive Reinforcement	63
Exhibit 18:	Impact of Matching Offender Needs with Appropriate Services on Recidivism	71

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Judith Sachwald, Ernest Eley, and Patrick McGee provided illumination around how the "what works" literature could be aligned within supervision agencies. Through a long-standing collaborative research-to-practice partnership between the University of Maryland (Bureau of Governmental Research) and the Maryland Division of Parole and Probation (MDPP) we have struggled through the translation issues regarding how research findings can be operationalized in a field setting. The growing has been mutual but the end product probably represents one of the most forward research-to-practice applications. While more field-testing is needed for some of the concepts, MDPP has worked tirelessly to integrate the "what works" literature into the field of supervision instead of depending on treatment agencies for facilitating offender change. To this end, a special thanks goes to Gene Farmer, Diane Garner, Gary Jones, Pamela Ledford-Dotson, Dennis Sanger, Kay Barrett, and Sue McGee. These individuals' tireless work greatly assisted in the advancement of these topics in Maryland.

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A Note From the American Probation and Parole Association

The community supervision field is a key component to public safety in the United States, and worldwide, albeit it is typically undervalued and underfunded. Over the last decade, research has contributed to building knowledge about effective practice in the supervision. The American Probation and Parole Association (APPA) is committed to advancing the field of supervision. We have been working within the association and with individual agencies to learn more about how to apply research-based findings into practices. The *Tools of the Trade* presents the research literature to the field in a way that translates research into practice. As a strategy, it is an on-site training tool. Each chapter is devoted to helping line staff understand core concepts with key exercises devoted to applying the core concepts. The manual is designed to allow supervisors, mid-level managers, and field staff be a key to the change process by providing the key information and a guided tool to thinking about operations. The manual assists supervision agencies to embrace new concepts by providing the framework to help staff and managers apply a series of guiding principles to create a formula for advancing supervision. It is an important addition to the field.

Carl Wicklund, Executive Director

Science: The Catalyst for Change

by Judith Sachwald, Director
Maryland Division of Parole and Probation

For nearly five years, I have served as the Director of the Maryland Division of Parole and Probation. It has been the most challenging and rewarding position of my 26-year public service career which has included positions in public education and workforce development policy and advocacy. Unfortunately, the public's interest in and enthusiasm for community supervision is negligible compared to those fields. Consequently, there is much misunderstanding about what community supervision is and is not, and too many people believe supervision is limited to the enforcement of conditions ordered by the courts and/or parole board. In order for the public to be safer, as well to ensure that supervision slows or ceases involvement in criminal activity, supervision agencies must be respected, focused on outcomes for offenders and staff, and committed to developing policies and practices that are based on science and the best available data. We must improve our productivity (i.e., reduce recidivism, reduce substance abuse, increase employability) and energetically spread the news of any improved outcomes.

With a long standing partnership with Dr. Faye S. Taxman and her staff, the Maryland Division of Parole and Probation has been working towards refining its daily practices to make them compatible with research findings. In an article published in *Perspectives* (2003), I outlined Maryland's Proactive Community Supervision (PCS) model. The five tenets of PCS are research based: 1) identify criminogenic risk and need factors; 2) target interventions to high-risk offenders (responsivity); 3) minimize contacts and services for low risk offenders; 4) use cognitive behavioral interventions including supervision contacts; and 5) engage social supports and geographic-center supports in interventions. This approach provides the starting point for weaving the science into practice. And, it has allowed the Division to pursue change on three levels: policy, operations, and professional development.

Policy

In two separate initiatives, the Division has modified existing policies and procedures to support research-based findings. First, we required line supervisors to monitor the face-to-face contacts between agents and offenders. Using a Quality Contact Supervision form (QCS), supervisors, as part of their normal activities, examine the interaction between the offender and staff. This is designed to focus on the most critical part of the supervision process —communication and rapport building between the offender and staff. Supervision cannot be effective if the staff is not engaged in a dialogue with the offender about key supervision and public safety issues; and we recognized early on that this is a critical component of prompting and facilitating offender change. In addition, offenders will not be committed to the supervision plan if they are not actively engaged in the initial process.

The next part is to solidify into straightforward policies and practices that tie all of the information together. You can look at the Proactive Supervision button at www.bgr.umd.edu to see the policies and a supporting visual guide (flow chart) that helps staff perform each function. In a 12-page document, we "walk" the supervision staff through the process to identify what steps need to be taken during the initial meeting, assessment period (which lasts 30 days), supervision planning process, and monitoring/refinement of the case plan. This step-by-step guide provides a user friendly reference tool for staff. It breaks down the process into tangible components. Needless to say, it also provides standards of expected behaviors. An important part of these policies are the practice guidelines that define the expected supervision plans for different types of offenders—disassociated, violent, drug/alcohol-involved, mental health, sexual offenders, domestic violence, and gang—which provides a framework for staff to supervise the different types of offenders based on the risk and need factors that affect their behavior. And, the guidelines help staff to use the assessment information to guide the supervision

plan — one of the key components to any assessment process and one of the barriers that other efforts to reengineer supervision have consistently confronted.

Operations

Policies may guide practice but the key is in the operational phase of the project. The key is to ensure that staff understands the work process, and that the parole and probation agency is focused on making substantive changes in how it does business. Two people in the Division were designated to work specifically on implementing the plan. Ernest Eley, Jr., PCS Coordinator, and Tina Romanowski, Partnership Coordinator, were designated to build coalitions across the state, particularly in the Division's four PCS areas. During this time, they have developed prescriptive agreements with over 40 organizations that provide employment including employment readiness skills, treatment, and monitoring services for offender. This is critical since the Division does not receive funds for intervention services and the research literature clearly indicates that without said services (especially those that are cognitive behaviorally oriented) supervision is unlikely to reduce the risk of recidivism. In each office the supervisors are asked to initiate and nurture coalitions to ensure that offenders are given easy access to needed services. The Division also has built partnerships with many police departments to ensure that local law enforcement works with us to monitor the activities of offenders and when necessary to remove offenders expeditiously from the community.

The assessment, supervision planning, and monitoring process has been automated with the Maryland Offender Case planning Software for Empowerment (MOCSE) that was developed by Lina Bello and others. It provides an automated tool for staff to process risk and need information, to make informed decisions about risk and need factors, to frame the supervision plan to address the type of offender (e.g., drug-involved, disassociated, sex offender, and so on), and to monitor key benchmarks on a quarterly basis. While we recognize that a comprehensive automated offender management system is needed, our agency has chosen not to delay its reinvention and to develop some modest tools to advance its efforts to infuse science into its practice.

Each field office also is charged with the process of putting the PCS flowchart into action within its own environment. Since each has its own reporting days, intake processes, and staff assignment, it is important for the office to tailor the flowchart to local idiosyncrasies. In addition, the mid-level supervisors in these offices — John Arney, Janice Brown, Kenneth Coleman, Colleen Davies and Robert Hanson — have played a fundamental part in reinforcing the PCS vision with field staff as well as crafting and fine-tuning procedures in response to staff observations and suggestions.

Professional Development

The most critical component of any reform initiative is to ensure that the staff understand and embrace the core concepts, learn (and practice) how to use these concepts, and commit to be part of an implementation team. This cannot be accomplished in the few hours or even day or two training that precedes most new initiatives. Large organizations frequently expect staff to change their daily practices with just a brief exposure to the science and accompanying new procedures. I prefer to consider the implementation process as one of continuous professional development where the staff have their intellectual curiosity as well as their practical professional needs satisfied.

Working again with Dr. Taxman and her team, we developed a protocol for professional development that relied on developing the expertise within the Division and providing frequent reinforcers of the core concepts. The protocol has five major components: 1) identify a team of agents and supervisors that are to be the in-house experts; 2) develop the in-house team to lead the traditional training and on-site coaching; 3) conduct an intensive training session; 4) conduct booster sessions on core concepts; and 5) use evaluation findings to refine the program and to identify areas where the staff need further assistance in understanding and applying the concepts. To accentuate the full support of the Division for PCS either the Executive Deputy Director of Operations or I spoke to each class. Lina Bello and Eric Shepardson also served as coaches to the teams to provide external support on the process and the core concepts.

A series of documents were developed to assist in this process including Nuts and Bolts, PCS Training 1 and 2, and specialized manuals (see www.bgr.umd.edu). These documents present core concepts in user friendly formats for line staff. We did not want lengthy manuals that staff would neither read nor use for ongoing reference. Like this manual, the goal was to have discrete parts with short discussions that focus on understanding key concepts and to have supervisors lead discussions at staff meetings to address implementation issues for the benefit of all staff. The *Tools of the Trade* has been developed to replicate this model.

The Future of Supervision: Do it, Tell it, Sell it

As the director of one of the most essential public safety functions — a statewide community supervision agency — I recognize that changing our agency requires much more than genuine interest and heartfelt desire. The Division's employees have worked energetically to modify our practices based on the science of effective offender management and change. Rewriting policies and procedures may have been the simplest part of the process. In contrast, professional development requires an on-going investment in order to successfully prepare staff to serve the public effectively. The process we use, along with materials like this manual, where the responsibility for change is shared with the staff is the only way to transform the agency and successfully implement the new methodology. Without ongoing thoughtful professional development, supervision based on science and offender outcomes will be a fad that quickly dies and extinguishes the recent spark of interest in community supervision. This manual provides a framework for empowering staff to be knowledgeable professionals, bona fide social scientists and prolific ambassadors for community supervision.

Supervision:
A Behavioral Management Process to Reduce Recidivism

Guiding Principles

Supervision agencies should adopt behavioral management techniques as a goal of the organization. The behavioral management techniques should refer to actions that the staff use to achieve offender-related and organizational-related outcomes.

Law Enforcement vs. Social Work?

This question about the central role of community supervision has plagued the correctional field for nearly 150 years, or since the first official case in 1841. The dilemma sets apart the different roles and responsibilities that supervision can provide to the system of justice, as well as the overarching purpose of sentencing. Under a law enforcement model, supervision has the primary responsibility to enforce legal obligations as established by the court and/or the parole board or commission. The social worker model views the chief duty as providing counseling or rehabilitation programs. These models often assume the responsibilities and actions to be mutually exclusive—either one or the other, and the tension often undermines both the effectiveness of supervision and public support for it.

Yet new research on recidivism and a new way of thinking about the delivery of public services provide a way out of the century old impasse. Research has identified the process through which people change their attitudes and behavior (Prochaski and DiClemente, 1986), and, correspondingly, a set of interventions and techniques, or tools, are available that can work powerfully to help people move through that process of change. At the same time, a new focus on the outcomes of government operations, rather than the inputs (offenders), has helped define the chief task of supervision squarely in terms of protecting public safety. This results-oriented approach demands that supervision reduce recidivism through all effective means, regardless of the previous law enforcement or social work purpose.

These key developments have given rise to a hybrid model of community supervision based on principles of behavior management. By blending the law enforcement and social work models together, behavior management defines supervision as a comprehensive set of tools focused on changing offender attitudes and behaviors to enhance public safety. It emphasizes that the goal of public safety is best met when supervision succeeds in assisting offenders change their behavior. This requires motivating offenders to change, helping offenders acquire skills useful to be pro-social in the community, and ensuring compliance with supervision obligations that are goal-oriented. In this model, the goal of public safety focuses supervision agencies on reducing recidivism by: keeping offenders crime- and drug-free during the period of supervision, and helping them learn to regulate their own behavior so they remain crime- and drug-free after the supervision period ends. Sustained offender change becomes the cornerstone of better long-term public safety. The convergence of the law enforcer and social worker model into a revised role for the supervision field—change agent—is an important step in recognizing that supervision is vital to the goal of reducing criminal recidivism and the overall rate of crime in society. The behavior management approach positions correctional supervision agencies to better understand why offenders commit crime and to apply a proven set of tools to change offenders' attitudes and behavior to prevent them from committing future offenses.

This manual provides a guide to incorporate behavior management concepts within the primary roles and responsibilities of supervision staff. Its goal is to put the evidence-based practice literature, commonly known as "what works," in the hands of staff to help improve offender outcomes. The manual was written to summarize the key concepts for supervision staff. Supervision agencies will need to construct and implement policies to support the behavioral management approach.

We begin our discussion by reviewing the current state of supervision outcomes which builds the case to resolve the mission of supervision, emphasize behavioral change, and become a more goal-oriented profession.

The State of Supervision

Supervision is the basis of community corrections. But supervision, particularly for probationers, has not received sufficient attention as a tool of public safety or offender change. Yet, the size and scope of the supervision population—an estimated 6.7 million adults or nearly 80 percent of the correctional population—should place supervision in the forefront of any recidivism reduction strategy (Bureau of Justice Statistics, 2003). Supervision is important because:

More American adults are under community supervision than any other form of correctional control. As the country's prison population exploded over the past 15 years, so did the number of people on probation and parole. At the

end of 2001, more than 4.6 million American adults –1 in every 50 – were on community supervision. This is more than double the number of criminal offenders in prison/jail.

Probationers and parolees are more serious offenders than ever before. Once made up mostly of minor offenders, probation rolls increasingly mirror the prison population. More than half of probationers today are convicted felons. In addition, offenders on post-prison supervision are much more likely than ever before to have served nearly all of their prison terms. This either means that they committed a crime serious enough to carry a no-parole sentence or that their conduct behind bars was not good enough to earn an early release. In 2001, 55 percent of parolees were on mandatory release, up from 41 percent in 1990.

Probationers and parolees are responsible for an enormous amount of crime and drug use while on supervision. In the nation's 75 largest counties, 21 percent of all adults charged with felonies were on probation or parole at the time they allegedly committed their offense. In some jurisdictions, more than one-third of all arrestees are under community supervision. Moreover, probationers and parolees who are addicted to drugs drive a huge share of America's illicit drug market, and the theft, violence, and corruption it breeds. By one estimate, hard-core addicts on community supervision consume as much as 50 percent of all of the cocaine and heroin in the United States (Taxman, 1996). Overall, the most recent national study indicates that 43 percent of probationers are rearrested for a felony within three years of their initial sentence. Many experts, however, believe that two-thirds of probationers re-offend within three years.

Failures of community supervision are a leading cause of crowding in prisons and jails and clogging of court dockets. The incarceration of parolees and probationers who have violated the terms of their release is a driving engine behind the nation's gigantic increase in imprisonment. Of the 4.6 million Americans under supervision, an estimated 1.8 million are likely to violate their conditions of supervision. Nearly half will be reincarcerated in prison due to the violation behavior. The impact on jails and court dockets has not been fully explored. In 1999, 35 percent of state prison inmates were parole violators, double the rate in 1980. Over a half million probationers are sent to prison each year due to a failure from supervision. Whether sent to prison for a new crime or for a so-called "technical violation," these offenders also account for a significant portion of the detainees in local jails and, correspondingly, the cases on criminal court dockets. In 1996, 32 percent of jail inmates were on probation at the time of arrest and 13 percent were on parole (with some overlap).

The public does not believe community supervision is doing an adequate job. National and state surveys on public attitudes toward community supervision agencies show that fewer than half of citizens believe that such agencies are doing a good job. The notion that probation, in particular, is more of an administrative status than a criminal sanction is borne out by the still popular phrases: "got off on probation" and "slap on the wrist." Public approval of community supervision's performance affects funding. To further the development of supervision as a public safety resource, more attention is needed to build support for supervision as a tool to achieve public safety.

The challenge to the supervision field is to improve performance and community confidence by clearly articulating how supervision assists in the public safety mission. This can be accomplished through a strategic approach to advancing staff skills at managing offenders in the community. This manual is designed to achieve this goal.

Behavior and Change

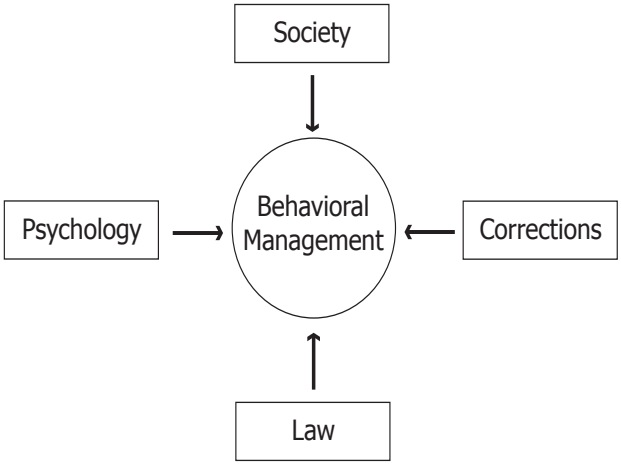
Research has identified key factors that are associated with criminal behavior, the process which leads to the commission of criminal acts, and the main steps or stages of behavior change.

Researchers have focused over the years on "causes" of crime ranging from poverty to the shape of offenders' heads and bodies. As a result, a consensus has emerged regarding six factors that appear directly correlated to an individual's propensity to commit crime: 1) History of anti-social behavior; 2) Anti-social personality; 3) Anti-social values and attitudes; 4) Criminal/deviant peer association; 5) Substance abuse; and 6) Dysfunctional family relations.

The research indicates that if these criminogenic characteristics are effectively identified and addressed, the likelihood of future criminal activity can be substantially reduced.

While underlying issues such as the above "big six" make certain individuals more likely to break the law (e.g. engage in specific criminal acts), most often the actual behaviors are always sparked by "triggers." A trigger is something that sets off a certain behavior at a particular time. Triggers can be events or situations (loss of a job), people (junkie friends), places (the old neighborhood) or things (sight of a fifth of vodka). If triggers can be avoided, crime and drug use are less likely to occur. The challenge for community supervision is that few offenders arrive at their first appointments ready to list their triggers, address their criminogenic deficits and make wholesale changes in their lives. In fact, many offenders deny wrongdoing and strongly resist the notion that they must change. The tendency is to approach supervision with a "wait and see" attitude--passing by the time with minimal effort or commitment to the sentencing or release goals. The behavior management approach recognizes that learning and sustaining new behaviors is part of public safety, and that the supervision agency should facilitate offenders' movement through the change process (Exhibit 1).

Exhibit 1: Behavioral Management Construct



Gelb, 2004

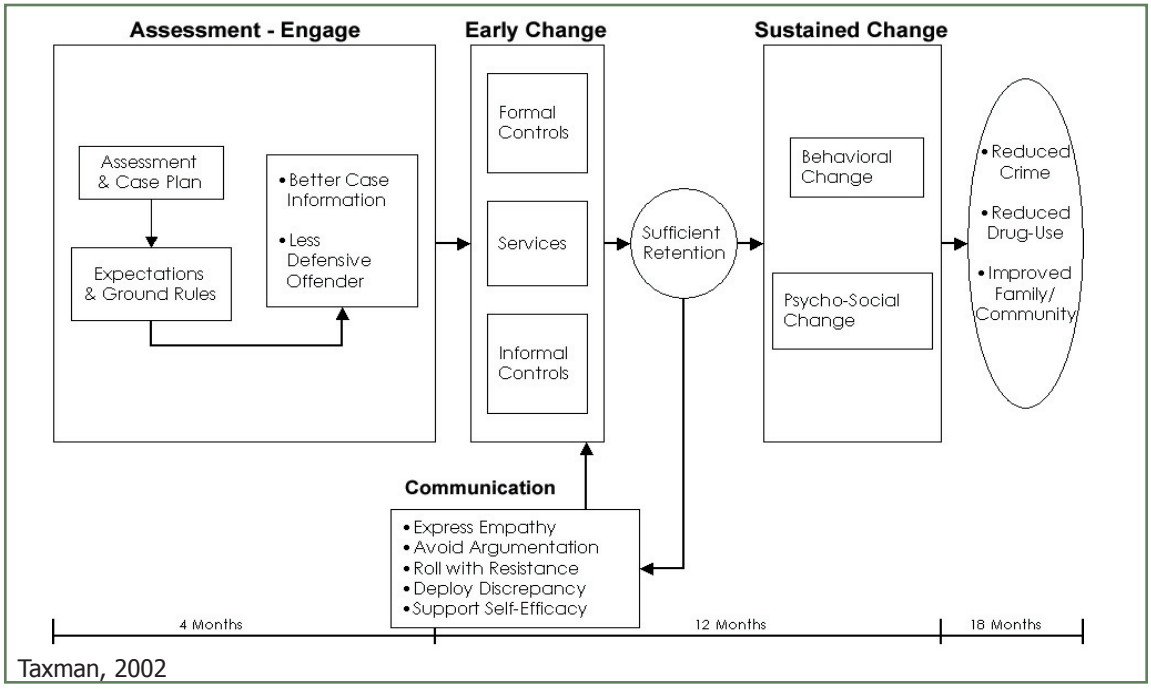
In the behavioral management process, as shown in Exhibit 2, the supervision staff are focused on four objectives: 1) To engage the offender in the change process; 2) To facilitate early change in at least one criminogenic domain; 3) To use supervision to achieve pro-social behavior; and, 4) To stabilize the offender into a model of recovery that prevents relapse and improves outcomes.

Within each step, there are key objectives that lead to the goal of long-term change. This supervision model, as depicted in Exhibit 1, guides staff to be focused on tangible, obtainable and immediate objectives as part of the long-term strategy of assisting the offender in the change process during the supervision period. This model integrates effective interventions in the empirical literature in the fields of corrections, law, psychology and sociology into a supervision process.

The core components of behavior change are produced through a series of interactions that provide the recipient (offender) with the opportunity to learn about his/her behavior and patterns, to acquire new skills to address problematic issues, and to develop the self-maintenance tools to ensure long-term success. The role of supervision staff is to facilitate this change process. It should be clear as well that offenders are responsible and accountable for their own actions, including the willingness to change. Offenders cannot be treated as passive participants whose only hope is to be showered with services, nor misfits incapable of leading productive lives. The behavior management model rejects both of those views. It does not permit supervision staff to stand idly by until offenders are "ready" to change their behavior. Instead, it demands that staff proactively work towards motivating offenders to change and that offenders proactively participate in the change process or face consequences. The first objective for staff is engagement of the offender in the change process. This sets the premise for the offender assuming full responsibility for a pro-social lifestyle (Exhibit 2).

Step 1: Assessment and Case Planning to Engage the Offender in the Change Process. The transformation in the role of supervision staff from law enforcers or social workers to behavior managers requires a structured process that begins with assessment and case planning. The initial assessment, and repeated assessments throughout the period of community supervision, allows staff to craft and modify supervision plans and behavioral contracts as

Exhibit 2: Behavior Management Process



Taxman, 2002

necessary to maximize impact on offender behavior and recidivism reduction. The assessment should focus on diagnosing the offender's criminogenic factors and triggers, and then working with the offender to increase his/her own understanding of the diagnosis. During this phase, the goal is engagement through educating the offender of the triggers that increase the criminal conduct.

Under the behavior management model, this phase consists of four chief tasks: 1) Identify or assess offenders' criminogenic traits and triggers; 2) Diagnose the typology of offender (e.g. drug, alcohol, dissociated, violent, domestic violence, sexual predator, etc.); 3) Develop a supervision plan for changing offenders' behavior that the offender and supervision staff mutually consent; and 4) Implement the agreed-upon plan through a behavioral contract that facilitates change.

Not all offenders are alike, nor do the same combination of factors lead to offenders' involvement in crime. The first critical role for staff is to pull together information from all possible sources—criminal histories, screening information, specific assessments, interviews with offenders, contacts with family or community members, and others. Next they must make an informed judgment about the likely causes of the criminal conduct. It also requires an analysis of the offender's environment and triggers (e.g. situations, people, places, and things) that influence his/her behavior. Staff must be knowledgeable about each of the major types of conduct: substance use and abuse, mental health status, violence, domestic violence, sexual deviance, disassociation, gang membership, and so on. Often the supervision staff will draw upon the assessments developed in conjunction with subject-matter experts in these areas.

Design of the supervision plan follows completion of a thorough assessment. The key to successful supervision plans—that is, plans that result in the lowest recidivism—lies in translating the assessment into a strategy tailored to fit the individual circumstances of each offender. The plans should have two parts: *Incentives* (sanctions and rewards), generally aimed at motivating offenders to become active participants; and *Services* targeted at boosting internal controls. The level of control must match the risk each offender poses to public safety, and the type and intensity of services must match each offender's needs. Resources must be prioritized, targeting higher-risk offenders with greater sanctions and services. In addition to the recommendations of specialists, the plans must incorporate legal orders from the court or parole board. Staff should work with the court or parole

board to revise specific orders that appear to be inconsistent with the findings of an assessment. This is especially critical in light of research showing that low-risk offenders do worse when subject to a high level of control and large number of conditions.

> Offenders can not be treated as passive participants whose only hope is to be showered with services, nor misfits incapable of leading productive lives.

Offenders themselves must be directly involved in the creation of their supervision plans, both to help staff gather the necessary information and to engage offenders in the process of change. To be effective, the supervision plan must be developed through a consensus process where the offender assists in making decisions about controls and services that will assist the offender in the change process. Staff should ask offenders what specifically interests them such as a job interview or parenting skills, and make them part of the plan. Tapping an offender's interests engages him/her and builds his/her attachment to the pro-social community. It also illustrates to offenders that staff is interested in helping them as well as protecting the community. It is hard to overstate the importance of this offender "buy-in." People are far more likely to cooperate in a change process when they were part of the process that defined the new direction. Offenders are no different in this respect. The more involved offenders are in the drafting of their supervision plans, the more they will comprehend what they are being asked to do and the more likely they will comply.

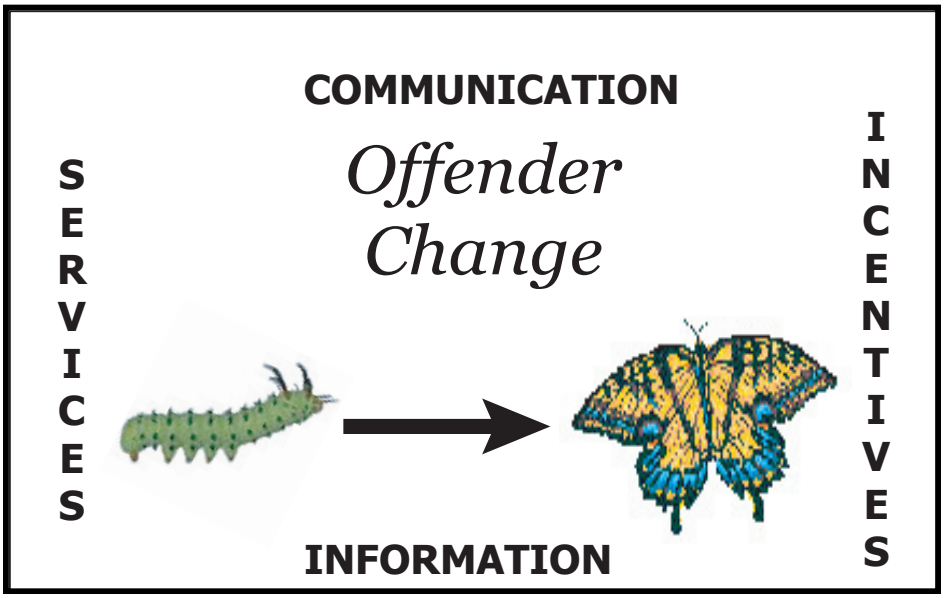
Finally, the plan should be solidified with a behavioral contract. A behavioral contract is a document, above and beyond the supervision conditions ordered by the court or parole board, that : 1) Outlines clearly what is expected of the offender during discrete periods of time; 2) Outlines specific rewards and consequences that will be delivered when expectations or conditions are met and not met; and, 3) Outlines services (both supervision and treatment) that the offender will be provided to achieve the change.

Since the behavioral contract evolves from the supervision plan, the behavioral contract also should be developed through a consensus process. This serves to maximize the "buy-in" of the offender as well as reinforce to the offender a better understanding of how the services will assist them in making changes that will contribute to a better life. The contract should be signed by both offender and staff to indicate that each agrees to its conditions. Rather than being set in stone, supervision plans and behavioral contracts should be continually modified based on offender performance. In many situations, a new contract should be created during each stage of supervision (e.g. engagement, early change, change, and maintenance). This assists offenders in understanding their progress, and realizing that different steps are necessary in the course of behavioral change. For example, in the engagement period, contracts may be focused more on offenders becoming aware of their own behavioral patterns. One of the first steps might be to have the offender enroll in parenting classes to create some ties to the family or loved ones. A contract during the early change period may address the specific service conditions that are relevant. Finally, contracts in the maintenance phase may include more community supports, such as self-help groups and faith organizations that are relevant to sustaining the progress offenders have made.

Steps 2 and 3: Tools of the Trade to Facilitate Offender Change. Research and advances in technology allow the behavior management model to offer a broad and powerful array of tools to control offenders' risk to public safety and help change their behavior. The tools can be categorized into four areas: Communication, Information, Incentives and Services. While these categories serve to help organize the concepts, many tools do not fit neatly into a single category.

Communication Tools Communication is the "art" of supervision. Offenders and others in need of behavior change often do not respond to authority figures directly, or because they "said so." Frequently the power of persuasion is needed to achieve results. Staff must learn to use communication skills to gather information in the assessment phase, to inform offenders of an assessment, to collaborate on supervision plans and behavioral contracts, and to provide routine feedback to offenders on

Exhibit 3: Tools to Facilitate Offender Change



Bureau of Governmental Research, 2004

their progress. All of these critical activities, especially feedback, require that the communication between offender and staff is an open dialogue that allows offenders to learn about their own behavior and acquire skills to address deficits.

The fundamental supervision tool—staff-offender contacts—is the cornerstone to this dialogue. The staff-offender contact is the time when information can be learned from and shared with offenders. How the information is presented determines how much offenders and staff learn from each part of the supervision process and, in turn, how much behavior change occurs. It is critical that offender interviews not be loose conversations that may or may not lead toward a goal. The semi-structured interview provides general guidelines for the initiation, middle and conclusion of the discussion without prescribing an exact set of questions. This keeps the discussion on track while allowing flexibility to fit staff's personal style.

Within each part of the interview, Motivational Interviewing (MI) skills can be highly effective in eliciting information and assisting resistant, ambivalent people with behavioral change (Miller and Rohnek, 2002). Key MI techniques are "reflections," the restatement by staff of what an offender has just said in a way that helps him see the flaws in his thinking or understanding of a situation, and "developing discrepancy," pointing out inconsistencies in what an offender says he wants and what he does. MI urges staff to avoid arguments that can destroy rapport with offenders, and to "roll with resistance" when particular issues might be better addressed at a later time. Motivational Interviewing is useful throughout the supervision process, helping spur interest in change at the engagement stage, and providing critical feedback to reinforce progress at the change and maintenance phases. It helps offenders learn to "analyze" their own behavior and figure out themselves how to advance their behavioral change. This can occur only if the emphasis of supervision contacts is on building rapport with offenders to empower the offender to change on his/her own. Staff communicate with offenders not just in what is said during formal discussions. Everything staff does and says communicates to offenders what constitutes acceptable and pro-social behavior. People often need to see behaviors demonstrated before they can learn them themselves. Staff should model and reinforce pro-social and acceptable behavior throughout the supervision period, including appropriate salutations, promptness and respect.

Information Tools Information is the currency of supervision, and staff is president of the bank. In the behavior management model, staff serves as the hub of an information network about the offenders under their supervision. Information can come from a wide variety of sources such as:

1) Past records often may include a vast store of official documents, from prior case files to criminal history records.
2) Assessments of substance abuse and other problems performed by staff as well as subject-matter specialists.
3) Self-reports by offenders of key information.
4) Staff contacts with offenders, in the office, at home and at work, or in the community.
5) Collateral contacts with an extensive array of family, friends, community members, service providers, law enforcement, and victims.
6) Drug tests that show whether an offender has been using drugs or alcohol and, if so, what type.
7) Polygraphs, especially for sex offenders.
8) Position monitoring systems, including electronic surveillance, voice and facial recognition, Global Positioning Satellite systems, fingerprinting or biometric scanning, automated kiosks, automobile ignition interlocks, and any other electronic means of tracking an offender's location.

This arsenal of information tools allows staff to know offenders' whereabouts at almost all times, and to know a great deal about their activities as well. In stark contrast to office-based supervision, behavior management requires a shift toward true "community supervision." Supervision that relies on office visits fails to provide staff with the information needed to adequately supervise offenders, especially high-risk offenders. These face-to-face contacts between staff and offenders are limited, often to once per month or once per week, and conducted in an artificial and often distracted environment that cannot provide a meaningful portrayal of offenders' progress.

Community supervision gives staff a chance to gain knowledge of offenders' conduct robust enough to meaningfully implement supervision plans and behavioral contracts. It urges staff to identify the people who play an important role in offenders' lives and cultivate relationships with them, with just as much care and attention as the relationships with offenders themselves. Community police officers seek better information about their beats by developing relationships with local residents and merchants. Community supervision staff must build trust with the people who can provide information about offenders, and who may also be able to support their attempts to change behavior. A healthy number of human sources, plus a level of technological monitoring appropriate to an offender's level of risk, allows staff to make real-time adjustments in sanctions and services to maximize recidivism reduction.

Incentive Tools With an appropriate deployment of information tools, staff is in a position to know quickly when an offender has and has not complied with his conditions of supervision. The behavior management model demands that offenders receive certain, swift, predictable, and proportionate sanctions and rewards for each and every instance of compliant and noncompliant behavior.

Behavior management views reward and sanction tools as a long ladder or staircase that progressively restricts offenders' liberty. The ladder stretches from the lowest level of restrictions (perhaps administrative status) through more intensive levels of restrictions that involve infringements on daily activities. These restrictions can involve more frequent contacts with supervision staff, involvement with day or evening programming, and ultimately short and long-term incarceration. Offenders should move up and down the ladder according to their compliance with legal conditions of supervision and terms of the behavioral contract. Violations move an offender up; periods of compliance should be rewarded with a shift back down. It is important in this phase to identify the specific behaviors that are to be awarded or sanctioned; clarifying the behaviors helps to identify for the offender expected measures of progress.

By identifying milestones—achievements of progress or behaviors of relapse—and the expected response, the offender is aware of the consequences. The process also identifies the milestones that justify moving the offender up or down a rung on the ladder. Major violations might justify a leap of several steps, perhaps from weekly contacts to weekend incarceration. On the other hand, it may be

appropriate to sanction an offender with additional community service hours, but keep the offender at the same level of supervision.

The more certain, immediate, predictable, and proportionate, the more impact sanctions and rewards will have on offender behavior. The opposite is true as well: violations that go undetected or unpunished, and sanctions that are delayed, arbitrary or overly harsh will dilute the impact of supervision on behavior and recidivism. This makes it critical for staff to work with courts and parole boards to define as clearly as possible the specific sanctions that will result from minor, moderate, and major violations, and the procedures for implementing the sanctions, especially those that involve restrictions of liberty and generally require a degree of due process. For the sake of certainty for individual offenders and equity among all offenders in a jurisdiction, sanction policies should be as uniform as possible while providing flexibility to adjust when circumstances dictate.

In addition, rewards for progress are as important, if not more important, than sanctions in shaping behavior and the process of change. While often difficult for staff to deliver, research clearly indicates that positive reinforcements have staying power while punishments are easily forgotten, especially once the threat of them is lifted. Most people are motivated by acceptance and satisfaction with progress rewarded, and rewards reinforce these behaviors.

Certain, immediate, predictable, and proportionate rewards and sanctions will impact offender behavior.

It is in this dual movement that the law enforcement and social work models of supervision join together vividly. Violations are not tolerated, yet success is rewarded. Staff offers carrots, but also wields sticks. They demonstrate that they are serious about enforcing conditions while at the same time willing to acknowledge offender progress in change. Violations may be called "technical" but they are seen as important indicators of offender progress toward change, not as trivial. A missed drug treatment session receives a sanction both to hold an offender accountable for breaking the rules, and to send the message that getting clean is important for health and safety of the offender, as well as the public's.

Service Tools Service tools develop offenders' capacity to regulate their own behavior and function competently in law-abiding society. Research indicates four "tracks" of treatment services are the most effective with offenders: 1) Substance Abuse/Mental Health; 2) Cognitive or Reasoning Skills; 3) Education/Literacy; and 4) Employment/Job Skills. Each assists offenders in addressing the key components of their behavior that contribute to criminal conduct, and improve their capability to avoid triggers on their own.

While sanction tools generally ought to be applied in a standardized fashion among all offenders, service tools must be matched to the specific needs and deficits of individual offenders. The appropriate mix of service tools should be revealed during the initial assessment and revised as necessary throughout the period of supervision. As with sanction tools, offenders must be moved up and down a continuum of service tools as they progress or fail. Drug-addicted offenders, for instance, should participate in treatment for sufficient duration to sustain a substance free lifestyle; essentially this involves a minimum of two levels of substance abuse treatment followed by social supports. Those who begin in a residential setting must be seamlessly connected to an outpatient program when they complete the residential program. Offenders doing poorly in a standard outpatient program must be placed in an intensive outpatient program or residential program. Service tools should not be regarded simply in terms of treatment programs provided by staff to offenders. They also vitally include offenders' family, peers and communities at large. The corrections field has traditionally perceived these informal social controls as insignificant relative to the control exerted by official authorities such as judges, probation/parole officials, and police officers. But despite this historical reliance on formal social control, research shows that families and communities exert more effective influence on offender behavior and thus are critical to both and short- and long-term changes. Whether they are structured, curriculum-driven, high quality treatment programs, faith-based self-help groups or a network

of caring friends and family, these natural service tools are a critical component of supervision. They can provide the springboard to engage offenders in the process of behavior change, reinforce positive changes, disapprove backsliding, and stabilize the offender in the community. Just the same, anti-social family members, friends and environments can reinforce criminal behavior.

Perhaps the best service staff can provide offenders is to help them identify and foster any and all valuable influences and eliminate those influences that are negative. With strong natural support systems in place, offenders are far less likely to return to drug use and crime once the supervision period ends and staff moves on to other challenges.

Offender Types

The basic tools of behavior management supervision hold across the broad spectrum of criminal offenders under supervision in the community. Violent and sex offenders, petty thieves, drug abusers, first time and career criminals -- all require supervision that blends assessment and case planning, communication, information, incentive, and services. While individual offenders require supervision plans tailored to their individual circumstances and criminogenic needs, effective and efficient behavior management recognizes and capitalizes on common patterns among offenders' conduct. The groups of offenders, to name a few, are: Substance Abusing, Domestic Violence, Mental Health, Violent, Sex, Gang, and Disassociated. Effective assessment requires identifying offender types and beginning the case planning process from a framework that fits the profile of an individual offender. "Practice Guidelines" for different offender types provide a starting point for supervision strategy and planning. They set the supervision agency's standards for the type of incentives and services staff are expected to deliver to each group. Practice guidelines include actions that staff should perform, such as establishing frequent contact and rapport with victims in domestic violence cases, and expectations for offenders such as registering with local authorities in the case of certain sex offenders.

Many offenders, of course, will not fit neatly into one of the listed "types." Men who batter their domestic partners often may also have a problem with alcohol and illicit drugs. In these cases, practice guidelines can help staff prioritize and phase in supervision strategies that will maximize recidivism reduction.

Getting to Implementation

Implementing the principles of behavior management into the daily practice of community supervision involves a commitment by both management and staff to re-engineer supervision systems. Shifts in policies, procedures, and staff activities must occur in each of the operating parts of supervision agencies. As discussed above, the new systems must develop a risk and needs assessment process; a supervision plan and behavioral contract process; develop communications, information, sanctions and service tools, and provide staff training in their use.

This evolution in philosophy and tactics also requires new information management systems that allow staff to track, organize and make sense out of the vast amounts of information they collect. The systems also must allow staff to share information with each other, and with other critical actors, such as judges and treatment providers.

Behavior management is based on accountability. New performance management systems are essential to help staff and management stay on track and reach full implementation of the model. The goal of supervision is clearly defined: recidivism reduction and to improve public safety. While staff workload may determine the number of staff-offender contacts and other inputs, it is important that we move to a process wherein performance assessment criteria must measure the effectiveness of staff and agencies in meeting the mandate to reduce recidivism..

The *Guiding Principles* in each section identifies the operational components that agencies can use to integrate these concepts into practice.

How To Use This Manual

This manual was designed to succinctly summarize the application of the behavioral management model for the supervision field. The manual outlines the major concepts as it relates to supervising offenders to protect public safety and to promote offender change. It also illustrates how the supervision staff can be a facilitator of offender change. As a resource to the field of supervision, *Tools of the Trade*, is focused on the application of the core principles based on scientific findings that improve offender (and addict) outcomes. The core components are: 1) Assessment of risk and needs should drive the case plan; 2) The case plan should be a behavioral contract where the offender, as part of the process, develops the change; 3) Behavioral expectations should establish the consequences and rewards; and, 4) The rapport between the offender and the supervision staff is an important component in the change process.

Each chapter is essentially a stand-alone chapter with separate sections devoted to each core concept. It is designed to be easy-to-read and to be used on-site in staff trainings, meetings, or specialized sessions devoted to operational issues. The manual is designed to facilitate small group discussions around key concepts for the purpose of sharing information, developing knowledge, developing competencies with the concepts, and identifying how the concept(s) can be applied in a supervision office. Each chapter contains a summary of the core concepts and exercises worksheets. The *core concepts* underscore the principles of the behavioral management approach. The *worksheets* are focused on developing competency through application of the materials. The worksheets include questions that the manager or leader can pose to the staff. Also included are the exercises and role-plays that can be used to apply the material.

To effectively implement the behavioral management approach, an agency should review their own existing policies and procedures that drive the organization. This can include the formal policies and procedures as well as the more locally-driven practices (these practices are usually the site-specific tailoring of the agency's procedures). At a minimum, the review should examine the areas of potential discrepancy between the agency's policies and procedures and the demands of the behavioral management approach. For example, many supervision agencies refer offenders to treatment when they are court-ordered. If an assessment reveals that the offender does not have the problem (e.g. addiction, violent tendencies, etc.), then many supervision agencies will still follow the court order anyway. Under the behavioral management approach, these are not considered good candidates for treatment because they do not have the problem behavior. A supervision agency that is practicing a behavioral management approach will have policies that require staff to request the court to modify a condition that is essentially "not applicable" due to objective and professional information obtained post-sentencing. Then it is necessary to revise the policies and procedures to conform to the behavioral management model.

The worksheets are designed to ask questions regarding knowledge of the specific topic area. Yet, they also serve the purpose of identifying operational issues by turning the question "what is" into "how can this be integrated into practice". Focusing on the "hows" (or the implementation issues) is a sure-fire way to have the staff think about their daily work. It should also focus attention on the existing protocol within the agency such as whether a risk and needs assessment tool is available, the tool(s) is used for all cases, a triage process exists to ensure that high risk offenders participate in control and intervention services, and so on. This manual can be used to guide internal discussions about how the supervision process can be modified in each office in the areas of assessment and case planning, use of information tools, use of rewards and sanctions (incentives), and relationship among the supervision staff and offenders. A thorough review, with attention to the behavioral management principles (*Guiding Principles*), should foster changes in how supervision is currently practice.

The challenge in front of supervision agencies is to re-engineer their work to accommodate effective practices. Often supervision staff interpret the "what works" literature to be applicable to the treatment services field only. This manual illustrates the relevance to supervision agencies, and therein challenges these agencies to proactively redesign the supervision work. The benefits will be more engaged staff that is focused on public safety and offender change missions.

Section 1:
Behavior & Behavior Change

Guiding Principles

- To change offender behavior, supervision should focus on altering an offender's dynamic factors to achieve better results. Dynamic factors include criminal thinking, substance abuse, poor family relations, low internal controls, criminal or antisocial peer associations, and antisocial personality.

- To change offender behavior, the goal should be to improve offender decision-making in pro-social arenas and to reduce distorted thinking patterns.

- To change offender behavior, high-risk offenders should receive intensive (and structured) programs and/or services.

- To change offender behavior, supervision staff should focus on understanding the offender's prior and current behavior. And, the supervision staff should work with the offender to increase his/her own understanding of their behavior patterns and the consequences of engaging in negative and/or antisocial behavior.

- To change offender behavior, the emphasis should be on criminogenic needs (dynamic factors) to reduce the offender's risk of recidivism.

Key Concepts for Behavior and Behavior Change

I. Criminal Behavior and Change

A criminal act occurs when there is a motive, a means, and an opportunity. Criminal behaviors that lead offenders to recidivate are often called "risk factors" or "criminogenic needs" (see section II, pg. 18) and have to be addressed or reduced while on supervision.

II. Criminal Thinkers

Cognitive structure is the attitudes, beliefs, and patterns that influence the actions people pursue. In regards to offenders, their cognitive structure leads them to commit crimes and validate those crimes as being right or just.

i. High end criminal thinkers –they are proud of their actions
ii. Low end criminal thinkers –more subtle in their beliefs and actions

III. Changing Criminal Behaviors

People go through various stages when changing behavior, whether it is the desire to stop smoking or to lose weight. Being aware of where an offender is in the stage of change will enable staff to determine what kind of help is needed.

i. Pre-contemplation –does not see that a problem exists
ii. Contemplation –ambivalent towards change
iii. Determination –ready to change
iv. Action –active participation in modifying behavior
v. Maintenance –continuing to persevere, address issues
vi. Relapse –falling back into old behavior

IV. Antecedents, Behaviors, and Consequences (ABC) (Social Learning Model)

Social learning theorizes that behaviors are learned only if and when they are rewarded. It explains how offenders acquire, as well as change behavior. The three components to every behavior be it criminal or not: Antecedents, Behaviors, and Consequences.

i. Antecedents –before the action occurs
ii. Behaviors –the action itself
iii. Consequences –after effects of the action

Worksheet for Behavior & Behavior Change

Questions and Exercises

I. Criminal Behavior and Change
   1. What is necessary in order for a crime to be committed?
   2. Why is it important to identify motives behind crimes?

II. Criminal Thinkers
   1. What are common attitudes/beliefs that we share?
   2. How do those attitudes/beliefs differ from offenders?
   3. How are our attitudes/beliefs similar?
   4. How does cognitive structure apply to community supervision?

III. Changing Criminal Behaviors
   1. Why is it necessary to identify the stage of change an offender is in?
   2. What are some behaviors we would like to change about ourselves?

IV. Antecedents, Behaviors, and Consequences (ABC)
   1. What are some antecedents of criminal behavior?
   2. Why is social learning important in supervision?
   3. Give examples of positive and negative reinforcements and what are their effects?

Role Play

Divide staff in groups of 2 having one play the offender and the other playing the officer/agent. Present the scenario and inform them that halfway through the exercise, they will be switching roles. Make sure that the person playing the officer/agent is not informed on the stage of change offender is in. NOTE: Have staff focus on determining the stage of change and have the "offender" focus on characteristics of that stage.

Scenario 1: John/Jane is addicted to heroin. The offender does not acknowledge a problem exists and insists that they should not be on probation. They have consistently tested positive for heroin. (Pre-contemplation)

Scenario 2: Ron/Rhonda is a currently unemployed offender on supervision for domestic abuse. Ron/Rhonda feels that working is an important part of society, but is having a difficult time finding work. Ron/Rhonda has gone on seven interviews but has not received any offers. (Determination moving towards action)

Exercise

Ask each staff member for his or her favorite activity or hobby. Then ask them why they have stuck with the activity or hobby.

Ask staff to think of an activity they wanted to try and decided they did not want to continue with the activity. Then have them explain why they did not continue or what dissuades them from participating in the activity.

NOTE: Have staff identify positive and negative re-enforcements and how these affected their behavior. What are some steps they took in order to ascertain that this activity/hobby is something to continue or seize involvement in?

Criminal Behavior and Change

Social scientists have studied and debated the "causes" of crime for centuries, with theories ranging from poverty and inequality to greed and pure evil. Fortunately for corrections professionals, much criminal behavior can now be understood and changed even though these arguments still rage.

At a practical level, criminal acts occur when there is a motive, a means and an opportunity. There must be a ready offender, a vulnerable victim, and a lack of sufficient guardians to discourage the crime from happening. Successful supervision attempts to reduce all three factors. It especially focuses on increasing the supports to prevent criminal conduct.

It is critical for staff to understand the underpinnings of criminal behavior, that is, what makes a "ready offender." While the entire spectrum of human behavior cannot, of course, easily be summarized, research has consistently identified a set of characteristics that are common among criminal offenders and relate closely to recidivism. These characteristics, which both predict and influence criminal behavior, are often called "risk factors" or "criminogenic needs." Page 26 describes in detail the risk factors and criminogenic needs.

Some risk factors are static and cannot be changed. Static factors include having a family history of substance abuse or a prior record of delinquency. Other factors can be changed. These dynamic factors include having antisocial friends or poor verbal and problem-solving skills.

Dynamic needs are further distinguished between those that are "criminogenic" and "non-criminogenic." Criminogenic needs are characteristics which are related to the likelihood of criminal conduct. Non-criminogenic needs may be concerns for offenders to address, but they are not related to recidivism. Anxiety, alienation and low self-esteem are examples; boosting self-esteem has not been shown effective at reducing re-offending.

Criminal Thinkers

Every person has a set of attitudes, beliefs and patterns that combine to form his or her cognitive structure. Cognitive structure influences the actions people pursue. For every person, this cognitive structure is a self-fulfilling cycle, which means that whatever an offender believes will eventually be validated in his own mind as being right or just. Criminal thinkers do not see fault with their actions, and without this internal control, are more likely to engage in further criminal actions, given the means and opportunity.

There are high- and low-end criminal thinkers. Higher-end thinkers' beliefs are far outside the norms of society. These offenders exude pride in their actions and in many instances they talk about their victims deserving what they got. Lower end criminal thinkers are usually more subtle in their beliefs and actions.

Determining whether an offender displays victim stance, entitlement, or righteous rage will enable you to identify the severity of an offender's criminal thinking.

Whether high or low end, criminal thinkers are likely to exhibit victim stance, entitlement, righteous rage or a combination of all three. "Victim stance" is when offenders feel they have been treated unfairly their whole lives and that they are the real victims. In response to this sense, these offenders have developed a coping mechanism that consists of a defiant, hostile attitude toward society and in some instances, life itself. Offenders who fall into this category are contemptuous toward authority and authority figures such as staff.

Offenders who exhibit "entitlement" feel that they are titled to an absolute freedom and any restriction of this is unjust. In short, they believe they ought to be able to do whatever they want, whenever they want.

Another possibility is that offenders may display "righteous rage" when their lives and their surrounding world does not meet their expectations. These offenders exhibit anger, retribution and a license to do as they please without regard to rules and consequences. "Righteous rage" produces a feeling of power in these offenders and they feel that in order for them to win at something they must force someone else to lose. When they win, they are elated. When they lose, they are crushed, albeit for a short time.

Of course, all offenders should not be considered "criminal thinkers." Some have made bad decisions but do not have distorted thinking patterns that will result in similar decisions in the future. It is important to determine how much of the offender's behavior is poor decision-making or how much is a distorted thinking pattern.

Changing Criminal Behaviors

Stages of Change

While certainly no single "answer" has emerged, there is a professional consensus on the process of behavior change. The "Stages of Change" model, developed in 1992 by Prochaska, DiClemente and Norcross, provides a framework for identifying where a person is in the change process. The model has six distinct stages, and each requires a different posture and approach with offenders in each stage. Each of the tools or strategies below is explained in greater detail later in this manual.

Pre-Contemplation. An offender does not believe or denies that a problem exists and, therefore, is not considering changing behavior. An example is: "I don't think I have a problem with heroin. I don't use it that much. It is my children who think I have a problem."

At this stage, staff should attempt to engage offenders in self-diagnosis. Allowing offenders the opportunity to "take stock" of their current situation helps them begin to think about why they are on supervision and to identify their problems.

Contemplation. The offender realizes that a problem does in fact exist, but is ambivalent about the behavior and its impact and may believe that progress is hopeless. Example: "I know I use cocaine a little too much, but there's no way I'm an addict." Ambivalence often can be overcome with education. Drug education or readiness classes, for instance, can help offenders begin to see the possibility of change, as can Motivational Interviewing. Another useful tool is a "Benefits & Consequences Analysis," in which offenders list the pros and cons of their behavior and assess whether the negative consequences outweigh the positive benefits. Also while in contemplation, it is necessary for staff to engage community supports and develop the offender's skills, such as problem solving.

Determination. The offender recognizes the problem behavior and begins to make a commitment to change. Often, he is planning to make a change in the near future, but still has some obstacles. These obstacles range from a lack of full commitment to change, obligations that require immediate attention, or a lack of awareness of how to take the first step. Example: "I'm going to quit using, but I need to take care of a few things first."

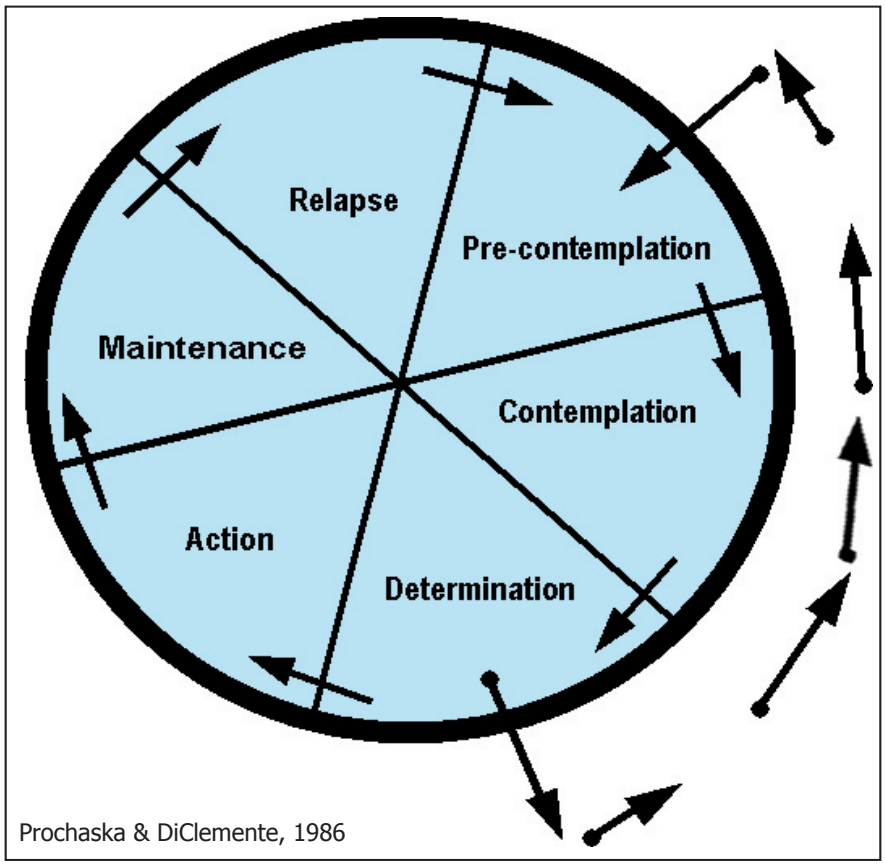
A good tactic that staff can use at this point is to jointly develop a menu of options for the offender. This will force him to think even more about changing and solidifying his decision to change. Staff also should attempt to begin developing the offender's thinking or cognitive skills, which will help him make decisions that support changing his behavior.

Action. The offender defines a strategy to change that involves detailed steps relating to support systems, personal relationships, living situations, and other necessities to support the change in behavior. He is actively involved in making the change. Example: "I am going to drug treatment now and I just moved to a new part of town." Offender skill-building should continue, with greater emphasis on the social and life skills that will help him function in society. Staff should continuously reinforce any positive movements. (see section 6 for a discussion of service tools).

Maintenance. The offender has met key milestones in changing the factors associated with his criminal behavior, such as substance use, personal relationships and living situations. Other milestones may be positive commitments to changed behavior, such as payment of child support, visits with children, or other steps that indicate that the offender is focusing on positive relationships with others. These milestones are often dependent on the length of time that the offender has abstained from the behavior and made a change. Example: "These past few months have been great. I've been clean, changed jobs, and I have never felt this good."

At this stage, staff should continue to support and reinforce the offender's progress, and work to eliminate as many triggers as possible. Staff should stress the importance of supports in the community that the offenders can turn to when trouble arises, and vigorously watch for any signs of trouble by communicating with the offender and collateral contacts such as treatment providers to monitor progress.

Exhibit 4: Model Stages of Change



Relapse. The offender slips. The slip can either be a one-time event, a series of mishaps, or some period of prolonged use. Each slip requires care and attention to its causes, and the development of a preparation and/or action plan to address the people, places or situations that triggered the slip. Example: "I thought I could use just one more time and I would be fine, but it didn't happen that way and I am back on heroin."

While applying the proper interventions at the appropriate times will likely reduce the chances of relapse or recidivism, relapses do occur. When they happen, staff should evaluate the situation and prepare to begin therapy process with the offender once again. The supervision plan should be re-evaluated. This process of change may be circular, as shown in Exhibit 4. Not all offenders will go neatly from pre-contemplation to contemplation to determination and so on. In many cases offenders will go back and forth between stages. In addition, offenders can be in different stages for different types of behaviors, such as recognizing a drug problem but refusing to admit a sexual problem. Not all offenders relapse, but the commitment to a pro-social lifestyle may waver.

With this understanding of the stages of change, staff is able to assess an offender's current stage of change and develop a supervision plan that minimizes the chances of recidivism. The better staff are prepared to identify an offender's stage of change, the more appropriate and effective supervision can be. Staff help offenders move from one stage to another by promoting positive movement. The offender should reach a point at which he is willing and committed to an action plan aimed at changing his behavior, and ultimately, a point at which he has the skills to keep him/herself out of trouble without the supervision of the state.

Antecedents, Behaviors, & Consequences

What is Social Learning?

Behaviors are learned only if and when they are rewarded. People experiment with drugs, for example, to see how it makes them feel, and if they like feeling "high," they continue to use. Social learning assists in explaining how offenders acquire behavior, as well as how to change behavior. Under the social learning model, changing behavior is possible if the new behavior is positive and burnishes the offender with satisfaction.

One explanation about behavior is that there are three main components: Antecedents, Behaviors, and Consequences. These three pieces known as the "ABC's of Social Learning" are the significant components of an individual's behavior.

Antecedents

Antecedents are events that precede an act. Think of a common everyday occurrence like eating. What are some of the things that precede the act of eating--hunger, desire, nerves, or time awareness? Or you might simply see something that looks delicious. Each explains why people eat.

Substance abuse is a common problem among offenders, yet individual offenders take drugs for a wide variety of reasons. For some offenders, drug use occurs after fighting with a loved one, losing a job, being bored, feeling stress, or hanging out with a certain group of friends. Identifying the people, places, or situation(s) that leads to the use of drugs (or the committing of crimes) helps an offender become aware of the factors that influence these behaviors.

Behaviors

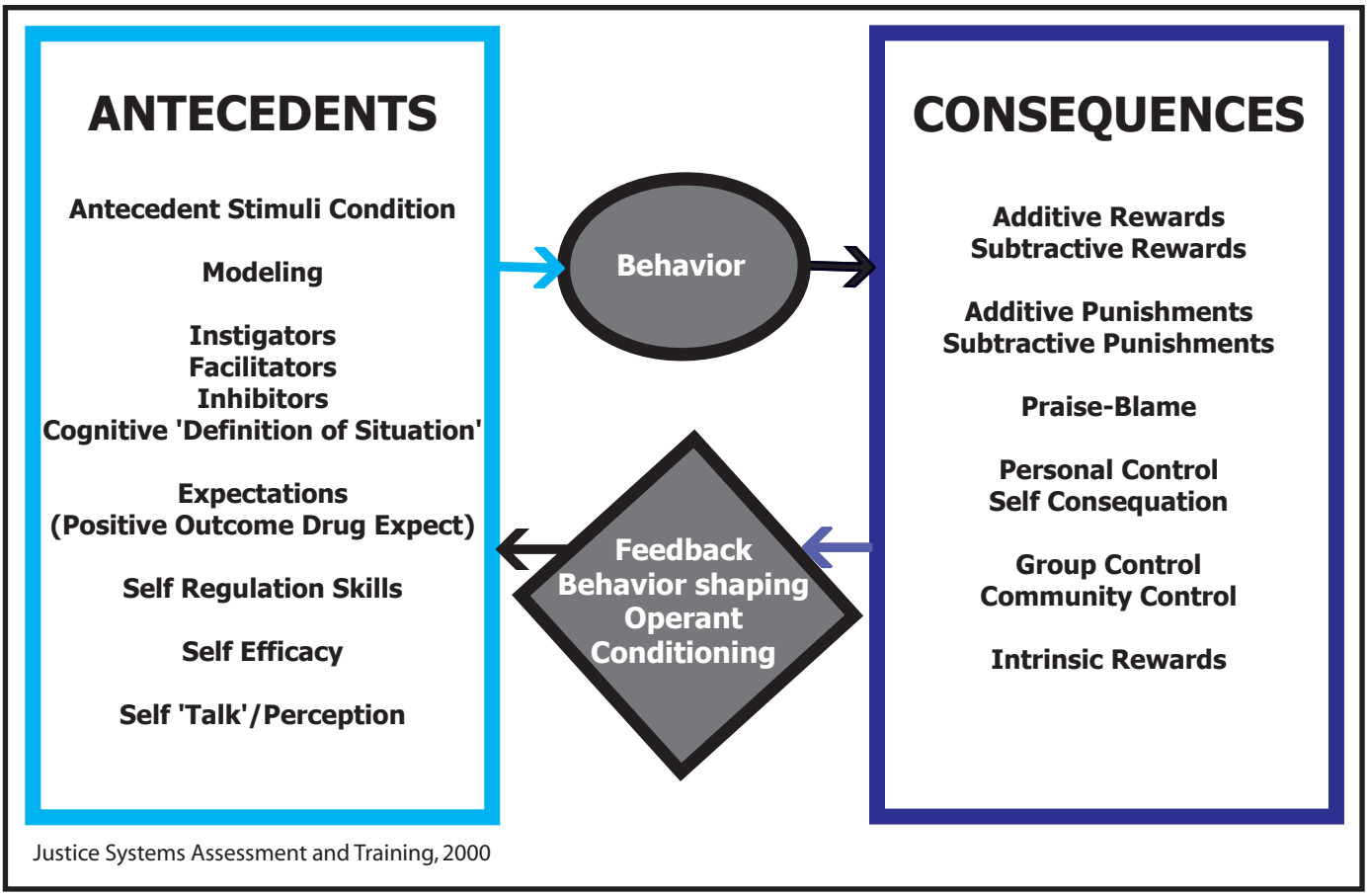
Behaviors are the actions people take. For most people, behaviors consist of strictly law-abiding activities. Even the most law-abiding citizen has on occasion been known to drive over the speed limit. Often, this is a conscious decision on a driver's part, a choice that is made. If a person has done this before, has never been caught (or injured), then the positives are imprinted in his mind. The behavior is seldom questioned. The same is true for offenders, they have most likely committed other crimes that they have gotten away with. Since there were few ramifications for commission of the crime, then the behavior is reinforced and consequently more likely to manifest itself again.

Consequences

Consequences help shape behavior. Positive consequences (rewards) reinforce behaviors while negative consequences (punishments) tend to discourage behavior. A clear set of consequences, both positive and negative, can help people develop a sense of responsibility by letting them know that they are in control of their own future.

Offenders in the early stages of change (pre-contemplation and contemplation) often require more **external controls** by the criminal justice system to reinforce the importance of change. Offenders in the later changes have begun to develop internal controls or the intrinsic motivation to direct their own behavior. They may need less criminal justice control.

Exhibit 5: The ABC Diagram



Justice Systems Assessment and Training, 2000

Tools to Identify the ABCs

Effective change of an offender's behavior begins with an understanding of an offender's ABCs. A structured interview, as part of an assessment process can identify the certain set of friends (the antecedent) that often results in certain behaviors such as cocaine use or burglaries. The interview can also detect that the offender obtains a short-term positive consequence (the feeling of being "high" from the cocaine use or pulling off a burglary). Negative consequences can also be identified such as the feeling of being out of control, fear of being arrested, or other likely results. Staff must be able to identify offender behaviors that do not comply with the conditions of parole and/or probation.

This helps the offender to see a connection between the behavior and likely consequences. These consequences can be shown to be negative (a technical violation) or positive (letter sent to the sentencing judge, support from family, etc.). The goal of supervision is to assist the offender in developing self-diagnosis--skills helping the offender to learn to identify antecedents that cause unlawful behaviors and avoid these behaviors that may lead to trouble (consequence).

Section 2:
Assessment & Case Planning

Guiding Principles

- Supervision staff should consider the offender's current stage of change in assigning supervision and/or treatment services.

- The key to identifying supervision and/or treatment services is to match the offender's dynamic factors with appropriate services. For offenders with multiple criminogenic needs, programs that address four or more of the factors will yield better results.

- The offender's risk factors should determine the supervision services. The higher the risk, the more external controls such as curfews, drug testing, face-to-face contacts, etc.

- The supervision plan should be a behavioral contract. The offender should be part of the team to develop the plan to ensure ownership and acceptance of the quarterly progress measures. The offender should sign this contract.

- The behavioral contract should prioritize the accomplishments that an offender should achieve on a quarterly basis. Progress should be tied to clear behavioral objectives (e.g., obtain weekly drug testing, obtain an assessment, etc.). Prioritization should first address areas of interest to the him/her as a tool to facilitate change.

- The behavioral contract should encompass supervision requirements, court and/or parole mandated conditions, treatment services, and expected sanctions and incentives. Included should be the requirements and expected consequences for positive and negative progress.

- Supervision staff should use problem-solving techniques with the offender to assist the offender in learning alternative behaviors and reactions to triggers (e.g., people, places, and things) that contribute to criminal behavior and/or substance abuse.

Key Concepts

I. Criminogenic Needs

Criminogenic needs are factors in an offender's life that affect the likelihood of recidivism. When the "big six" are addressed during supervision, the likelihood for recidivism is reduced.

i. Low Self-Control
ii. Anti-Social Personality
iii. Anti-Social Values
iv. Criminal Peers
v. Substance Abuse
vi. Dysfunctional Family

II. Responsivity/Matching Offender and Services

The Responsivity principle states that staff needs to combine controls and treatment to address the risk and needs of offenders. Finding the right mix of control and treatment services for an offender increases the opportunity for offender change and reduces the likelihood of recidivism.

III. Risk, Need, and Responsivity

Understanding the risk and needs of offenders allows staff to determine which supervision services are appropriate, "Different strokes for different folks." This match should be based on two concepts: the likelihood of recidivism (risk) and the criminogenic needs that lead to criminality (needs).

IV. Internal vs. External Controls Social Learning

Controls are aspects of offenders' lives that can help prevent them from committing criminal acts.

i. External Controls –these are outside forces that have influence on the offender's behavior. (i.e. urinalysis, curfews, family, etc.)
ii. Internal Controls –these are the offender's intrinsic motivation that drives behavior (i.e. fear-–specifically their fear of going to prison, etc.)

V. Prioritization/Offender Buy-In

Offenders are more likely to be compliant when they have ownership in the supervision plan. Getting their input on their supervision leads to increased "buy-in" and increased compliance. Once the offender has taken ownership of their supervision, and they are on the way to the determination or action stages of change, the focus then should be in prioritizing the changes that most immediately address higher risk situations.

VI. Case Planning/Road map

The case plan developed by staff is the backbone of the supervision process. A case plan should include the supervision plan, treatment plan, and behavioral contract. It takes the information from multiple sources, synthesizes it, and reflects a comprehensive strategy that outlines not only the goals, but also some of the obstacles that may arise during supervision.

i. Identifiers
ii. Assessment Information
iii. Special Conditions
iv. Responsibilities
v. Triggers

VII. Behavioral Contracts

Behavioral contracts are included in supervision plans. They are an effective strategy for increasing offender responsibility. They solidify the supervision plan by clearly outlining what an offender is expected to accomplish during their supervision period, and provide the offender with a clear guide as to what will happen when non-compliance occurs. The contract should be signed by all parties.

VIII. Problem Solving

The ability to solve problems is essential to everyday activities. Often offenders have never learned a method to address problems in their everyday lives that does not involve risk of criminal conduct. Effectively managing a problem can keep a person from committing a crime or taking drugs. Six steps that are most typical include:

i. Identifying the Goal
ii. Assessing Current Circumstances
iii. Inventorying and Analyzing Possible Solutions
iv. Analyzing Solutions
v. Selecting a Strategy
vi. Developing an Action Plan

How does a case plan relate to a behavior contract?

Worksheet for Assessment & Case Planning

Questions and Exercises

I. Criminogenic Needs
1. What does the term “criminogenic” mean?
2. What are the Big Six "Criminogenic Needs"? Give some examples of real world experiences with each need (i.e., offenders who have exhibited anti-social personality traits and how they effected supervision).
3. What do criminogenic needs tell staff about each offender?

II. Responsivity
1. Why is the responsivity principle important to supervision?
2. How does responsivity relate to the stages of change?
3. How do the current levels of supervision incorporate responsivity concepts?
4. Can changes be made to policy to assist in the identification of supervision levels?

III. Risk, Need, and Responsivity (RNR)
1. How do risk and need affect the supervision of offenders?
2. How does RNR relate to policy issues within the organization?
3. How can RNR incorporate motivational interviewing skills?

IV. External vs. Internal Controls
1. What are some examples of offenders’ internal controls?
2. What are some external controls that staff has at their disposal?
3. How does internal and external control relate to changing behavior?

V. Prioritization
1. Does policy currently provide staff with a means of prioritization?
2. Where does staff have the opportunity to prioritize offender needs?
3. Why is prioritization important?

VI. Case Planning
1. Why is case planning important?
2. What are the different parts of a case plan and what are their purpose?

VII. Behavioral Contracts
1. What is a behavioral contract?
2. Why is it important to have a behavioral contract with an offender?

VIII. Problem Solving
1. Why problem solve?
2. In the technique mentioned in this section, identify the different steps in problem solving.

Role Play: Case Planning

The purpose of this role-play is to help staff create a series of steps for the offender when faced with behavioral triggers that may lead him/her to re-offend and violate the terms of their supervision.

James is in the determination stage for his cocaine addiction. Through continuous conversations with James, you both identified that Michael and Richard are friends of James who always happen to be with him when he gets arrested. This is James' third arrest for possession of cocaine.

Assist James in creating an action plan that would help him stop use and find steps for avoiding trouble when with his friends Michael and Richard.

Role-Play: Internal/External Controls

The purpose of this role-play is to familiarize staff with internal and external controls in their own life. Separate the group into teams of two. The first person should talk about (or make up) a personal change that they want to make (and that they are comfortable discussing). The second person should play the interviewer and the first is the interviewee. The interviewer should ask questions about the issue (e.g., How have you gone about changing this behavior? What obstacles have you faced in changing? Why do you keep trying to change this behavior, why is it important to you?). Give the group 5-10 minutes to discuss the issue and then have them switch roles and repeat the discussion. Report what they learned about themselves and their colleagues.

Role-Play: Prioritization

The purpose of this brief role-play is to help staff identify what should be prioritized. Keep staff in the established groups of two, this time having one person play an average offender and the other play a supervision staff person. Provide the offender with a scenario where they have multiple problems and need help creating a plan to address said needs (such as drug problem, alcohol problem, employment issues, family problems, etc.). Following a 10-minute interview by staff, have the groups spend 5 minutes discussing how they could develop a plan to help this offender address his concerns. Discuss internal and external controls.

Criminogenic Needs

Criminogenic needs are factors in an offender's life that are directly related to recidivism. Research has identified six factors that are directly related to crime: low self-control, anti-social personality, anti-social values, criminal peers, substance abuse, and dysfunctional family.

Low Self-Control

The inability to control one's own behavior has been directly linked to crime. Offenders are more likely to commit illegal acts when they do not have the ability to control their impulses. For example, an offender who has low self control is more likely to use narcotics than an offender who has a higher level of self-control. Self-control helps dictate the way offenders behave themselves.

Anti-Social Personality

Certain personality traits, i.e. callousness, are another factor that have been directly linked to criminality. Offenders who display anti-social personality traits often will not care how their actions affect others and therefore they may not feel any remorse for what they have done. The criminal personality helps justify the actions of the offender by making it easier for offenders to commit illegal acts.

Anti-Social Values

Anti-social values allow offenders to disassociate themselves not only with the community but with the values and norms of the community. These types of attitudes help offenders retreat from their surroundings where they are alone with their thoughts and ideas while having minimal interaction with others within the community who are not engaged in criminal conduct.

Criminal Peers

Associating with other criminals increases the likelihood of an offender recidivating. If an offender is immersed in a group of peers who continue to commit unlawful acts, it will be more likely that this offender will commit more crimes. Offenders are susceptible to peer pressure just like everyone else and if their peers are committing crimes, they will feel it is necessary to break the law in order to fit in.

Substance Abuse

Research has shown that there is a relationship between substance abuse and criminal behavior. Continued substance abuse is an illegal act itself for offenders on supervision. There are other issues related to substance abuse, i.e. the need for money that can lead offenders to committing a crime to get money for drugs.

Dysfunctional Family

If an offender comes from a dysfunctional family, the offender is more likely to be in a setting where they can learn criminal or substance abuse behaviors. In these situations, offenders may not have ever had a positive role model within the home to help teach morals and values. These offenders are at a disadvantage because from an early age, they are taught that certain values and norms are acceptable.

Responsivity

Matching Offenders, Incentives, and Services

Services consist of two types: incentives and treatment. 1) Incentive services are designed to shape offender behavior to reinforce positive outcomes. 2) Treatment services are designed to change the offender's intrinsic impulses and controls by providing the offender with techniques to alter responses. Good interventions require a mix of incentives and treatment services.

Finding the right mix of services for an offender increases the opportunity for offender change and reduces the likelihood of recidivism. Services should be tailored to where the offender is in the stages of change. Many factors determine the right interventions. These factors include offender motivation, interests, learning styles and abilities. The adage "different strokes for different folks" is a useful way of thinking about this concept.

Stages of Change

An effective model for determining the motivation and commitment to change is the six-step Stages of Change model. Recognizing where the offender is in the change process to identify the appropriate intervention assists supervision greatly. An offender in the Pre-Contemplation stage does not recognize that he/she has a problem. Services then should be directed to the readiness for change. Offenders in the action phase need more clinical interventions to build the cognitive and behavioral skills (e.g. diagnosis of own behavior, steps to change the behavior, and trigger analysis to identify potential relapse, etc.) to lead a crime-free lifestyle.

Offender Interests

Each individual has different priorities, and often these priorities and interests can be the conduit to moving the offender along in the change process. An interest can be used to begin the change process by matching the offender to services, and/or support systems, with particular attention to the offender's interest. For example, if the offender is interested in contact with his/her children, then tying services to this contact can motivate the offender. If an offender is interested in learning about a skill, then this also builds support for change. Developing intrinsic motivation often involves identifying the needs and interests of the offender. By focusing on the offender's interests, the offender can take more ownership for the components of the service plan.

Offender Capabilities

Individuals differ in their abilities. Two areas that are important to assess are: learning and cognition (thinking). A learning style is how an individual acquires information and then puts it into practice. Some individuals are more studious while others like to learn by doing. For example, alcohol or drug education and the consequences of abuse are designed to increase offender awareness. Other interventions are the "hands on" approach that allow the offender to role play to learn the information. Cognition refers to the ability to absorb and process information. Some offenders are impaired in their cognitive abilities due to substance abuse—they often require that information is presented in small segments to comprehend the core facts. Cognition is important to assess since staff may assume the offender is disobeying the order when in fact he did not understand it.

Staff Issues

To apply the responsivity principle properly, staff should gather information from many different sources to make an informed decision about the offender and appropriate services. Pertinent information that will help identify a problem can be found in case files (to find past resources used), interviews (to denote the offender's interests and capability of handling complex information), and specialized assessment of a target issue (e.g. substance abuse, mental health disorders, and criminal behavior). Every conversation and contact with an offender provides valuable information about the motivation to change. And the cues that are likely to have the greatest effect on that offender.

Prior Involvement

Staff should attempt to find out what types of interventions an offender has participated in. If that offender has participated in certain interventions in the past, the agent can deduce that this particular resource did not work well for this offender. Staff should attempt to steer offenders away from interventions that have proven to be ineffective for the offender in the past.

Risk, Needs, and Responsivity

Matching offenders to appropriate services—the responsivity principle—is a key to successful supervision. The match should be based on two key concepts: the likelihood that the offender will continue to engage in criminal activities (risk) and the criminogenic needs that lead to criminal activities (needs). Offenders should receive services that address both risk and need factors.

Risk assessment tools can be used to identify individual offender factors known to impact recidivism —such as prior criminal record, incarceration history, age at first arrest, and nature of criminal conduct. These are all static factors, descriptors of an individual's prior history. Risk can be reduced through external controls to monitor the behavior of the offender, such as contacts, drug tests, electronic monitoring, curfew restrictions and service requirements. In general, the more risk factors an offender exhibits, the greater the level of external control. Offenders with a high recidivism risk benefit from more external control, but research indicates that offenders with a low risk of recidivism actually re-offend at a higher rate when they are placed under more supervision contacts. Intensive supervision services therefore should be devoted to higher risk offenders.

"Criminogenic" factors refer to values, attitudes or behaviors that lead to or cause crime. Research shows that criminogenic traits of offenders are those that if left unaddressed will continue to increase the likelihood of recidivism. If the needs are properly addressed, however, these offenders will commit less crime.

Staff Issues

"Different strokes for different folks" sums up the responsivity principle. Staff should consider offenders' stage of change and state of being at the time of developing and monitoring the supervision plan, particularly for the level and type of treatment and control services. The preferred process is for the offender to be part of the decision-making process. Offenders can learn from the diagnosis process whereby risk and need assessments are reviewed and analyzed. This will assist offenders to understand why a particular level of control or treatment service is recommended or included in the service plan. More importantly, the assessment of the offender's individual risk and need factors should be discussed as part of the rationale for the plan. The key is to communicate with the offender regarding the various needs, this is part of an overall strategy of: 1) informing the offender of the risk and need factors that are threats to the community; 2) building the offender's awareness of the relationship between these factors and the areas of change; and 3) garnishing support from the offender for the service plan. The key to responsivity is to assist the offender to become engaged in selecting appropriate control and treatment services that will benefit the offender.

Exhibit 6: The 'Big Six' Factors of Criminogenic Need

Bello & Shepardson, 2001

External vs. Internal Controls

Controls are aspects of offenders' lives that can help prevent them from committing criminal acts. There are two types of controls, internal and external. Identifying controls as well as an offender's current stage of change will increase the effectiveness of supervision.

External Controls

External controls include an offender's family, neighbors, service providers, faith organizations, law enforcement and any other person or institution that can influence the offender's behavior. Urinalysis and breathalyzer tests can be seen as external controls.

Each external control gives staff a resource to use to increase the likelihood of compliance.

Internal Controls

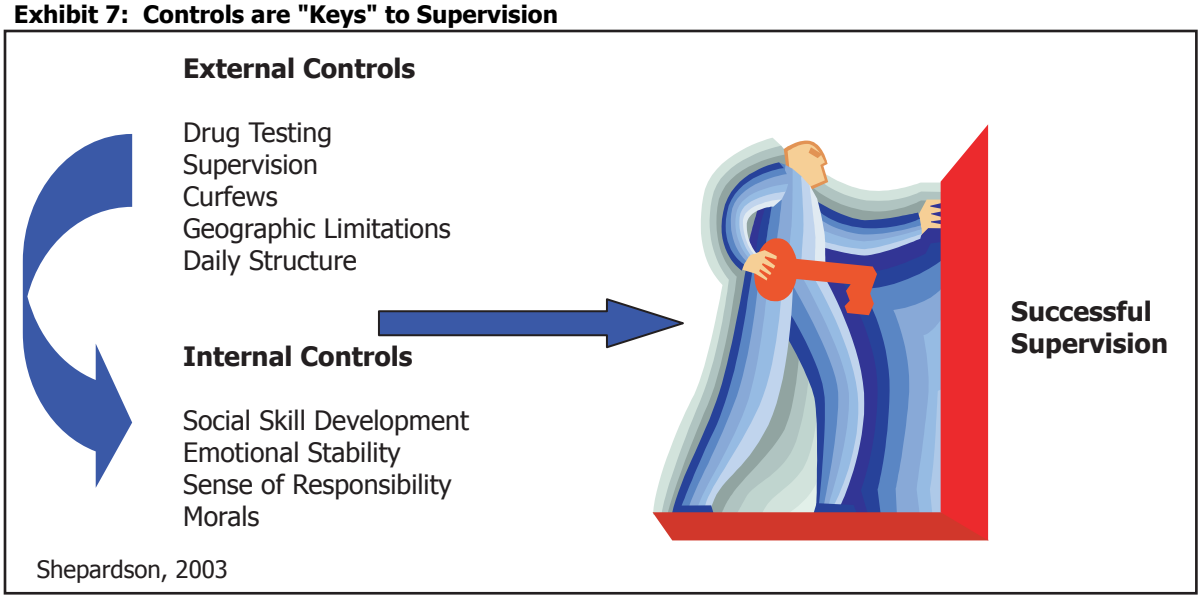
Internal control is offender motivation. Everyone from offender to staff, has internal motivation that serves as a driving force behind all behaviors. One common form of this motivation for the offender population is fear. To be more precise, the fear is that of going to (or back to) prison.

Something that will come up during the initial stages of supervision is the offenders' interest. Listening to these interests and taking note can really advance someone's supervision by helping incorporate things that interest each person. When an offender is interested in something they are much more likely to put more into it than if they have no interest at all. After ascertaining what an offender's interest is, staff can develop a supervision plan that someone is more likely to invest in. They are more likely to invest, because the supervision plan accurately represents his or her interests.

An additional factor is each offender's motivation for change. An offender's Stage of Change is critical to their success while under supervision. Answering where the offender is in the change process is essential to providing the proper services. If an offender is in the pre-contemplation stage, they are ambivalent about changing their behavior. Staff needs to be aware and have the ability to provide the appropriate resources.

Understanding these concepts can assist by identifying areas that will either assist or be problem areas while a person is on supervision.

Exhibit 7: Controls are "Keys" to Supervision



Prioritization

In order for a change in behavior to be successful, the person with the problem must have input into the change process. Input leads to "buy-in," a feeling of ownership. If someone has a sense of ownership in a plan, they are more likely to view it as legitimate and adhere to its conditions.

Once an offender is in the determination and action stages of change, the focus should be to prioritize which risks and needs are the most important to address. Other than risk and needs, staff should also attempt to prioritize offender responsibilities, interests and goals.

Responsibilities

Offenders are required to meet certain responsibilities ordered by the court. While the responsibilities vary from offender to offender, they may include submitting urinalysis, attending treatment, etc. These responsibilities need to be prioritized based on importance. Prioritizing is a difficult task, but it helps drive case plans. Prioritization includes looking at the different responsibilities and placing these responsibilities in order of importance. Doing this helps drive the supervision process by keeping the focus on the issues that are problem areas for every offender. The key is that not all court orders need to be addressed at the same time.

Interests

Ascertaining an offender's interests can assist staff by providing an opportunity for engagement. Beginning with an offender's interests is a great way to involve him/her and grab his/her attention quickly. Every contact with an offender is an opportunity to find cues about issues they care about – job, sobriety, children, friends, etc. Once interests are identified, they need to be prioritized to engage the offender by focusing on interests and incorporating them into a case plan. Effective communication skills (and motivational interviewing) will engage offenders. and enable more information to be gathered.

Set Realistic First Goals

When prioritizing, agents should start by taking small steps with offenders. Focusing on drug use, peers, or education status can give attainable goals. It is imperative that when someone sets a course, they have milestones that they can reach in a short period of time. Meeting a few goals quickly builds momentum and self-confidence. This is crucial for the successful movement along the change process.

Build Skills

Skill-enhancement also must be prioritized. Often, offenders are deficient in many different areas of their life. Staff should attempt to identify these deficiencies in each offender and then prioritize which areas the offender needs most. There are a variety of resources available that can assist with skill enhancement. There are treatment interventions, education seminars, etc. that will help offenders learn new skills. Supervision staff should monitor any new pro-social skills offenders demonstrate and provide positive reinforcement.

Do Not Stack On!

Piling on too many obligations leads to frustration and failure. Offenders who face a laundry list of "do's" and "don'ts" can feel overwhelmed. Following these guidelines can help prioritize supervision activities, as well as get offenders engaged in the change process though a higher level of "buy-in."

Case Planning

The case plan developed by staff is the backbone of the supervision process, the map for how agents and offenders will identify and solve offenders' problems. Case plans take information from multiple sources, synthesize it, and reflect a comprehensive strategy that outlines not only the goals, but also some of the obstacles that may arise during supervision. Each case plan should be based on the unique aspects of an offender's life. This ensures that each plan addresses the specific risks and needs of individual offenders and therefore has the greatest chance for success.

Case plans take information from multiple sources, synthesize it, and outline a comprehensive strategy or the goals of supervision.
Each case plan should be based on the unique aspects of an offender's life to ensure that the plan addresses the individual's needs.

To maximize successful outcomes, case plans should include several components.

Case planning *can be* synonyms with a supervision plan, treatment plan, and/or behavior contract. In some places, offenders receive two or three plans to define the rules and requirements of supervision and/or treatment. Imagine the confusion of an offender — trying to remember which plan is the most important. Case plans now should encompass facets from the supervision and treatment plans, as well as a behavioral contract. The contract is designed to hold offenders accountable for their actions and their responsibilities by articulating *all* of the requirements for supervision and treatment. Combining these three documents into one cohesive case plan can help in increasing the effectiveness of the plan and the chances of offender success. Case plans need to contain information from the supervision plan (i.e. offender/agent information, special conditions, offender typology), the treatment plan (i.e. type of treatment requirements), and the behavioral contract (i.e. dates of responsibilities and signatures) in order to be effective.

Staff and Offender Contact Info

Sufficient staff and offender information is one key component of a case plan. Staff information includes office location, phone numbers, and any other pertinent contact information. Offender information includes offender identification numbers, addresses, aliases, etc. All of these identifiers are important. For staff, more offender information makes it easier to find offenders and potential collateral contacts.

Assessment Information

Assessments are an invaluable piece of the supervision puzzle. Recent research has shown that in many cases, assessments are administered correctly but the information obtained is not properly applied to supervision plans. These assessments are useless unless the results are incorporated into case plans and applied to the supervision of offenders. Assessment tools should identify offenders' criminogenic needs. Even if the agency does not use an assessment tool, case plans must incorporate assessment information to identify and prioritize areas of the offenders' lives that need to be addressed.

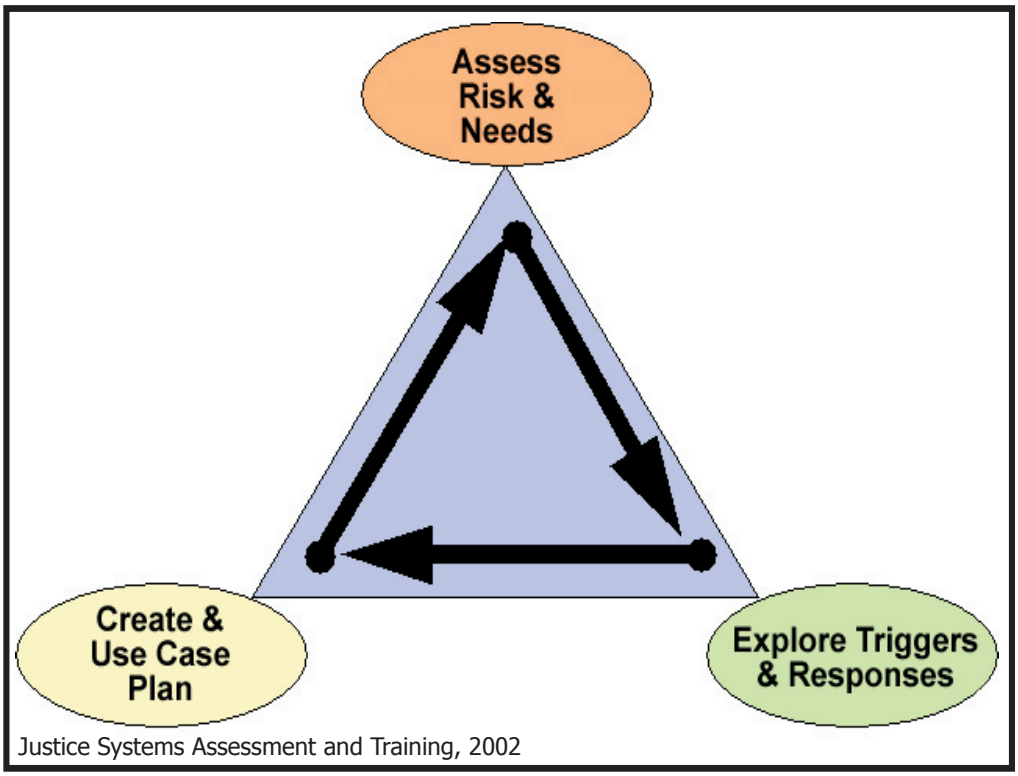
Special Conditions

All special conditions must be included on every case plan. This will ensure both offender and staff are aware of and understand the conditions of supervision set by the court or parole commission. Though offenders will more than likely be familiar with their legally-imposed conditions, the case plan will serve as a reinforcement of these parameters.

Responsibilities

Case plans outline responsibilities for staff as well as offenders. Ultimately, the responsibility for making a lifestyle change is up to each offender. Having all offender

Exhibit 8: Qualities of Good Case Planning



responsibilities written down in a clear and concise fashion clarifies tasks that need to be accomplished during the supervision period. There must be consequences when offenders do not follow through or complete these tasks and responsibilities in the allotted time. To be most effective, sanctions should be applied for each and every violation, with certainty and swiftness, and in proportion to the seriousness of the violation. Offenders should be clear that severe or repeated non-compliance would result in their incarceration.

Triggers

As part of addressing the needs of individual offenders, case plans should include strategies that address the obstacles that may hinder offenders in successfully competing their supervision. Identifying obstacles for offenders increases their awareness of situations, and helps them avoid illegal acts. Triggers — the places, people, or things that tend to lead offender to re-offend — should be identified and spelled out. Staff can then help offenders avoid their triggers by teaching how to problem-solve.

Coming up with case plans for offenders is not an easy task. Staff must gather a variety of information from as many sources as possible to identify issues for their offenders and address these issues throughout supervision. Though it is not easy, it is a very beneficial process for staff and offenders alike. Case plans provide clear direction for offenders and staff and cut down on ambiguity and indifference toward supervision.

Behavioral Contracts

Following development of the supervision plan, staff are responsible for monitoring compliance rates among their offenders. Behavioral contracts are included in supervision plans. Behavioral contracts are one effective strategy for increasing offender responsibility. It solidifies the supervision plan by clearly outlining what an offender is expected to accomplish during their supervision period and it provides the offender with a clear guide as to what will happen when noncompliance occurs.

Behavioral contracts should not only inform offenders of what their responsibilities are but should also provide a time frame for the tasks' completion. Responsibilities outlined in the behavioral contract are the key to supervision successes, because it informs offenders of their duties, and consequently helps place the responsibility for compliance on the offenders.

Behavioral contracts also provide offenders with a guideline of what will happen should they become noncompliant. Defining consequences for their actions, whether it is positive or negative, helps offenders look beyond their actions. This knowledge provides offenders with a moment of pause, knowing that their actions may lead them to jail. This may then cause the offenders to reconsider committing an illegal act.

Exhibit 9: Sample Behavioral Contract (Maryland Division of Parole and Probation)

DRUG INVOLVED OFFENDER BEHAVIORAL CONTRACT

Offender Name: _____ DPP No. _____
Agent Name: _____ Today's Date: _____

		COMPLIANCE		
Offender Responsibilities	Date Due	Complete	Partially Complete	Not Complete
Offender to be drug tested on BTC schedule (except Denton)				
Offender to be responsible for paying all testing fees				
Offender to attend all supervisor appointment				
Offender to abstain from using illicit substances and alcohol and will attend all scheduled unrinalysis appointments				
Offender to seek employment or attend job training, if unemployed. If employed, offender to maintain employment				
Other: 1. _____ 2. _____				
Agent Responsibilities				
Agent to ensure that supervision conforms to the policy in Chapter 6				
Agent to monitor all urinalysis results and move offender through drug testing schedules accourtingly in BTC jurisdictions				
Agent to identify the offender's level of ambivalence towards change				
Agent to identify offender's "Stage of Change"				
Agent to develop communication link with treatment agency				
Agent to respect confidentiality issues before sharing information with outside agencies				
Agent to immediately respond to non-compliant behavior				
Agent to apply Graduated Sanctions Contract with offender				
Other: 1. _____ 2. _____				
Triggers				
1.				
2.				
3.				

Graduated Sanctions

Probation	Parole/Mandatory Release
1st - Fact to Face Reprimand	1st - Fact to Face Reprimand
2nd - Supervisor Reprimand	2nd - Supervisor Reprimand
3rd - Sign-in Log	3rd - Sign-in Log
4th - Administrative Review	4th - Administrative Review
5th - Subpoena/Warrant	5th - Night Watch
	6th - Revocation/ Subpoena/ Warrant

I agree to all conditions presented on this contract:

_____ _____
Offender Signature Date Agent Signature Date

Bureau of Governmental Research, 2004

Once the contents of the behavioral contracts are explained, it then serves as an agreement between staff and offender. Both parties have their duties identified and each party knows the responsibilities of the other. It is important that staff take the extra time to go over the behavioral contract with offenders to eliminate any ambiguity. Offenders need to be informed of every aspect of the contract to ensure that they do not fail to comply because they did not understand certain requirements in their behavioral contract. Behavioral contracts assist staff in keeping the offenders compliant by informing the offenders of what is expected of them and providing them with the responses should they fail. Additionally, behavioral contracts help staff increase the responsibility levels in the offenders under supervision.

Problem Solving

Why problem solve?

The ability to solve problems is essential to everyday activities. Often offenders have never learned how to methodically address problems in their everyday lives. Decisions then are made that lead the offender back to criminal behavior. Effectively managing a problem can keep a person from committing a crime or taking drugs. The six steps that are most typical include: identifying the goal; assessing current circumstances; identifying different options and solutions; analyzing solutions; selecting a strategy; and developing an action plan.

Part of the modeling of prosocial behavior is to teach offenders the problem-solving model. Supervision staff should teach offenders how to move through the steps toward resolution of a problem by considering different options. An effective way to teach is to model the skills, and explain how the steps apply to life overall and supervision specifically.

Identifying the Goal

To successfully achieve a goal, an offender must look ahead and identify the goal. This means specifying an end result, for many offenders this goal will be to successfully complete supervision or to stop using drugs. The first step is for the offender to clearly set a target for which to aim. Another reason to set a goal is to minimize any misunderstanding between staff and offender about the goal of supervision.

Assessing Current Circumstances

Taking stock of what is currently happening in someone's life can be done with many different tools. Using an objective assessment tool to collect information on the offender and assess risk and needs provides staff with the opportunity to provide offenders with feedback. Feedback increases an offender's awareness of what is happening in his/her life, increases an objective assessment of the factors that have resulted in the offender being on supervision, and begins an opportunity to think about what changes need to be made. Assessing offenders is a continuous process that must occur throughout the period of supervision. Assessment is the process of examining, and re-examining, the people, places, and situations that affect the offender's current circumstances.

Inventorying and Analyzing Possible Solutions

A review of the people, places, or situations that affect the offender's current circumstances is the start of a process to develop options. An offender needs to learn how to think about alternatives, particularly those that allow the offender to make different decisions. For example, if an offender identifies that they continue to commit burglaries with a particular friend, then it is important for the offender to realize that association with this individual tends to result in the same outcome. The offender can then outline different plans such as different set of friends, different ways to resist the urge to commit a burglary, and so on. The goal is to have the offender identify the "triggers" and then outline the options to that trigger.

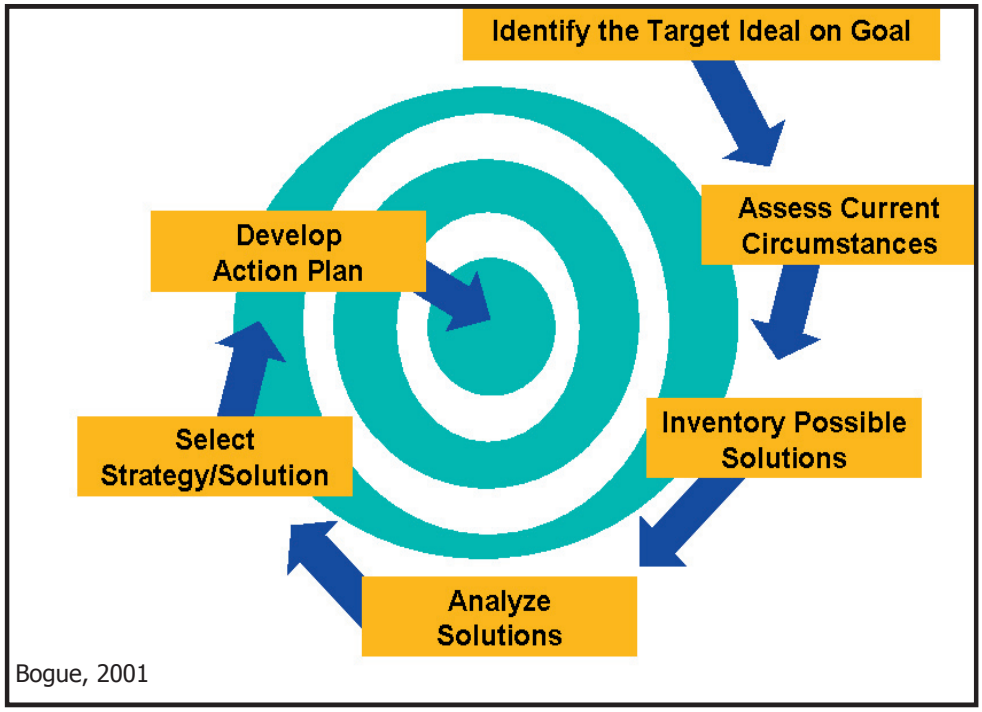
Analyzing solutions

Staff and offenders should attempt to examine the potential outcomes and effects of these solutions. Offenders need to see the benefits of changing their behavior while staff should attempt to ensure that the outcome is desirable to both the offender and the community. This will teach offenders to look ahead and it begins to move offenders away from instant gratification that is associated with many crimes.

Selecting a strategy

Strategies or plans are essential to success. Offenders need to work with staff to select the best way to achieve their goal. Coming to an agreement on a strategy allows staff and offenders to clearly outline not only how to go about achieving the offender's goal, but also allows both parties to identify their respective responsibilities. Selecting a strategy will allow the agent and offender to define their supervision roles.

Exhibit 10: The Problem Solving Process



Bogue, 2001

Developing an Action Plan

The purpose of developing an action plan is to outline the steps to achieve the goal. An action plan brings together all of the information and makes it applicable to an offender's life. The action plan should be specific by identifying all of the steps to achieve the desired goal. For example, if the offender has identified a set of friends as a trigger to criminal conduct and has selected developing a new network as the solution, then the question is how will the offender develop this new social network. The action plan would identify the steps which might include: 1) selecting a new location to play sports, 2) joining a new religious or civic organization, 3) planning activities with family members or others, or 4) working with youth that are likely to be involved in criminal conduct. The plan lays out steps to achieve the desire goal.

Section 3:
Communication Tools

Guiding Principles

- Supervision agencies should develop policies and procedures that focus on developing positive rapport and trust between the staff and offender.
- Supervision agencies should develop policies and procedures that promote the use of open, direct, and empathetic communication between the staff and offender.
- Supervision agencies should ensure that the physical space available to staff encourages private discussions between staff and offender.
- Supervision agencies should measure the performance of staff in using effective communication strategies that assist the offender in the change process.

Key Concepts for Communication Tools

I. Deportment: Interview Setting & Location

Interview settings must be conducive to good discussions. Interviews with offenders may end with disappointing or even negative results unless appropriate measures are taken to maximize respect and minimize distractions. Office and community interviews have their own respective challenges.

II. Interview Structure

Perhaps the most important feature of a successful interview is the manner in which staff communicate with offenders. Having a structured interview increases the success of the meeting with the offender because it illustrates to them the staff's concern, the desire to help, and willingness to listen.

i. Set Up – giving the purpose and setting the tone of the interview.
ii. Gather Information – using different communication techniques; staff collects information about offenders.
iii. Close Out – summarizing information learned or discussed during the interview.
    a. Magic Questions – zeroing in on any issues that need immediate attention.
    b. Hot Cognitions – large open questions that help offenders shift their frame of reference.
    c. Feedback – Impersonal and non-judgmental discussion of inform-tion gathered during the interview.

III. Deportment: Interview Skills

Research has demonstrated that Motivational Interviewing (MI) is very effective in many different types of interventions, including supervising criminal offenders. MI has been shown to reduce the level of defensiveness over time and also helps reduce any confusion or ambiguity surrounding details of any supervision plans.

i. Reflections – Reflections are a restatement of what an offender has said, and let people know they are being listened to and understood.
ii. Summarizations – Summarizations are a number of reflections strung together and can be used throughout interviews to ensure that major points are understood.
iii. Affirmations – Positive statements used to reinforce offenders' self-efficacy.
iv. Open Questions – Questions that require the offender to talk about an answer and not answering it with a "yes" or "no."

IV. Eliciting Self-Motivating Statements

Attempts to elicit a "Eureka!" moment from the offender where they realize that a problem exists and needs to be addressed and that they are capable of success.

V. Principles of Motivational Interviewing (MI)

i. Develop Discrepancy –Showing offenders the inconsistency between their actions and what they say

ii. Avoid Arguments – Arguments benefit no one and only increase defensiveness and staff can use "Reflections" by repeating or restating what an offender said to reduce that defensiveness.

iii. Support Self-Efficacy – Pointing out instances where the offender has been successful and using this "situational-based self confidence" as a confidence booster for the offender.

iv. Roll with Resistance – Resistance may manifest itself in the form of arguments or it may be subtle resistance that is not direct conflict. Staff needs to be prepared to "roll" with or move through this resistance.

v. Model Pro-social Behavior– Staff not only communicates with the offender what behavior they should have but should also embody these very same behaviors such as being respectful and being on time.

Worksheet for Communication Skills

Questions and Exercises

I. Deportment: Interview Setting & Location

1. List the elements of a good out-of-office environment for an intervention. What are ways you can avoid problems while conducting an interview in the field?
2. In-office interviews have their own set of issues. What are some challenges staff face in the following situations and what are some means of dealing with these difficulties:
   a. Cubicle-based-office structure?
   b. Sharing an office with another staff member?
   c. Phone calls that occur during interviews?

II. Interview Structure

1. What are the stages of interviews?
2. Give examples of "Magic Questions" and "Hot Cognitions." Ask staff how they can use these closing questions to their advantage.

Role Play (MI)

Have staff pair up, one playing the offender and the other staff member conducting the interview. Let the interview last about 5 minutes and then switch. Supervisors: count the number of affirmations, reflections, open questions, and self-motivating statements for each staff member. Goal is to see if there is an even distribution of skills throughout the interview. A good combination of skills helps increase communication between offender and staff member and thus assists in reducing resistance.

Role Play (Roadblock)

Offender is irate because he has lost his job and would rather not be in your office.

Have a staff member give an example of "what not to say." Observe what will happen with the offender. Then, have another staff member give an example of "what to say" or have another staff member diffuse the situation using MI skills. This will compare and contrast the differences on how to approach different situations.

Communication Tools

Communication between staff and offenders determines whether supervision will be a constant struggle that is unpleasant and unproductive or a partnership that can produce enormous change and pride. What, when, where and how staff speaks to offenders, and the example staff sets by their own behavior, are perhaps the most powerful ingredients in positive offender outcomes.

In the traditional roles of "law enforcers" or "social workers," staff interaction with offenders was viewed either as a pure attempt to monitor obligations or to make referrals to rehabilitative programs. Under the behavior management model, staff-offender communication is a tool to advance offenders' movement through the stages of change. Beginning with the intake interview and initial assessment, and continuing throughout the period of supervision, communication is a tireless effort to gather information on offenders' attitudes and actions. Timely, accurate and complete information is essential to create the supervision plan and track offenders' progress so any necessary changes in the plan, to sanctions or services, can be made.

Human communication is and always will be an art, not a science. But research and experience have identified several communication tools or strategies that are especially effective, and work well with offenders. They involve structured interviews in controlled settings, the use of motivational interviewing techniques, "rolling" with resistance, and the avoidance of argument.

An Essential Prerequisite

To the best of their ability, staff should attempt to make certain that offenders are alcohol-and drug-free during interviews. If offenders are under the influence, they will not be as open and/or truthful as they would be if they were sober. Moreover, there are safety and legal issues involved in interviewing an offender under the influence of a prohibited substance. If an offender admits to current substance abuse or is obviously intoxicated, an assessment appointment should be rescheduled. At any meeting, staff should use the time to address the offender's current condition and lack of compliance with ordered restrictions. Identifying an offender's use establishes a tone for all future meetings, and reinforces the ground rules.

What, when, where, and how staff speak to an offender, and the example staff set by their own behavior, are perhaps the most powerful ingredients in positive offender outcomes.

Deportment: Interview Setting

Interview settings must be conducive to good discussions. Interviews with offenders may end with disappointing or even negative results unless appropriate measures are taken to maximize respect and minimize distractions.

Office Interviews

Staff can take several steps to create a conducive interviewing environment in parole and probation offices. Interview rooms should be safe and private and perceived as such. Up front, staff should inform offenders that information will be confidential to the degree possible. The more comfortable an offender is, the more likely he is to provide complete, valid and accurate information. For example, at sites where staff members share offices or sit in "cubicles," a room should be specifically designated and reserved for interviews. Staff who share an office can arrange a schedule to allow for privacy.

During the interview, staff should try to minimize distractions such as computer interactions, conversations with co-workers and telephone calls. Arrangements can be made so all calls are held or routed to others during critical meetings. This reinforces the importance of the meeting, both to staff and offenders.

Out-of-Office Interviews

Field interviews also should be as private as possible to maximize respect and privacy. Since elements in the field are harder to control and are slightly more unpredictable, staff should be even more sensitive to privacy and safety issues. Staff should find places to talk to offenders or collateral contacts that are quiet, have few distractions and where their conversations will not be overheard. Staff should respect the offender's desire to keep his situation private, and practice both prudence and discretion when contacting the offender as well as his family, friends or employers.

Since interviews are frequently conducted where the environment is not controllable, staff should plan for difficult situations. Some offices have developed memoranda of understanding (MOUs) with local police and services agencies that provide for assistance to the supervision staff in potential problematic households or other settings.

Checklist to Enhance Interviews

I. In Office
- Safe place
- Private
- Confidential
- Comfortable setting
- Minimal distractions

II. Out of Office
- Private space
- Safe
- Discrete
- Plan to avoid distractions

Interview Structure

Perhaps the most important feature of a successful interview is the manner in which staff communicates with offenders. This interpersonal communication is the key to supervision; it far outweighs the effects of other intervening factors such as the interview environment, or the gender, race or age of staff and offenders.

One way to organize an effective meeting with offenders is through a process described as the "semi-structured interview." This type of interview provides guidelines that set the general course of the interview without confining the interviewer to an exact set of verbatim questions. It allows staff the freedom to gather information from offenders using their own personal style, while still covering the required topics. Offenders will sense the sincerity of the questions, and the information gathered from these meetings will prove very useful throughout the supervision period.

Understanding the natural flow of semi-structured interviews is almost as important as the ability to judge the truthfulness of the statements offenders make during the discussions. There are three stages to an effective semi-structured interview: Set Up (beginning); Gathering Information (middle); and Close Out (end). The interview is arranged to move from general, impersonal questions to more specific, personal issues. Well-structured interviews help staff gather and process information more quickly, accurately and completely than under ordinary circumstances.

Set-Up

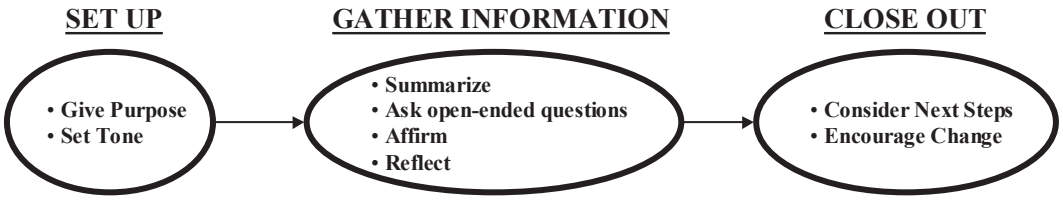
Three steps are useful in structuring the set-up. First, staff should tell the offender the purpose of the meeting and how long it is likely to last. By explaining to offenders what the meetings are supposed to accomplish, staff can immediately begin to reduce some of their anxieties. Offenders seldom have confidence in the criminal justice system or its representatives, and this lack of trust often leads to second-guessing staff's motives. A basic, straightforward explanation of the purpose and scope of the interview can establish an amicable climate for the meeting as well as subsequent interactions between staff and offender throughout subsequent meetings.

All explanations should be general, positive, and in layman's terms rather than technical jargon, which is likely to heighten the offender's defensiveness and anxiety. Giving too much information to the offender takes time away from the interview itself and probably raises more questions than is helpful.

For example, if the staff is conducting an assessment, then it is wise to explain the goals of the assessment, the different areas that will be covered, and how the assessment will be used to craft a supervision plan. Second, staff should notify offenders of the many different sources of information (collateral contacts, criminal records, treatment summaries, etc.) that may be used to verify what is said during the interview. This increases offenders' truthfulness, and it allows staff to return to the issues related to discrepancy between the offender's self-reported information and other information sources.

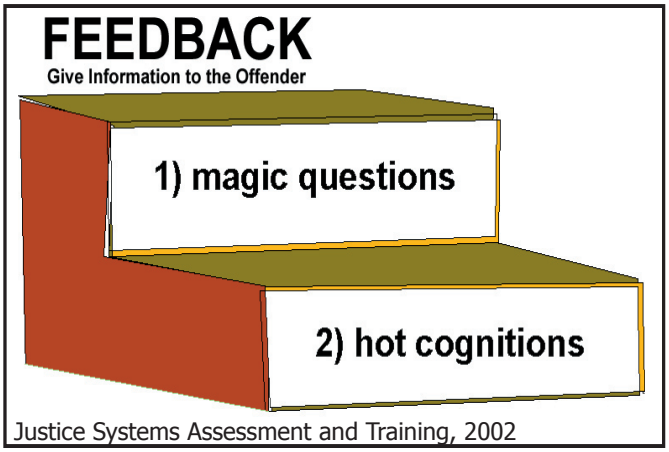
Finally, staff should encourage offenders to ask any questions or to clarify information disclosed during a prior interview. Offenders should also be aware that notes will be taken during the interview.

Exhibit 11: Three Steps of Interviewing



Bello, 2004

Exhibit 12: Techniques to End an Interview



Gathering Information

In this stage, staff members use communication techniques to collect and clarify as much information from the offender as possible. Staff learn about the immediate circumstances of an offender's life, particularly areas that may affect his/her supervision, such as employment, education, and family. Any information gathered previously can be updated and topics discussed at earlier interviews can be clarified.

Since trust in the interview is important, offenders who feel threatened or act defensively are less likely to be truthful. Using a mix of skills can decrease offenders' defensiveness and, therefore, help them examine their own lifestyles. Staff should remember to stay focused and not to divert from the task. Otherwise, the allotted time for the interview will not be sufficient to capture all of the necessary information. The information gathering stage also yields the opportunity to reward or sanction offenders. If an offender has disclosed information that requires a response, this is the time to explain or re-explain the "rules" of supervision, and reprimand or administer a sanction, or offer praise or other rewards, if appropriate.

Close Out

When staff is reasonably satisfied that they have collected all of the information possible during the allotted time, they should close out the interview. Staff should summarize the information that was learned or discussed in the interview. Feedback is critical. Staff should point out the discrepancies between the offender's perceptions of their current situation, circumstances or conditions, and objective information or facts. The feedback should be impersonal and non-judgmental, with recognition that the individual may not initially embrace the information. The meeting should end with an outline of next steps and goals.

The close out phase of the interview should include two other pieces:

Hot Cognitions. This refers to those thoughts or ideas that are pressing, important, and usually require some form of decision or action. When conducting interviews with offenders, staff may uncover unanticipated, urgent information. An offender may be suicidal, at risk from a co-defendant, or have significant health issues. When these kinds of issues arise during the course of the meeting, staff should generally continue the overall information-gathering process, but be sure to return to the hot issues at close out.

Magic Questions. These are rather large, open questions geared to help offenders shift their frame of reference. By using magic questions, staff may be able to see more sides of an offender than he might not have felt comfortable showing earlier in the interview. An example is: "I appreciate you sharing so much about yourself but I was wondering, where do you think you will be five years from now? What will your life look like? What do you want to accomplish in that time period?"

Deportment: Interview Skills

Supervision plans, by their very nature, entail some form of involuntary change in lifestyle. Emotions, such as resistance, defensiveness and apprehension, frequently accompany these lifestyle changes. Change can be plenty frightening in and of itself, and even more so when the change is coming under threat of incarceration. These types of feelings are natural and can be managed effectively using motivational interviewing (MI) techniques.

Research has demonstrated that MI is very effective in many different types of interventions, including the supervision of criminal offenders. It has been shown to reduce the level of defensiveness over time, and when an individual is less defensive, he is more open to suggestions for change. He is also willing to view the possibilities of other lifestyles in a more positive light.

MI also helps reduce any confusion or ambiguity surrounding details of the supervision plan, and skills such as reflections make certain that all parties involved understand exactly what their roles and responsibilities entail. When properly applied, MI techniques will boost offenders' commitment to their case plans and, in turn, increase the overall effectiveness of supervision.

Basic MI Techniques

Motivational Interviewing makes use of several techniques designed to build trust between staff and offenders, break through denial and resistance, and move offenders through the stages of change. When MI techniques are properly utilized and introduced naturally into conversations with offenders, their level of defensiveness is reduced. It is important to develop the ability to mix MI techniques properly. There must be a healthy balance of open questions, affirmations, summarizations, reflections and self-motivating statements, as well as a few closed questions and confrontations (as necessary) in order to reduce defensiveness and assist in moving supervision plans forward toward a successful completion.

Reflections. Resistance to change is a common human trait and should be expected. Reflections are extremely effective techniques against resistance because they let someone know that they are being listened to and understood. Indeed, this may be the first time in an offender's experience with the criminal justice system that their comments were not brushed aside or ignored.

This empathetic listening decreases defensiveness and open lines of communication between staff and offenders. It is important, however, that staff not sympathize with offenders in any way. Staff merely shows that they are attentive and willing to help.

There are three types of reflections: simple, double sided and amplified.

Simple Reflections. There are six different types of simple reflections: parroting, paraphrasing, feeling, content, getting the gist, and getting the meaning. In the right atmosphere, each of these reflections has its own merit.

"Parroting" is exactly as it sounds: merely repeating what someone has said.

"Paraphrasing" repeats the meaning of what has been said without using the same words.

Reflecting "feeling" is accomplished by showing an offender the emotion that she is displaying at that time.

Reflecting the "content" is similar to the reflection of feelings, but focuses on why the person feels the way they do.

"Getting the gist" shows that staff has gotten the information correct but repeating it in a more concise manner.

"Getting the meaning," the final type of simple reflection, means finding the underlying significance of what an offender has said.

These reflections are known as simple reflections because there is only one level to them. Staff is only scratching the surface and not attempting to find the underlying significance of what has been said.

Double-Sided Reflections. Double-sided reflections are more complex and point out discrepancies in offenders' statements or situations. The role of staff is to call attention to discrepancies, evoke ambivalence, and spark offenders' desire for change. If an offender states, "I don't have a problem with drugs," (denial) then staff should try a double-sided reflection such as, "So on one hand you tell me that you don't have a drug problem, but on the other hand you are here for possession and you've failed your past three drug tests." This shows the offender the inconsistency between his statement and his actual behavior. Developing the ability to point out discrepancies respectfully and tactfully can greatly assist staff in helping offenders move through the stages of change.

Amplified Reflections. This type of reflection magnifies offenders' statements to see whether it can withstand closer scrutiny. An amplified reflection can show the holes in a statement by pointing out the opposite extreme. If an offender says, "I can stop using drugs while on supervision," staff might respond by saying, "Okay great, so you are telling me that you will not have any problems with not using drugs at least while you are on supervision. So, you will NEVER test positive at all." The offender may then respond, "Well, maybe not never, but I'll try my best." This exchange shows how an unrealistic or dismissive statement by an offender can be turned around to increase offender motivation.

Using these three types of reflections will reduce the level of defensiveness and the accompanying resistance in conversations with offenders. Staff should continually practice these techniques to ensure that they apply them correctly.

Summarizations. "Summarizations" are a number of reflections strung together. These skills help build rapport between people, which also helps lower apprehension levels. Summarizing the key points helps prove that staff is listening, and understands what was said. Staff should be able to use summarizations periodically throughout interviews to recap major points. This will help staff move through an offender's resistance by illustrating the staff's understanding of her situation.

Affirmations. "Affirmations" are techniques that can be used to reinforce offenders' self-efficacy. This powerful and positive statement reinforces pro-social behavior. Social learning theory holds that behaviors can be learned best when they are reinforced. Affirmations serve as the tool for reinforcement in situations where someone does something positive. If someone accomplishes something and it is not affirmed, the likelihood of repetition decreases.

Open Questions. Research has shown that asking multiple closed questions in a row effectively ends communication. Offenders respond with a simple "yes" or "no" and nothing further is learned. Open questions require an offender to talk about an answer in a more detailed way than a simple "yes" or "no," which can lead to less resistance and fewer arguments. For example asking an offender, "How do you feel about your drug use?" will force him to answer with more than a "yes" or "no".

Self-Motivation. Another important MI skill helps offenders "buy into" their supervision plans by eliciting self-motivating statements. This is one of the more difficult MI techniques as well as one of the most beneficial. What staff is trying to do is create a "Eureka!" moment for the offender -- a realization that there is in fact a problem, and that he must either fix the problem or face meaningful consequences. This kind of confidence and self-realization is the key to someone believing that changing the direction of their life is possible. Statements such as "I need to change my life for my child" and "I don't want to be a druggie all my life, what can I do to get better?" are examples of self-motivating statements.

Principles of Motivational Interviewing (MI)

Develop Discrepancy

Discrepancy can be defined as the difference between propositions and facts. Developing discrepancies between what offenders state and what the facts are can help put their circumstances into perspective and motivate them make a change in their lives.

Developing discrepancy is an effective strategy when an offender is ambivalent towards change. Ambivalence is an indecisive state of feeling. On the one hand, she is ambivalent about an intention to change a habit, or challenges the suggestion that a problem exists. On the other hand, she wants to improve her life. Seeing this discrepancy can force this ambivalent offender to reevaluate her current status, which could eventually motivate her to change her behavior.

To understand this idea, think of something that many people would like to change about themselves, like quitting smoking, losing weight, or getting in shape. If a person says he wants to get in shape but is not eating properly, then there is a difference between his stated claim and his actions. Showing people the difference between their present behaviors and their goals gets them to realize that they must change to succeed.

If the goal of developing discrepancy is to show offenders the differences in the way they are living and the way they want to live, then staff must be able to document their behavior accurately and completely. Information is available from multiple sources, including assessment tools, self-report surveys, prior files, rap sheets, and pre-sentence investigations. Analyzing the different pieces of information and confirming that differences exist opens the door for offenders to face their situations.

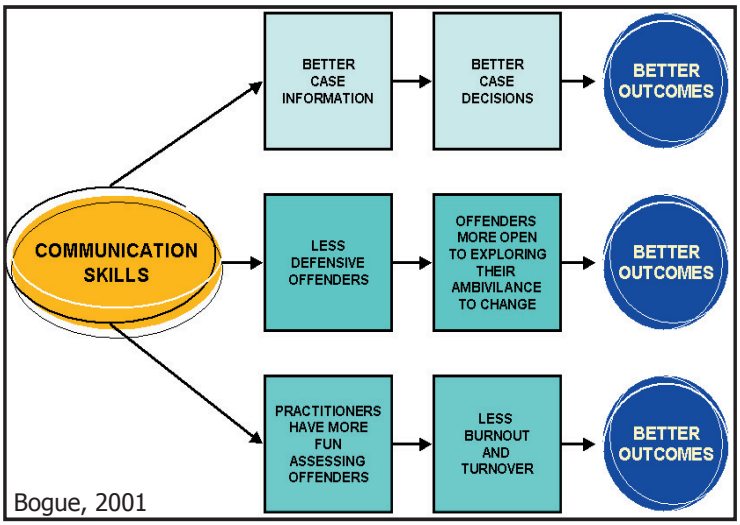
In many cases, when an offender wants to change a behavior, discrepancy is a tool to greatly increase their levels of motivation. An offender has to get feedback about her personal information and progress. Staff is responsible for giving offenders objective and precise feedback to increase their awareness of existing discrepancies in their behavior.

Avoid Arguments

Conversations about behavior change often provoke arguments. But arguments are an ineffective means of communication and lead to even higher levels of defensiveness and resistance to considering new ideas. When arguments occur, people generally raise their voices and stop listening to what others are saying. Staff need to hear what offenders are saying at all times in order to gather accurate information, and then respond according to what has been said. This will prevent arguing on small issues. Arguments can be avoided through many different techniques. The Motivational Interviewing "reflection," repeating or restating what an offender has said, can help reduce the offender's defensiveness. A reflection does not sound like an argument but rather allows the offender to hear what is being said. Showing offenders that staff listen promotes rapport, instead of rancor.

Another skill that helps avoid arguments is the open question. Open questions do not elicit a "yes" or "no" response from offenders. Research had shown that asking

Exhibit 13: Good Communication Leads to Good Outcomes



multiple closed questions in a row effectively ends communication. Open questions require an offender to talk about an answer in a more detailed way than a simple "yes" or "no," which can lead to less resistance and fewer arguments.

Support Self-Efficacy

Someone's knowing that he can accomplish a feat because he has done so in the past is called self-efficacy. Another expression with the same meaning is "situational-based self confidence." Success rates for offenders will improve if self-efficacy is developed and reinforced.

In some instances, staff need to assist offenders in developing this efficacy through the use of techniques such as affirmations. Starting small can assist in the development, for example, if an offender has stayed off drugs only for a matter of hours. This can be used as the first step. If an offender says that staying away from crack cocaine will be "no problem" because she has been able to stay clean for long periods in the past, that offender has just exhibited self-efficacy. Staff should attempt to give them an extra boost of confidence by affirming past successes.

One tenet of supporting self-efficacy is figuring out what offenders have done in the past. Discovering past successes, such as any past periods of abstinence from drug use will only increase self-efficacy. Finding out what triggered relapses can be enormously beneficial as well, since it can help offenders avoid situations where triggers maybe present.

While offenders bear the ultimate responsibility for changing their behavior, staff can help them get ready for change and secure their commitment to moving toward a pro-social lifestyle. Supporting self-efficacy within offenders -- helping them see they can make it -- is a powerful tool for staff.

Roll with Resistance

When faced with making a behavior change, resistance can be expected. Staff in the field of corrections must be ever ready for the probability of encountering resistance. Resistance may manifest itself in the form of arguments or it may be subtle resistance that is not direct conflict. Staff needs to be prepared to "roll" with this resistance. Since resistance to change is so common, staff must be adept at handling it.

Response to each and every statement of an offender will lead to more resistance. If staff uses the proper interviewing skills, gathering information becomes much easier. MI techniques, such as reflections, summarizations, and open questions, will help increase communication between staff and offenders. Open lines of communication allow staff to elicit information from offenders. That information, in turn, provides clues about how to overcome offenders' defensiveness and resistance to change. Rolling with this resistance ultimately will lead to better offender outcomes and lower recidivism.

Model Pro-Social Behavior

Staff communication with offenders is not limited just to what is said. How staff acts is a critical means of communication as well, sending offenders signals about what is acceptable behavior in society. How staff greets offenders, answers the phone, sits in their chairs – everything staff does is an opportunity to teach offenders new traits and behaviors.

Staff should "model" the proper greetings, or "salutations," when meeting someone, and when leaving. Salutations involve both what is said and nonverbal cues such as eye contact, handshakes and rising when a person walks in or leaves a room. Staff should be prompt, which includes being on time for meetings and other appointments, recognizing the time constraints of others, and maintaining a calendar. Perhaps most importantly, staff should show offenders how to be respectful of others, through both verbal and nonverbal cues.

Staff modeling of these appropriate behaviors establishes the cultural norms for offenders for expected behaviors. Without this, offenders will find it difficult to get and keep a job or do many of the other things necessary to function in law-abiding society.

Exhibit 14: Communication Techniques

ROADBLOCK	WHAT NOT TO SAY	WHAT TO SAY
Ordering or directing	"Stop making excuses and go find a job."	"Have you had any luck finding a job?"
Warning/threatening	"If you do this again, I am going to violate your parole."	"According to the sanction contract that you signed, if this happens again, it will lead to..."
Giving advice/ providing solutions	"You should stay away from your friends, because they are a bad influence on you."	It seems like you face a lot more temptation when you hang out with your old friends."
Persuading with arguing or lecturing	"Using drugs is no good for you and you to continue to use, why?"	"What do you think the pros and cons of using drugs are?"
Moralizing/preaching	"You know, you really ought to start focusing on your family because they are there to help you."	"Do you think that your drug use affects anyone other any you?"
Judging, criticizing, or blaming	"You know all of this is your fault, if you would just stop using, none of this would happen."	"You are in a bad situation right now, which has to be tough, but what do you think you can do to make it better?"
Agreeing, approving, or praising	"You are a good person, you'll be able to beat this thing no problem."	"You are taking steps toward sobriety, but it is not going to be easy, you are going to need support."
Shaming, ridiculing, and name-calling	"What were you thinking going out with your old friends, I feel like I have to watch you like a child."	"You have said you feel pressure when you are around your friends, how do you think you could avoid this pressure?"
Interpreting and analyzing	"You are having a tough time stopping... because you don't want to stop."	"Stopping drugs must be difficult, it sounds like you are having some difficulty."
Sympathizing/ reasoning	"I know exactly how you feel, I know how it is."	"That can't be easy on anyone."
Questioning/probing	"Why did you hang out with your friends when you knew full well that they were going to be doing drugs?"	"It sounds like your friends seem to give you an opportunity to use drugs."
Withdrawing, distracting, humoring, or changing the subject	"You say that you are having a problem finding a job, but for right now lets take a look at your continued positive UA's."	"You say that you're having trouble finding a job, do you think there is anything you can do to increase your chances of finding work?"

Gordon, 1980

Section 4:
Information Tools

Guiding Principles

- Supervision agencies should use information tools to acquire information about the offender and his/her behavior. The collected information should be shared with him/her to assist the offender in learning about his/her behavior patterns.
- Supervision agencies should use information tools to control the behavior of the offender, as well as provide feedback on his/her behavioral patterns.
- Supervision agencies should develop policies and procedures that focus on developing informal social controls (e.g., family, non-criminal peers, community support groups, etc.) to foster the development of natural relationships. Informal social controls are the key to long-term change in the offender's behavior and provide the offender with supportive relationships in the community.
- Supervision agencies should develop collateral contacts with the offender's natural support system to achieve pro-social goals for the offender.
- Supervision agencies should use drug testing and monitoring techniques (e.g., GPS, house arrest, etc.) to control offender behavior.
- Supervision agencies should use drug testing and monitoring techniques to inform the offender of his/her behavior patterns.

Key Concepts for Information Tools

I. Information Tools

Supervision agencies are increasingly taking advantage of new technologies that allow staff to monitor and document offenders' whereabouts and activities virtually around the clock. Today it is necessary to facilitate a blend of human contacts and technological monitoring in order to determine the most complete picture of offender behavior. The information gathered through conventional supervision techniques and electronic monitoring provides the best foundation for supervision plans and the maximum opportunity for behavior change and recidivism reduction.

II. Staff Offender Contacts

Direct interactions between staff and offenders help assess, through observation and conversation, how well offenders are adhering to their conditions of supervision.

1. Home Contacts
2. Address Confirmation
3. Environment Assessment
4. Collateral Contact Development
5. Community Contacts
6. Phone Contacts

III. Collateral Contacts

Identifying collateral contacts early in the supervision process is an essential process in order to quickly build a good rapport with offenders and those closest to them. Built on trust, collateral contacts can be a great source of information on the offender. Collateral contacts can be family members, friends, neighbors, co-workers, or anyone who has a personal relationship with the offender.

IV. Monitoring Technologies

Advances in technology have given staff a myriad of new methods to track offenders' locations and behavior. While none of the new monitoring systems is foolproof, significant improvements have increased their accuracy and affordability while reducing their susceptibility to tampering.

1. Position Monitoring – most common type of position monitoring devices is Electronic Monitoring, a device attached to an offender's person, along with a sensor in the home (or designated area) that alerts staff if the offender has gone beyond the bounds of the designated area.
2. Ignition Interlocks – used for drunk drivers, ignition interlocks prevent vehicles from starting unless someone sober blows into a machine attached to the engine.
3. Polygraphs – used most often with sex offenders in an attempt to discover whether they have been involved in any prohibited activities, since such activities are otherwise difficult to detect.

V. Drug Testing

Most commonly used as a tool to help identify substance abusers and assist in offender supervision. Drug tests provide objective feedback about offenders and assist staff in determining how to best address issues associated with drug use.

Worksheet for Information Tools

Questions and Exercises:

I. Information Tools

1. How are today's supervision tools different from those compared to past years? How are they more helpful? Is there a downside to the new technology? Where do you think this technology will lead in the future? Where would you like to see this technology go in the future?
2. Why is it important to use modern technologies in supervision? Make a Pro/Con list. Discuss each point. For the Con list, are there solutions or remedies for them?

II. Staff Offender Contacts

1. What are the types of contacts?
2. How are they different/similar?
3. What are the benefits of every type of contact?
4. How can contacts be used to engage offenders in change?

III. Collateral Contacts

1. Why are contacts important, especially collaterals?
2. What are some benefits in establishing collateral contacts?
3. When is the best time to establish collateral contacts? Why?
4. What is the best method to establish collateral contacts?

IV. Monitoring Technologies

1. List the types of technological advances that are currently used in your office.
2. Why are they important?
3. Are they effective? How can its use be bettered?

V. Drug Testing

1. Give some reasons why drug tests are used in supervision.
2. How can drug test results be used as an objective feedback?
3. Why is drug testing considered a social control?

Information Tools

The information revolution has come to community supervision. Despite tight budgets, supervision agencies around the country increasingly are taking advantage of new technologies that allow staff to monitor and document offenders' whereabouts and activities virtually around the clock. Moreover, new databases and information management systems help process all of the information, identifying offenders headed for trouble and spotting trends that allow supervisors to better manage staff and other resources. Computer laptop notebooks hooked into networks are replacing staff's little black books, where lots of information went in but little came out to be shared with others. Once essentially out on their own, staff today is becoming the center of a real-time information association that brings judges, treatment providers and other resources to bear in a significant way toward the mission of recidivism reduction.

While the new information tools are tremendously powerful, they can only supplement – not supplant – traditional, old fashioned shoe leather. Staff must not be desk-bound, reviewing official records and waiting for the arrival of alerts from electronic monitors or drug tests. Behavior management is a proactive approach that requires aggressive development of relationships with offenders and those in a position to know about and influence their actions. Trusting communication with a wide variety of official and community contacts not only enhances staffs' understanding of what offenders are doing, but provides clues to how and why--essential knowledge for successful intervention and behavior change. In this sense, "community supervision" gains its dual meaning: supervision of offenders by the community as well as supervision of offenders *in* the community.

Supervision thrives on information and wilts without it. A strong blend of human contacts and technological monitoring offers the most complete picture of offender behavior, and thus the best foundation for the supervision plan and the maximum opportunity for behavior change.

In most supervision agencies, the level of supervision is defined in large part by how often staff must have contact with offenders. Standard supervision might require face-to-face contact once or twice per month. Intensive supervision for high-risk offenders usually requires meetings once per week or more, while offenders on administrative supervision provide paperwork but often do not see staff at all. Each offender's level of supervision is set by an initial assessment to match his specific level of risk. As an offender moves through the stages of change, the level and type of supervision required are likely to change as well.

Under the behavior management model, supervision levels are characterized by the deployment of information tools in addition to the frequency of staff-offender contacts. This allows staff to fine-tune the level of supervision and the volume and type of information collected about each offender. An offender under intensive supervision might be required to check in to the probation office frequently and also submit to drug testing and an electronic monitoring system that confirms he is home at night. Another offender might be on intensive supervision as well, but not under drug testing or electronic monitoring.

Staff-Offender Contacts

Direct interaction between staff and offenders helps staff assess, through observation and conversation, how well offenders are adhering to their conditions of supervision.

Home Contacts

Home contacts are a core staff function. They allow staff to verify information and provide a glimpse of an offender's life that is not easily attained in an office setting. These contacts should be conducted at the beginning and throughout the supervision period for continuous assessment of offenders' compliance and progress.

Address Confirmation. Home contacts ensure offenders live where they say they do. Address verification is one of the many duties that staff must complete early on in supervision. Maintaining a place of residence often is a standard condition of supervision, which requires staff approval to change. Knowing where an offender lives also makes it easy for staff to locate him.

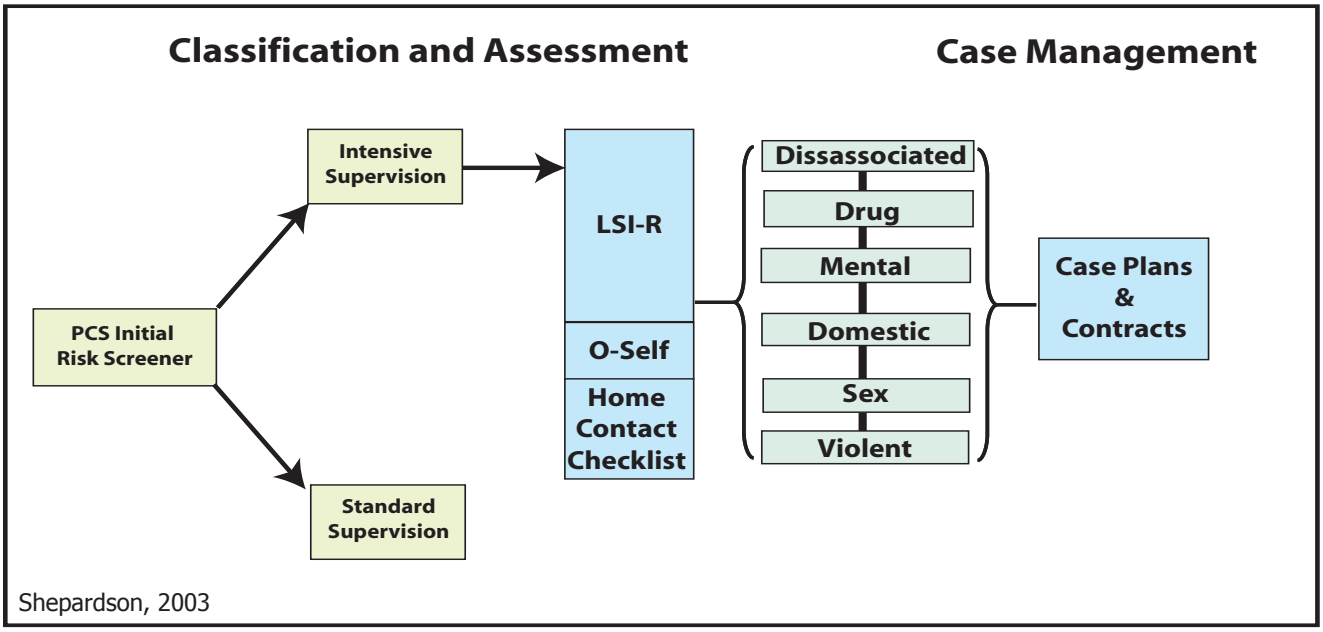
Environment Assessment. Home contacts allow staff to observe the condition of offenders' dwelling and neighborhood. Awareness of an offender's environment helps staff develop and adjust a supervision plan that addresses the influences, both positive and negative, in the offender's surroundings. The contacts also give staff a chance to observe how the offender views her surroundings and how the surroundings influence an offender.

Seeing the inside of an offender's home offers many clues about her life. Identifying the number of people and children in the home, as well as the criminal history and any possible evidence of substance abuse among those who live or frequent the home, is crucial. Staff should always be looking for information that can help them intervene successfully.

Collateral Contact Development

Another purpose of conducting a home contact is the development of collateral contacts. Valuable relationships with family members, friends, neighbors and other community members are best built when staff meets them in their own environment where they are most comfortable and where staff can better observe their relationship with offenders.

Exhibit 15: Example of Maryland Division of Parole and Probation Proactive Model (www.bgr.umd.edu)



Shepardson, 2003

Home contacts are an extremely useful tool, but staff should not lose sight of the issue of safety. In many situations, conducting home contacts will not be overtly dangerous. But staff always should be aware of their surroundings, for their own safety as well as the safety of the offender and anyone around them. When performed correctly, home contacts offer an immense amount of valuable information to staff.

Community Contacts

Community contacts can occur at offenders' jobs or in the community. These contacts give staff the chance to observe offenders' actions in their everyday environments. Face-to-face contacts in the community may occur anywhere staff deem safe and conducive for an interview with the offender. It is essential that staff make sure there are no clear or present dangers to themselves or offenders in any selected location.

Office Contacts

Office face-to-face contacts generally allow staff to observe an offender's demeanor and attitude in a focused way, with distractions minimized.

Phone Contacts

Telephone contacts allow staff to have brief conversations with offenders to catch up with how the offenders are progressing toward the supervision goals. Phone calls also can help quickly verify offenders' employment and home situations.

Collateral Contacts

Collateral Contacts

Engaging offenders in the supervision process can be a daunting task. In many instances bringing in other parties who have a vested interest in a person's success can assist the engagement of offenders. These vested parties are sometimes collateral contacts. Collateral contacts can range from friends to family members to individuals who live in the neighborhood. They are people who can be contacted with regards to an offender.

Collateral contacts are a part of an agent's day-to-day life. There are many times when someone will not be at home when they say will and an agent must make contact with someone. This is just one of many instances where agents may encounter collateral contacts.

The reason collateral contacts are important is simple, they can be used as an ally in the community. The offender can use them as an ally and so can the agent. The offenders will have someone out there who is vested in their success and consequently they are likely to help that offender. When someone is isolated and they have no one to turn to there is a greater chance for failure.

Develop Rapport with Collateral Contacts

- Be sensitive to their relationship with the offender
- Clarify what information to share with the offender
- Identify role of collateral contact in the crime reduction process
- Identify information needed (i.e. behavior, triggers, whereabouts, time, etc.)

Monitoring Technologies

Advances in technology have given staff myriad new methods to track offenders' locations and behavior. While none of the new monitoring systems is foolproof, significant improvements have increased their accuracy and affordability while reducing their susceptibility to tampering.

Position Monitoring

Various types of position monitors are now available to track offenders' whereabouts and keep offenders in or away from certain places at certain times. "Electronic monitoring" is the most common type of position monitoring. This generally entails an electronic device attached to an offender's leg, along with a sensor in the home or other designated area. The device alerts staff or a monitoring center when an offender leaves the designated area. Staff generally are required to pre-approve offenders' schedules, including times when they are to attend school, work or services. If an offender leaves the designated area at any time without permission, he is in violation of electronic monitoring.

Newer position monitoring devices offer staff significantly enhanced surveillance capabilities. Voice recognition, facial recognition and biometric scanning add confidence that the person present at a certain location is in fact the offender. Some of these devices are now found in ATM-like kiosks, which can be placed in the community, verifying offenders' locations without causing the expense and inconvenience of trips to the supervision office. The most advanced systems use global positioning satellite (GPS) monitors to track every movement an offender makes throughout the community. As these systems become more affordable, they are being more commonly used for supervision.

While monitoring has generally meant keeping offenders confined to certain places such as their homes, it also can be used to keep them away from trouble spots. For example, if an offender is on supervision for possession with intent to distribute cocaine, monitoring can help reinforce a legal requirement that the offender avoid known open-air drug markets. If an offender is a known pedophile, staff should focus on keeping that person away from schools, playgrounds or any setting where children are likely to be present. Keeping offenders out of situations where crime occurs and away from their "triggers" will keep them crime- and drug-free and, in turn, reduce recidivism and increase public safety.

Ignition Interlocks

Increasingly common in the supervision of drunk drivers, ignition interlocks prevent vehicles from starting unless someone sober blows into a machine attached to the engine.

Polygraphs

Though controversial due to persistent questions about their accuracy, polygraph machines are a tool used by many supervision agencies. Polygraphs are used most often with sex offenders in attempt to discover whether they have been involved in any prohibited activities, since such activities are otherwise difficult to detect.

Drug Testing

Drug testing is a commonly used tool to help identify substance abusers and assist in offender supervision. Courts in many instances require offenders to undergo urinalysis throughout supervision. Urinalysis is an efficient information tool that gives staff quick and accurate results while identifying the illegal substances offenders are using. Drug tests provide objective feedback about offenders and assist staff in determining how best to address issues associated with drug use. The information gathered from drug tests helps guide offenders through the stages of change. Staff must continuously monitor the test results and respond accordingly.

Tests as Barometers for Change

Urinalysis is an effective barometer for measuring an offender's attitude or ambivalence toward change. If an offender tells staff that she is committed to stopping drug use but her tests keep coming up positive, staff knows that she is not sufficiently motivated.

Testing also can help offenders break through the denial that often characterizes addiction by confronting them with objective evidence of their drug use. Breaking through denial will move an offender from the "pre-contemplation" to the "contemplation" stage of behavior change.

Tests as Social Controls

Internal and external social controls are a large part of any offender's supervision. Drug testing is an external control that helps hold offenders accountable for their actions. Urinalysis is designed to not only monitor what the offender is doing while he is in the community, but to give him a good reason to avoid the triggers that tend to result in his taking drugs.

Drug testing is one of the most important components of supervision. Testing offenders should continue throughout supervision. Staff should be aware that even if offenders' tests are negative, the test itself helps the offender learn to control behavior. The stages of change model shows that relapse often occurs during the change process. Consequently staff and offenders must be prepared to respond if and when there is a return to drug use.

In addition, drug tests need to be used in conjunction with a clearly established system of incentives. Offenders who are maintaining a drug-free lifestyle should be rewarded, possibly by requiring them to submit fewer drug tests and by reducing their level of supervision. Those offenders who continuously test positive for any drugs must be penalized to help teach them that the legal system will not permit their destructive behavior to continue.

> Drug testing is a convenient and easy way to identify where an offender is in the stages of change.

Section 5:
Incentives to Shape Offender Behavior

Guiding Principles

- Supervision agencies should use incentives to encourage and reinforce pro-social behaviors.
- Supervision agencies should use incentives in a swift, certain, and progressive manner, just like sanctions, to shape offender behaviors.

Key Concepts for Incentives

I. Incentives

Supervision, based on the principles of behavior management, moves offenders up and down the incentive/consequence ladder throughout the period of supervision. Movement throughout supervision is based on compliance with individualized case plans and behavioral contracts. The behavioral management approach uses swift, certain, and graduated responses to hold offenders accountable for their behavior, and shape their behavior. The goal is to use incentives to hold the offender accountable and to develop intrinsic responses to situations.

II. Delivering Incentives

Research has shown that sanctions and rewards are most effective if they are delivered in a certain, swift, and predictable/manner. That is, the response needs to be certain. Additionally, it is important to administer sanctions in a manner proportionate to the behavior of the offender. It is essential for there to be four (4) positive reinforcements for every negative consequence because it is very difficult to recognize offenders' compliant behavior and reward them for it while punishing them for any unacceptable behaviors.

III. The Challenge of Incentives

The most effective way to reinforce offender behavior is to use rewards. Incentives, or positive reinforcements, can be either adding something positive, such as a compliment or affirmation, or taking away an existing punishment or restriction (i.e., requiring fewer drug tests or supervision appointments). Research on behavior management clearly illustrates that incentives are more important to affect offender behavior, and thus reduce recidivism and increase public safety.

Worksheet of Incentives

Questions and Exercises

I. Incentives

1. Identify sanctions and rewards that are available to staff in your organization. If no graduated sanctions are available, brainstorm possible sanctions and how they should be applied.
2. If the offender slips from the "Action" stage to the "Contemplation" stage, will the movement be up or own on the ladder? Why?

II. Delivering Incentives

1. Name the principles in administering incentives. What does each guideline mean?
2. What is the proposed ratio of positive to negative reinforcements? Why is this important?

III. The Challenge of Incentives

1. Brainstorm possible rewards that can be administered during supervision. How are each applied and how is it helpful?
2. Discuss with staff the challenges they have in administering rewards. Address each concern by trying to apply brainstormed rewards brought up in previous exercise.

Role Play

Have a staff member play an offender who has done the following:

a. Re-arrested for possession of cocaine.
b. Graduated from treatment successfully.
c. Tested positive for opiates, first since start of supervision (2 months).
d. Obtained employment.
e. Tested positive for opiates. 5th positive drug test since start of supervision (2 months).
f. Failed to appear at a supervision meeting.
g. Received his/her GED.

Now, have another staff member administer a sanction or a reward based upon the behavior. Discuss the actions taken by the staff: Is it appropriate, why? If not, what else could have been done?

Incentive Tools

Traditionally, punishments in the American criminal justice system were limited to two extreme options: imprisonment and probation. Today, judges and parole board have a growing array of incentive tools at their disposal, including day-reporting programs, and detention centers. The tools that are more restrictive than standard probation yet less restrictive than prison often are called intermediate or graduated sanctions.

Many professionals find it useful to picture the spectrum of sanctions as a ladder or staircase that climbs from the lowest level of probation supervision, through the various intermediate sanctions, to state prison at the top. The closer to the top, the greater level of monitoring through information tools and the greater restrictions on liberty through sanction tools. Several of the information tools, especially position monitoring devices, double as sanction tools since they restrict offenders' movement.

Supervision based on the principles of behavior management moves offenders up and down the ladder throughout the period of supervision, depending on compliance with their supervision plans and behavioral contracts. It does not view offenders' sanction levels as static or stationary. Rather, as they move through the stages of change, progressing and/or slipping back, they move along the ladder correspondingly. An offender who has committed a minor violation might be kept at the same supervision level and at a day-reporting center, but assigned additional community service hours or drug testing requirements. An offender who has tested clean for three consecutive months might be moved to a lower level of supervision or have his drug testing schedule relaxed. By moving offenders in both directions along the ladder, staff is able to manage behavior using not only "sticks" (sanctions), but "carrots" (rewards) as well.

Extensive sanctioning of probation and parole violators has been a large contributor to the growth of the nation's prison population. Roughly one in every three inmates admitted to state prisons is there due to revocation from supervision rather than on a direct sentence from court. The behavior management approach, through the use of swift, certain, and graduated responses, provides for continued punishment of technical violators in a way that should both hold offenders accountable for compliance with conditions of release and help control the flow of violators into prisons by changing behavior and reducing recidivism.

Many find it useful to picture the spectrum of sanctions as ladder or staircase that climbs from the lowest level of probation supervision through the various intermediate sanctions to prison.

Delivering Incentives

Recognizing offenders for compliant behavior increases the chances that they will exhibit the same behavior again. A general rule is that there should be four (4) positives for each negative. This helps shape behavior towards conformity. Conversely, consequences in the form of sanctions discourages repetition of negative behavior and instills a sense of accountability in an offender.

Research has shown that sanctions *and* rewards are most effective if they are delivered according to the following set of guidelines.

Guidelines

Certain. While it is not possible for staff to know every time an offender violates his terms of release or every time the offender complies, staff should administer a response for each and every act that is detected. Offenders need to know that when they break the rules there will be consequences, and these consequences must be specific and spelled out in advance (e.g., the behavioral contract.) This certainty helps build a sense of responsibility in offenders, and lets them know that the criminal justice system is serious about compliance, both for their own safety and health as well as the public's. Compliance should be rewarded with certainty as well, to reinforce the offender's abilities.

Swift. Sanctions should be administered as quickly as possible after a violation is discovered. The faster a sanction or reward is delivered, the greater impact it will have on offender behavior. Long delays between actions and consequences can cause offenders to lose sight of why they are being punished/rewarded and make them see the response as arbitrary and unfair. Waiting to sanction an offender makes the response ineffective. Delayed rewards have similarly diluted impact.

Predictable/Real. Sanctions and rewards need to be real or predictable. This means that there must be consistency in the type and severity of the responses, not only for each offender but among all offenders. The sanction and reward system must be explained to each offender

Exhibit 16: Climbing the Response Ladder

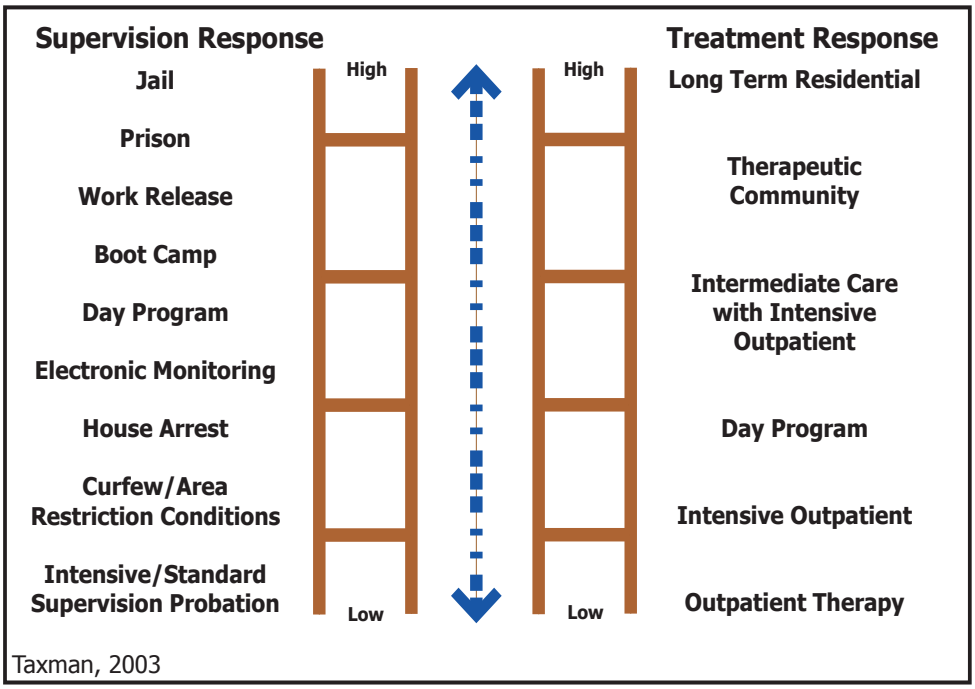
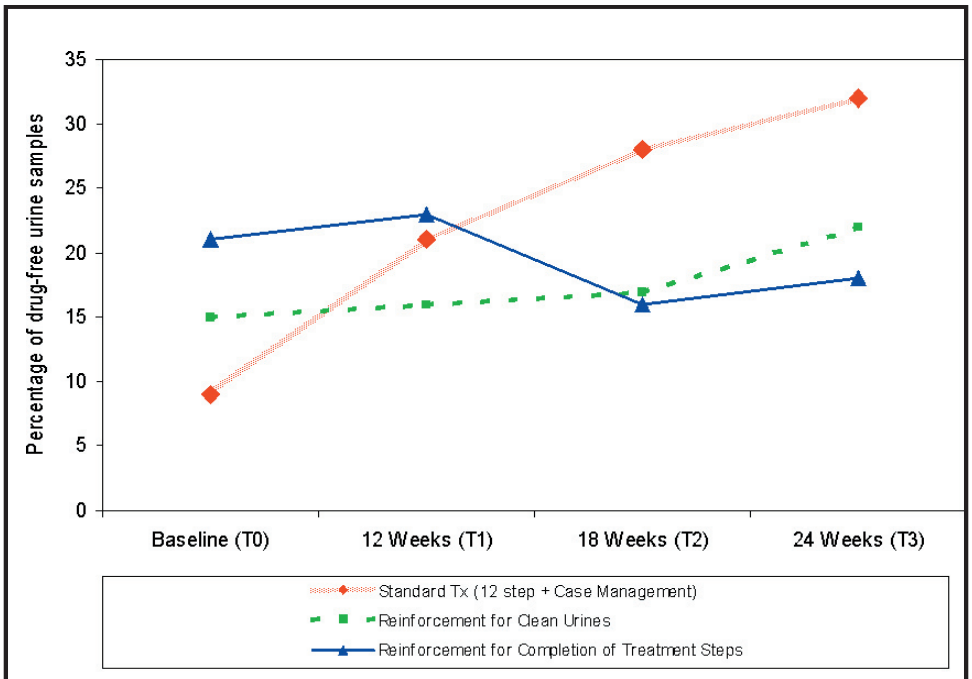


Exhibit 17: Effects of Positive Reinforcement



Iguchi, 1997 as cited by Litt, 2003

at the beginning of the supervision period to make sure offenders know what the responses to certain acts will be (behavior contract). While a variety of circumstances may call for adjustments to the pre-set sanctions, staff should follow the set pattern with as little deviation as possible. This helps offenders take responsibility for their actions because it allows them to weigh their behavior against the established consequences before they act. Conversely, the predictability in sanctions makes it harder for offenders to shift the blame for their punishment to staff or others.

Proportionate. In addition to the need for sanctions and rewards to be swift, certain and predictable, they should be fair and in proportion with the severity of the violation or magnitude of progress. This means that minor violations should receive lower level sanctions, while major violations require stiff sanctions. This also means that if offenders continue to violate their supervision, the sanctions must increase in severity. Offenders who reach major milestones along the path of behavior change should receive significant positive reinforcement. Staff should also expect to give rewards or positive reinforcement on a frequent basis. The rewards "shape" offender behavior by giving positive, affirming feedback. Since few offenders have had experiences when they have been acknowledged for complying or making progress, the feedback serves to help offenders learn the gratification from gradual progress.

Staff should expect that most offenders will require at least one sanction during their supervision. Consequently, starting with the most severe sanction possible – revocation – will result in the incarceration of most offenders who were deemed by the court or the parole board as at least initially acceptable for community supervision. While some offenders will not adjust their behavior and eventually need to be revoked, it is not beneficial for the change process to seek a revocation on the first minor infraction. Starting with a minor sanction and moving to more severe sanctions as necessary raises the stakes for offenders and make a better use of time for staff and other actors and resources in the criminal justice system.

Providing incentives to offenders is a large part of staff's responsibilities. Making sure that they are certain, swift, predictable and proportionate promotes and sustains behavior change. This makes it critical for staff to work closely with court and parole boards to design procedures that maximize the system's ability to apply sanctions and rewards according to these principles.

The Challenge of Incentives

The most effective way to reinforce offender behavior is to use rewards. Positive reinforcement can be either adding something positive, such as a compliment or affirmation, or taking away an existing punishment or restriction.

Historically, incentives have not been a focus in the corrections field. While punishments are easily taken away, affirmative rewards, especially those that are other than verbal compliments, can be problematic. Rewards generally are difficult to deliver and may be seen as too "soft" on criminals. As a result, many supervision agencies have focused their resources almost exclusively on sanctioning or punishing offenders for failure to comply with legal conditions. This is especially true in times of economic downturn, when the mindset of staff tends to drift more towards the law enforcement end of the correctional spectrum.

Yet while many staff still struggle with the social work/law enforcement paradigm, research on behavior management has clearly demonstrated that incentives are as important as punishments in changing offender behavior. This is precisely what professionals in corrections, law enforcement and social work are looking for--sustained behavioral change that leads to reduced recidivism and increased public safety.

Both kinds of positive reinforcement, giving a "carrot" or taking away a "stick," serve as motivators for offenders. The goal of staff is to engage offenders in the process of change. In order for change to be sustained after the supervision period ends, offenders must be actively involved in the change process. Incentives serve as an effective means of keeping offenders motivated to change their behavior. Research indicates that punishments tend to cause offenders to change their behavior briefly or long enough to avoid further punishments. But it is likely that such changes may not continue once the threat of sanction is lifted. Research also suggests a ratio of four rewards to each punishment. The punishments and rewards do not have to occur simultaneously. If an offender has tested positive for marijuana use, he has to be punished, but if deserved he should be positively reinforced four times in the future for not testing positive or showing up for testing.

While staff may be accustomed to relaxing or removing restrictions as a positive reinforcement of behavior, the delivery of affirmative rewards for compliance and progress must become a more widely used tool. Using proper rewards and using them consistently and effectively will motivate offenders to change, and ultimately reduce recidivism and enhance public safety.

Section 6:
Service Tools

Guiding Principles

- Supervision agencies should use service tools—treatment programs—to develop internal controls.
- Supervision agencies should use service tools—treatment programs—based on the criminogenic needs of the offender.

Key Concepts for Service Tools

I. Service Tools

"What Works" Research has demonstrated that certain services, delivered in specific ways to offenders, can be very effective. The pendulum has ***not*** swung from "nothing works" to "everything works." Rather, the growing body of evidence that specifies the critical details of effective interventions has become known as "What Works."

II. Matching Offender and Services

Resources must be matched to meet individual offenders' risk, need and responsivity. In providing services to offenders or referring them to services from other providers, there is nothing more important to staff than matching an offender to the appropriate intervention.

i. Risk –Identifies what level of services offenders should have.
ii. Need –Identifies what criminogenic needs should be targeted by the services.
iii. Responsivity –Identifies what modes and styles of services are appropriate for offenders.

III. Appropriate Services for Stages of Change Matching

Recognizing where an offender is in the change process is the first step to matching the appropriate control and treatment services to each offender. The better prepared staff are to identify an offender's current stage of change, the better the supervision plan will be able to meet the needs of the offender. The overall goal of supervision is to move offenders to a point where they are committed to an action plan aimed at changing behavior.

i. Pre-Contemplation –The offender does not recognize or believe a problem exists.
ii. Contemplation – The offender acknowledges that there is a problem but is in a state of ambivalence.
iii. Determination – An offender in this stage of change has made the decision on taking a step toward changing the problem behavior and is making plans as to how to make sustainable lifestyle change.
iv. Action – Implementing the plans made during the Determination stage moves the offender into the Action stage.
v. Maintenance – Once offenders move into this stage, staff should continuously monitor offenders for signs of trouble. Staff should stress the importance of supports in the community that offenders can turn to when trouble arises.
vi. Relapse – When relapse occurs, staff should evaluate the situation and prepare to identify skills that offenders need to address. Staff should review the relapse prevention plan created during the determination stage.

Worksheet for Service Tools

Questions and Exercises:

I. Service Tools

1. What are the most useful resources available to your organization?
2. What resource is your organization lacking that would benefit offenders most?
3. How can your organization obtain the resources that it is lacking?

II. Matching Offender and Services

1. Define Risk, Need, and Responsivity.
2. Why is Responsivity important?
3. What is the value of targeting appropriate resources for every offender?

III. Appropriate Services for Stage of Change

1. What is the relationship of the Stages of Change and Responsivity?
2. Why is it important to identify what Stage of Change the offender is in?
3. What are the 6 Stages of Change and what are some characteristics that identify and offender being on that stage?

Role Play

Jared is 24 years old and was arrested for drug possession and assault with a deadly weapon. He often is seen frequenting a local pub called Spike's at the corner of J and 6th St. where he was arrested for his current infractions. He has been arrested on three other occasions for cds possession; controlled dangerous substances (cds) possession and battery; cds possession and assault, respectively. He has been known to associate with members of a gang called the "Spiders", who are notorious for their drug dealings and involved in major fights due to "drug deals gone bad." Jared currently lives 2 blocks from Spike's with his mother and two other siblings who are also involved in the criminal justice system. An assessment tool has identified that Jared has high risks in criminal companions and AOD among many others.

Interview Jared and identify what needs should be addressed. What stage of change is he in and what type of services available in your area would help Jared in making changes in his life? How can supports be used?

Service Tools

Advances in the state of knowledge about effective services for criminal offenders rival the technological improvements in the information tools available to monitor them. A quarter century ago, the common view among criminologists was that "nothing works." Whether it was a program focused on substance abuse, mental health, education, literacy or employment, the belief was that virtually no programs had enough impact on offender behavior to reduce recidivism.

The professional consensus today is quite different. Research has demonstrated convincingly that certain services, delivered in certain ways to certain offenders, can be very effective. Good cognitive or cognitive behavioral treatment reduces recidivism. This is especially so when compared to the results of programs outside the realm of criminal justice, such as those aimed at improving health or education.

The key here is the word "certain." Not all programs are structured or managed in an effective way, despite what may be the noblest intentions of their creators and staffs. Not all offenders will benefit from services unless they address their specific criminogenic needs. In fact, studies indicate that mismatching of offenders and services can actually increase the rate of recidivism. Thus the pendulum has not swung from "nothing works" to "everything works." Rather, the growing body of evidence that specifies the critical details of effective interventions has become known as "what works."

Research has shown that mismatching offenders and services can actually increase the rate of recidivism.

Matching Offenders and Services

The fundamental premise of the "What Works" literature is that service tools must be matched to individual offender's risk, need and responsivity. In providing services to offenders or referring them to services from other providers, there is nothing more important to staff than matching an offender to the specific services he/she needs. The use of standardized, objective and empirically validated assessments is critical to this matching process. These instruments almost always outperform staff's subjective evaluations. Nonetheless, professional discretion and judgment must always inform final decisions.

Risk

The Risk Principle identifies what level of service offenders should have. Offenders with high levels of risk and need likely require high-intensity services, while low risk offenders should be referred to low-intensity programs or perhaps no programs at all. One of the key findings in research has been that recidivism rates for low-risk offenders actually increase when they participate in intensive programs.

This finding is especially important given the scarcity of slots in service programs for offenders in most jurisdictions. Since low-risk offenders may not benefit from intensive programs or even do worse, intensive services must be reserved for high-risk offenders.

Need

The Need Principle identifies what criminogenic needs should be targeted by the services. Low self-control, anti-social personality, anti-social values, criminal peers, substance abuse, dysfunctional family, and criminal thinking patterns are the most common criminogenic needs of offenders. Services that target non-criminogenic factors, such as anxiety and low self-esteem, or that target needs other than those of an individual offender, do not contribute to the mission of recidivism reduction.

Responsivity

The Responsivity Principle identifies what modes and styles of services are appropriate for offenders. Everyone has their own way of learning and own level of cognitive ability. Many offenders have poor social, verbal and problem-solving skills, and they tend to be "criminal thinkers" who reason in concrete, black-and-white terms that support their criminal activity. Effective services recognize these deficits and are designed to be responsive to them.

This means that, in general, the most effective mode or style of services for offenders is behavioral or cognitive-behavioral, rather than psychodynamic, client-centered counseling or many other commonly-used methods. Cognitive programs attack the thinking patterns that promote and support criminal conduct by training offenders in pro-social thinking and behavioral skills. They teach offenders how to negotiate and deal with authority, ways to solve problems without resorting to violence, and how to make deliberate and conscious choices before they act. This helps offenders take responsibility for their own conduct, rather than seeing themselves as victims or as entitled to do whatever they please. Counselors who deliver cognitive programs model pro-social behavior and provide firm and consistent feedback that discourages anti-social behavior.

Individual interest can be another driving force behind how well a service will function for a particular offender. Targeting services toward what an offender is interested in – learning to read, for instance – can greatly improve their participation in that program and the results. It also demonstrates that staff is listening to offenders and helps with offenders' "buy-in" to the supervision plan. The services, of course, must address criminogenic needs. An offender's past experiences with services is another clue to responsivity. If an offender has been through a particular program several times without apparent impact, it is time to try something new.

Responsivity also involves the working relationship between the service provider and the supervision agency. Staff must have the ability to share information with service providers to gain a complete picture of offenders' needs and behavior. Bad working relationships often result in little or no sharing of information. A good relationship allows staff and providers to work together toward the goal of maximum recidivism reduction.

Appropriate Services for Stages of Change

Successful supervision of offenders requires matching services appropriate to where offenders are in the process of change. The stages of change model represents the process that an offender, or any individual, goes through as he/she attempts to change behavior. Recognizing where an offender is in the change process is a first step to matching the appropriate control and treatment services to the needs of that offender. The stages of change are: Pre-Contemplation, Contemplation, Determination, Action, Maintenance, and Relapse.

The better prepared staff are to identify an offender's current stage, the better the supervision plan will be able to meet the needs of the offender. Staff must promote positive movement through the stages of change. The overall goal of supervision is to move offenders to a point where they are committed to an action plan aimed at changing behavior. The question that remains is what type of services are needed in each phase of the process.

Pre-Contemplation

The offender does not believe that a problem exists. The offender usually thinks that everything is fine and there is nothing wrong. They are, in other words, in denial. Staff should attempt to engage offenders in self-diagnosis. Allowing offenders the opportunity to "take stock" of their current situation helps offenders identify what they need. This makes offenders begin to think about why they are on supervision and this may help offenders see that they have some problem that needs to be addressed. When an offender at least recognizes that a problem exists, they have moved from denial to ambivalence. The focus of services should be readiness to change and/or educational awareness building services.

Contemplation

At this stage, an offender acknowledges that there is a problem but is indifferent. Usually, he/she is hesitant to make a change because he/she perceives it as hopeless or unattainable. Ambivalence can be overcome with proper education, such as drug education classes and attention to motivation. Educating offenders about how to overcome different problems can assist in increasing the offenders' efficacy in the possibility of change. Another useful tool is a "Benefits & Consequences Analysis." This B&C analysis weighs the positive and negative aspects of a behavior. Offenders are asked to list the pros and cons of their behavior and to conduct a self-assessment of their circumstances. One goal of a B&C analysis is for offenders to see that the negative consequences outweigh the positive benefits of their behavior. This readies the offender for change.

Determination

An offender in this stage usually has already chosen a path to take. The offender has not started to move toward changing the behavior but he/she is set on doing so. A good tactic at this point is to develop a menu of options for the offender. This will force him/her to think even more about changing and solidify the decision to change. Staff should also attempt to begin to develop offenders' thinking or cognitive skills. Developing such skills may assist offenders in making decisions that will impact their supervision. Staff should help develop a relapse prevention plan. This plan should include all of the offender's triggers -- the people, places and things that may lead to the reemergence of bad habits.

Action

Taking the proper step towards change moves the offender into the action stage. The emphasis should be on the development of skills, in terms of cognitive thinking, social skills, etc. Staff again should attempt to teach the offenders, although the focus should now be on social and life skills. Staff should attempt to teach offenders skills such as problem solving that can be used in everyday situations. Staff should continuously reinforce any positive movement made by offenders.

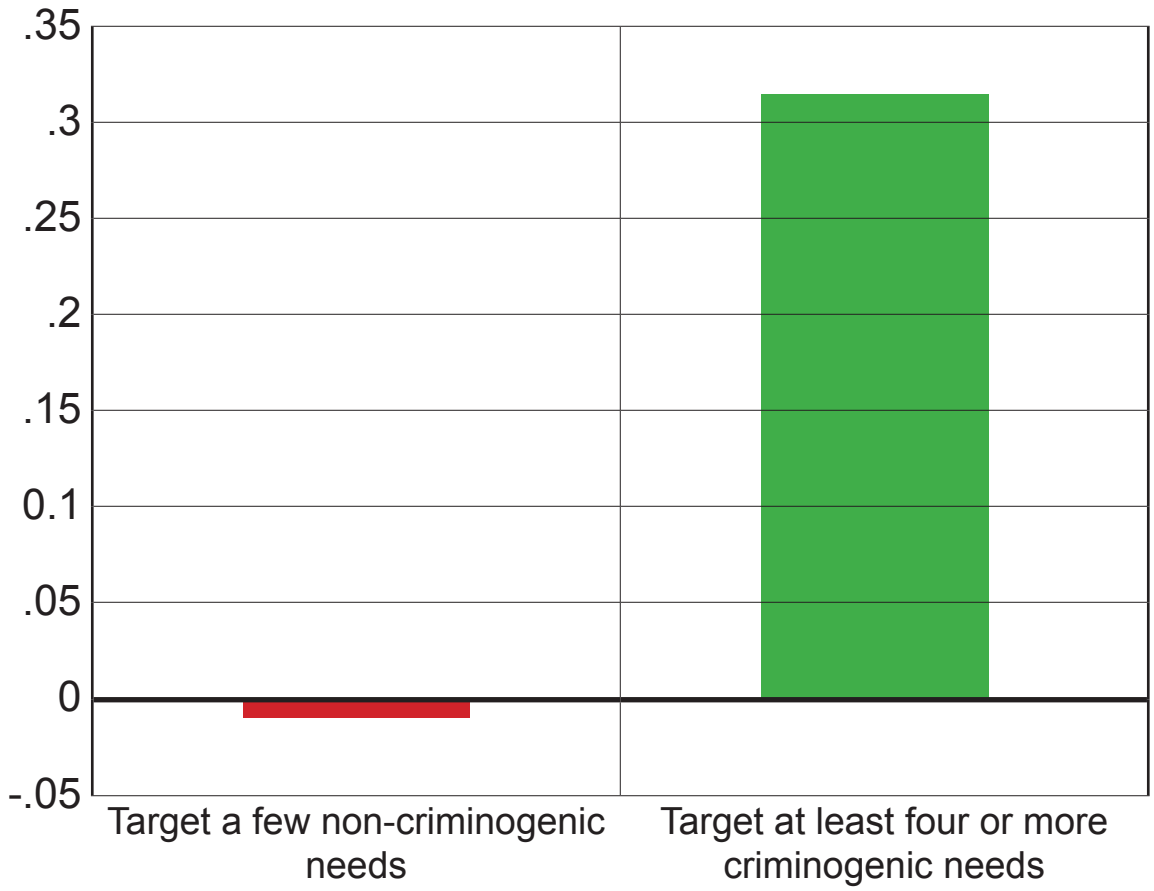
Maintenance

When offenders are in the maintenance phase, staff should continuously monitor offenders for any signs of regression. An important part of this phase is a trigger analysis which helps the offender recognize patterns (i.e. people, places, and things) and develop alternative responses. Agents should continue to support and positively reinforce offender progress and work to eliminate as many triggers as possible. Staff should stress the importance of supports in the community that the offender(s) can turn to when trouble arises. Staff should attempt to communicate with offenders, collateral contacts, treatment providers and others to monitor progress.

Relapse

Applying the proper interventions at the appropriate times with offenders, will likely increase success rates for offenders. In many instances, however, relapses are part of the stages of change. When relapse occurs, staff should evaluate the situation and prepare to identify skills that offenders need to address. Staff should review and adjust the relapse prevention plan created during the determination stage to address any issues that led to the offender's relapse.

Impact of Matching Offender Needs with Appropriate Services on Recidivism



Gendreau, French, and Taylor, 2002

Section 7:
Offender Types

Guiding Principles

- Supervision agencies should develop minimum supervision standards in the form of practice guidelines for different types of offenders.
- Supervision agencies should ensure that the different standards for each type of offender is based on a solid assessment protocol, matches offenders to appropriate treatment and supervision services, and establishes quarterly goals and objectives for the offender to achieve.

Key Concepts

I. Substance Abusing Offenders

The legal definition of a drug offender varies but is generally considered, "All offenders with conditions mandating drug testing or treatment, and any offender by virtue of a positive urinalysis or self-admission." Behaviorally, a drug offender is one that craves drugs and this affects the use of drugs. The frequency and intensity of cravings as well as the amount of drug used each day or week indicates the severity of the problem.

II. Domestic Violence Offenders

Domestic violence is an act of abuse that attempt to control another person. The act can be physical, emotional, or sexual against another person in the home with whom a relationship exists. Offenders use a pattern of physical, sexual and emotional acts in attempt to shape their lives and others' in the way they desire.

III. Mental Health Offenders

Mental Health varies in terms of severity of dysfunction. Of the offender population, it is estimated one in five offenders has a significant mental health issue that requires treatment, yet many if not most of these offenders are not treated. The type of disorder and the functionality of the person determine the type and degree of treatment needed.

IV. Violent Offenders

The term "violent crime" covers a broad range of offenses, including murder, rape, robbery, and assault. But violence refers to the use of aggression to obtain power and control another and the physical act of exerting the power and control. The difficulty in addressing the risk and needs of violent offenders is due to the wide span of crimes that fall under this category.

V. Gang Involved Offenders

A gang is a group of individuals who associate with one another for the purpose of committing criminal acts. Gang members are commonly bonded by ethnicity or territory, but also by an overall need for belonging. Gangs provide a sense of "family" and allow offenders to feel that they are an integral part of a group. The threat posed by these groups in many metropolitan areas as well as small towns is difficult to ignore.

VI. Sex Offenders

The term "sex offender" covers a broad range of behavior from sexual contact with another person without their consent to non-contact behaviors, such as some offenses involving pornography. A common misconception is that there is a standard profile of sex offenders, and that the behaviors that define a sex offender are well known. Sex offenses tend to be about power and control instead of pleasure-seeking behavior.

VII. Disassociated Offenders

Most people have lives filled with human contact, or normal everyday relationships with the people around them. Disassociated offenders are those who have few or no ties to family, friends or the community, due to lack of desire or ability to relate to others. They are often characterized as "loners," solitary or recluse.

Worksheet

Questions and Exercises:

I. Practice Guidelines are a set of basic rules designed to address the risk and need factors of offenders. They identify the set of practices that should guide how best to respond to the risk and need factors of offenders. That is, the guidelines are a set of principles that should guide how supervision should be tailored to facilitate offender change. Addressing offender risks and needs with practice guidelines will guarantee that staff will respond to offenders in a similar manner focused on offender change. It provides a mechanism to guide the staff to be more structured in their response.

The task for this exercise is to have you and your staff create guidelines for each offender type. Please create these guidelines to coincide with the policies and procedures of your agency. Discuss how these guidelines can be standardized so similar offenders can be handled in a like fashion.

NOTE: Some rules may be similar across the board for all typologies such as having a job or going to school.

Develop a practice guideline for sex offenders:

1. Assessment
2. Triggers
3. Treatment
4. Controls
5. Incentives
6. Collateral
7. Information sharing
8. Other:

Substance Abusing Offenders

As many as 80 percent of offenders have a history of substance abuse, and nearly 50 percent are considered current "drug-abusing" offenders. This mirrors the general population, where 80 percent have had some use of illegal substances.

One legal definition of a drug offender is, "All offenders with conditions mandating drug testing or treatment, and any offender by virtue of a positive urinalysis or self-admission." Behaviorally, a drug offender is generally someone whose cravings drive them to use drugs despite the negative consequences. The frequency and intensity of the cravings, and the degree to which the normal everyday activities of the offender are devoted to these cravings, indicates the severity of the addiction problem. Tolerance, or the amount of drug used each day or week in order to achieve the desired "high," indicates the severity of the problem. Addicts can generally be identified as those offenders who continue to use habitually and suffer withdrawal when they stop using.

Assessment Issues

Staff has multiple tools available to help determine whether an offender has a drug problem, and if so, how severe it is. A number of public domain instruments (e.g. Addiction Severity Index (ASI), Texas Christian University Drug Screen (TCU), POSIT for juveniles) and some propriety instruments exist (e.g. Level of Service Inventory-Revisited, Youth Service Assessment Inventory, etc.) that can be used to identify the severity of an offender's problem and highlight priorities for participation in treatment. Drug test results offer another way to evaluate the presence and severity of substance abuse. The results of drug tests also indicate the offender's continuation or cessation of drug use throughout supervision.

Triggers

Drug abusing offenders are susceptible to relapse and often exhibit indications that a relapse is imminent. Some of these signs include positive drug tests, association with drug using peers, changes in housing or employment, and failure to live up to basic supervision requirements such as reporting. When these events occur, staff must immediately take steps to help offenders avoid any type of relapse. Staff can assist offenders in developing relapse prevention strategies to cope with risky people, places, and things.

Drug abusing offenders are susceptible to relapse and often exhibit indications that relapse is imminent. Some signs are positive drug tests, association with drug using peers, changes in housing or employment, and limited adherence to supervision requirements such as reporting.

Service Tools

Effective supervision of substance abusing offenders requires a three-pronged approach: a continuum of care in treatment services, a system of graduated sanctions and rewards, and frequent drug testing.

Many different treatment modalities are used for drug addicted offenders. These modalities vary by several dimensions, including: dosage units (the number of hours of treatment services each session); duration (the number of sessions); group size (individual, small, or large groups or families); location (residential or community-based); the use of medications (drug-free or with medications such as methadone); and style of therapy (ranging from educational to cognitive-behavioral).

Offenders generally are assigned to specific services based on the intensity of treatment they need. Education provides short classes on drugs, alcohol and addiction for offenders with the lowest-severity problems and to of

fenders who need to begin to prepare to enter treatment. Outpatient treatment provides less than 9 hours of counseling per week, while intensive outpatient refers to 9 or more hours of counseling per week. Short-term residential treatment means 28 days or less in a treatment facility while long-term residential treatment is longer. Substance abusing offenders also frequently require mental health treatment and services for education, employment, and housing.

Since treatment services typically are provided through the public health system, it is critical for staff to develop working relationships and information sharing protocols with treatment providers. Respecting confidentiality issues, information about offender attendance at treatment sessions and any drug test results should be shared immediately, preferably through automated or web-based applications. This both holds offenders accountable and allows staff to adjust their treatment plans as necessary. Treatment and criminal justice personnel must function as a team in managing the behavior of individual offenders as well as on matters of overall policy.

Incentive Tools

Frequent drug testing is a critical component of supervising drug addicted offenders. Positive drug screens, indicating active use, help staff prioritize which offenders need often scarce treatment slots. They also can help offenders break through denial and facilitate their movement through the stages of change.

Offenders should be tested on a schedule that increases frequency, up to twice per week, when they are testing positive and that reduces frequency when tests are clean. The schedule should be part of the offender's behavioral contract. Offenders might pay for their own drug tests, on a sliding fee scale.

The mission of recidivism reduction requires that failed or missed drug tests, along with other violations such as missed drug treatment appointments, be met with appropriate penalties. The same is true when offenders are staying clean and sober: they should receive swift, certain and increasingly meaningful rewards for their progress. Substance abuse and criminal justice staff must work together to ensure that offenders are at the appropriate level of treatment and the appropriate level of correctional control at all times.

When treatment and criminal justice actors work as a team and form a seamless system, recidivism reduction is maximized. Effective treatment develops internal controls and coping skills. Offenders in effective treatment also achieve insight into their behavior and adopt new behaviors in the process. Application of new internal coping skills, insights, and behaviors will affect offender interaction with the surrounding community, thus providing the possibility for the development of supportive family members and friends. Drug testing and sanctions and rewards reinforce the importance of offenders' health and safety.

Domestic Violence Offenders

Domestic violence is an act or threat of abuse that is an attempt to control another person and shape their life in the way the offender desires. Acts of domestic or intimate partner violence can be physical, emotional or sexual and directed toward a spouse, ex-spouse, current or former boyfriend or girlfriend, or anyone in an intimate relationship. It may also include abuse of grandparents, parents, children, siblings or others in the home or extended family.

It is estimated that 1 to 4 million people are assaulted by their partners or former partners each year. As American society has increasingly defined domestic violence as a crime, rather than a private family matter, the criminal justice system has become more responsible for stopping it.

Assessment Issues

Many factors need consideration when assessing domestic violence offenders: history of assaults, attitudes supportive of violence, and personality traits that may predispose the offender to violence, such as low self-control. Considering that domestic violence is so frequently part of a pattern and recidivism is likely, prior incidents are important to the assessment.

Staff can use assessment tools like the Level of Service Inventory-Revised to explore these areas as well as the social networks the offender engages in to see whether they may encourage violence. Staff also can use this and other information to explore whether there is a link between the battering and a substance abuse problem.

Triggers

Domestic violence offenders are particularly difficult to supervise because there are so many issues that can trigger a violent episode. In addition to large issues such as loss of employment or infidelity, everyday routine occurrences and simple mistakes can spark an outburst of violence from an offender who has an overwhelming need for control and domination. Staff should use contacts with the offender, the victim and other collateral contacts to assess the offender's readiness for change and risk of re-offending.

Service Tools

In many cases courts will mandate that domestic violence offenders attend anger management sessions. Increasingly, states are developing minimum standards that batterers' treatment programs must meet. Cognitive and behavioral treatment programs have been found to be most effective. Learning new coping skills such as anger control, and restructuring thinking errors (i.e. the victim pushed the batterer to violence) are ways in which treatment can assist offenders. When there is a substance abuse problem, the offender should also be engaged in alcohol and drug treatment. Maintenance of employment or attendance at job training is often appropriate as well.

Staff must develop and maintain a close working relationship with batterers' treatment providers. Providers can and should share with staff an offenders' attendance record and any statements made that might indicate an imminent threat. When applicable, supervision agencies should help ensure that the courts refer offenders only to certified batterers' treatment programs.

Incentive Tools

Staff must ensure the safety of domestic violence victims by making sure that offenders are complying with all of their conditions of release. It is critical for supervision staff to develop a trusting relationship with the victim and collateral contacts to be aware of any offender behavior that violates court orders or appears to be an attempt to manipulate the victim. Neighbors and co-workers who might hear arguments or see injuries can be an important

source of information, as can the police since they may be called to any incidents. Many judges and domestic violence experts regard any contact, including apparently thoughtful gestures such as sending the victim flowers or a birthday card, as inappropriate and requiring a sanction.

Staff should carefully consider the safety of the victim when conduction collateral contacts, and make sure all orders from the court for victim notification are upheld. Interviews with victims should take place at times and places where victims feel safe and able to speak freely. Ensuring the victim is able to speak freely will teach them that they can talk about it, thus increasing the chances of him/her reporting violence in the future. In these situations as well, drug and alcohol testing is an important control for staff due to the common link between substance abuse and domestic violence.

Victim safety planning is essential. Whether it is done by a Victim-Witness Program in the prosecutor's office or by a community agency, staff must ensure that the victim has a workable plan in place to protect any possible targets of the offenders' behavior. Staff should also make sure any victim notification procedure is activated so that victims are aware of all court dates and any release dates from jail or prison.

Mental Health Offenders

Nearly 22 percent of the adult population in the United States will experience a mental disorder during their lifetime. About 5.5 million adults have severe mental illnesses such as schizophrenia, bipolar disorder, or severe depressive disorders that are as debilitating as chronic heart disease or diabetes.

Of the offender population, it is estimated one in five offenders has a significant mental health issue that requires treatment, yet many if not most of these offenders are not treated. Offenders may suffer from a variety of disorders, ranging from stress and anxiety to depression and schizophrenia. The more severe disorders may involve the offender hearing voices or having disturbing hallucinations. The type of disorder and the functionality of the person determine the type and degree of treatment needed.

Assessment Issues

Professional mental health clinicians use a variety of instruments to assess an offender's mental functionality. For example, some use the Hare's Psychopathy Checklist-Revised (PCL-R) to measure if an offender is a "psychopath." Another assessment tool is the mental status examination in which an offender is asked about all areas of his life. Many self-report inventories are used to assess problems such as depression, anxiety and suicidal thinking. There also are personality assessment inventories, such as the Minnesota Multiphasic Personality Inventory (MMPI) and the Million Clinical Multi-axial Inventory (MCMI), which evaluate an offender's personality overall and can detect the presence of mental disorder.

Triggers

Many serious mental disorders, especially schizophrenia and bipolar disorder, can manifest themselves without any special triggering event. Other disorders, however, can be controlled. Staff should assess stress factors in offenders' lives and help them avoid said stressors. Typically, loss of an important relationship, home or job, and physical or sexual victimization cause great stress on offenders and may bring on an episode of illness. Staff should anticipate these kinds of events and other stressful situations and as much as possible try to prevent them.

Service Tools

One commonly used and effective treatment for mental health offenders is the use of psychotropic medication. Psychotropic medications include anti-psychotic medications used for delusions, hallucinations (auditory and visual), and disordered thinking; mood stabilizers for overly high or fluctuating mood; antidepressant medications for depressed moods; and anti-anxiety medications for lower feelings of fear and painful anticipation. Staff must work with treatment providers to understand the medication needs of individual offenders and reinforce to offenders the importance of their taking their medications.

The use of medication along with therapy (group or individual sessions) can greatly enhance the effectiveness of treatment. Therapy can serve as a useful tool because it can focus on specific events that need attention or on a broader issue such as an offender's behavior in public.

As with supervising other types of offenders, staff relationships with treatment providers are critical. Criminal justice staff and mental health clinicians must form a seamless web of information, using technology and personal relationships, aimed at helping offenders through the stages of change and minimizing recidivism.

Incentive Tools

Since nearly half of offenders with mental illness suffer from substance abuse problems as well, drug testing is an effective control for staff. Other effective controls are sponsors in the community, who assist offenders in managing behavior, and therapy to assist them in maintaining control. Offenders who are required to attend mental health counseling, or other rehabilitative services should be held accountable, through a behavior contract, for doing so just as other offenders are.

Violent Offenders

The term violent crime covers a broad range of offenses, from murder to rape to robbery to assault, and is defined differently by laws in various states. Although much of the public believes that violent offenders are incarcerated, in 1999, about 25% were released from prison and were under parole. In 1995, an estimated 17% of people on probation were violent offenders. Given the danger that violent offenders present, they should be supervised carefully and receive appropriate interventions that will help prevent them from committing new acts of violence.

Assessment Issues

Addressing the risk and needs of violent offenders is difficult because of the wide span of crimes that fall under this category. Offenders convicted of robbery and kidnapping, for example, are likely to have different criminogenic needs and need different types of service intervention.

One of many ways to assess violent offenders' risk is through assessment tools. Assessment results can help to determine how intensive the offender's supervision and services should be. Each type of violent offender should receive resources that address their specific needs. The resources should also coincide with the offender's stage of change. For example, if an offender is in the pre-contemplation stage, meaning he denies that a problem exists, he should be receiving an education-based interventions.

It is also important to assess whether an offender has a mental or psychological disorder because this can compound the problem and require mental health intervention.

Triggers

Staff should learn to recognize the various triggers that can lead violent offenders to recidivate. Triggers tend to be specific to the individual and the crime he has committed in the past. Drug or alcohol use also can trigger an episode of violence. Change in offenders' demeanor and attitude also might indicate issues that may result in recidivism.

Service Tools

Just as violent crimes can be triggered by a number of causes, there are different treatment approaches for different offenders depending on their individual criminogenic needs. In each case, however, service interventions should attempt to improve skills such as impulse and anger control, problem solving and conflict resolution. Programs should aid offenders in discarding the values and attitudes that support their criminal behaviors. Offenders should learn how to self-diagnose their triggers – the people, places and things that may cause them to recidivate – and learn how to handle situations as they occur.

In some cases, maintenance programs should be built into case plans because formal treatment programs alone will not be enough to support sustained change. Maintenance programs, such as mentoring and other community sponsored programs, can provide offenders ongoing support for their lifestyle and behavior changes.

Violent offenders who suffer mental or psychological disorders are more difficult to supervise because there is no known effective treatment for psychopaths. Psychopathic offenders should be separated from other violent offenders for treatment programs because they tend to be disruptive and manipulative.

Incentive Tools

Violent offenders, in general, should be supervised intensively, with frequent home contacts, with an extensive array of collateral contacts including law enforcement authorities, and other means such as electronic monitoring and urinalysis. In addition, recent laws in many states require certain violent offenders to submit DNA samples.

Gang-Involved Offenders

A gang is a group of individuals who associate with one another for the purpose of committing criminal acts. Gang members are commonly bonded by race or territory, but also by an overall need for belonging. Gangs provide a sense of "family" and allow offenders to feel that they are an integral part of a group. In addition, there are gangs of offenders who are drawn together by their crime, such as drug dealers, who are bonded together mainly by their desire to make money. The threat posed by these groups in many metropolitan areas as well as small towns alike is difficult to ignore.

Assessment Issues

Staff should attempt to identify gang-affiliated offenders as soon as possible. Tools that measure an offender's companions and their levels of criminality are critical in assessing the offender. During the assessment interview, staff should listen to offenders speak about their friends and be alert for any signs of gang involvement. Some signs indicative of possible gang affiliation are gang tattoos, the wearing of "colors," and family members' (past or present) involvement in gangs.

Triggers

Many different events may cause a gang-involved offender to recidivate. Any perceived threat to a gang member or the gang's territory or interests, either real or imagined, is likely to elicit some form of response from a gang. More likely than not, if there is some sort of threat, that response is going to be violent. Other triggers that staff may be aware of include a positive urinalysis, a new arrest, and any change in an offender's lifestyle. For example, if an offender is expelled from school or loses his job, staff should be concerned because he will have more leisure time. If he does not have structured activities to occupy that new time, he is more likely to spend it with his gang-affiliated friends.

Service Tools

Once identified, staff should steer gang offenders to intervention programs specifically geared toward gang members. Given the strong relationship between gangs, violence and drugs, programs should address each of these issues. Handling them at the same time will increase the effectiveness of the intervention and the chances for successful completion.

Staff should be cognizant of the many safety issues regarding gang-related offenders. If possible, offenders should not be placed in any intervention with a rival gang member. This jeopardizes the safety of offenders as well as the lives of staff.

In addition, staff should identify resources and strategies that can help offenders "jump out" of gangs. Many gang members may wish to leave their gang but are threatened with injury or death if they do. Staff partnerships with community resources, including housing and employment offices, are critical in providing offenders viable alternatives to the gang lifestyle.

Drug-dealing gangs are another group that needs specific attention from treatment providers. These offenders need to be separated from the remaining population, again for safety reasons. Placing drug dealers into interventions with other offenders, some of whom may have substance abuse issues, gives the dealers a new flock of customers.

Incentive Tools

Similar to other dangerous offenders, gang members should be subject to close supervision, with drug testing, treatment and other resources that match their risks and needs. However, while other offenders tend to act individually or only sporadically with others, gang members act as a group. This makes it reasonable, and effective, to hold them collectively responsible for each other's behavior. Staff should form partnerships with local, state and federal law enforcement and communicate directly to gang offenders that new crimes, especially violent offenses, by any one member of the gang will result in penalties for all members, including sanctions for violation of supervision conditions and revocation of release.

Sex Offenders

Sex offenses cover a broad range of behavior from sexual contact with another person without their consent to non-contact behaviors, such as some offenses involving pornography. In general, sex offenses tend to be about power and control rather than pleasure-seeking behavior.

Assessment Issues

A frequent misconception is that there is a common profile of sex offenders, and that the behaviors that define a sex offender are well known. However, assessment of sex offenders is a complicated process.

Many sex offenders tend to have a slightly different profile than "typical" criminals. They tend to be high school graduates, more likely employed, and score low on traditional risk scales. Sex offenders seem to live according to society's standards but there are multiple problems underneath their façade.

Sex offenders tend to make inappropriate requests, create discrepancies between information that others have (such as staff, treatment providers, family), lie or contradict, be rude or threatening, try to take control of interviews, focus on irrelevant issues, and consume an inordinate amount of time (Center for Sex Offender Management, 2002). There are instances where an assessment can be augmented by a clinical interview, psychometric or physiological assessment. Some offenders will exhibit intimacy deficits, and sexual and emotional self-regulation issues. Not all sex offenders will have mental health issues that require special resources, but staff should be aware that in some instances they might be necessary.

Triggers

Sex offenders can be especially manipulative in risky situations. These tend to be when the offender is in possession of a dangerous weapon, has contact with under-aged children, uses illegal substances, poses a physical threat to others/animals. Child sex offenders, for example, should avoid being near schools, playgrounds, or any other area where children gather. Sex offenders often plan their actions so there may be no noticeable triggers for staff to identify, however staff should be aware of any changes in offenders' behavior and take those changes as a warning.

Service Tools

A primary goal of treatment for sex offenders is to develop controls over their behaviors. Combinations of educational, cognitive-behavioral, and family system interventions are effective interventions. Creating a relationship among offenders, treatment providers and staff allows tighter supervision, assists the offender in becoming aware of his behavior, and leads to increases in success rates.

Incentive Tools

Effective supervision of sex offenders requires a wide range of conditions. Most importantly, staff must help them to learn their sexual behaviors and manipulation patterns. Three basic criteria for supervising are: 1) establish collateral contacts with family and friends who are aware of the offender's behaviors; 2) control the offender's environment by limiting his access to victims, situations and triggers; and 3) engage the offender in the process of change. In addition to various monitoring systems, including position tracking and urine screens, polygraph tests are becoming more widely used in attempt to detect sex offender behavior.

Under new laws, several other external controls often apply to sex offenders. Certain offenders may be required to submit DNA samples and register with local police for a length or time or for the rest of their lives. Community notification laws may require that a sex offender's residence be disclosed to area residents. Registration and notification usually is required on a periodic basis, and must be verified by staff.

Victims of sex offenders must be kept aware of their offenders' criminal justice status and other information as requested. Staff should ensure that victims are involved in counseling and have an adequate safety plan.

Disassociated Offenders

Most people have lives filled with human contact--normal everyday relationships with the people around them. Disassociated offenders are those who have few or no ties to family, friends or the community, due to lack of desire or ability to relate to others. They are often characterized as "loners," solitary or recluse.

Assessment Issues

Some assessment tools can measure relationships between offenders and their communities, families or friends. If, during an interview, staff notices an absence of these important relationships, the offender is likely disassociated. Another good indicator is a home visit, which may reveal that an offender lives alone and has no apparent ties or relationships with other people. An offender also may stick firmly to a daily routine of work and home with no time for or interest in social activities.

Triggers

Disassociated offenders are especially susceptible to triggers because they have no one to help them resist. Staff should attempt to gather as many details about each offender in order identify potential triggers for recidivism. Behavioral changes such as drug usage, traumatic events, anger/contempt, and missed appointments, should all be seen as signs that the offender may be attempting to retreat into seclusion and trouble. Staff should want offenders to come out and remain out of isolation and should view any of these events as steps in the wrong direction.

Service Tools

Treating disassociated offenders is challenging for two reasons. First, a disassociated offender lacks the family and community support system vital for a sustained change in his behavior. Second, staff is left without a network of collateral contacts to gather information about the offender's behavior and to cultivate as natural supporters and reinforcers of positive changes in his behavior.

Factors to Consider

RISK
- Previous Criminal Patterns
- Previous Supervision Experiences
- Present Criminal Offense

NEED
- Assessment Factors
- Special Conditions Imposed by Courts

RESPONSIVITY
- Criminogenic Need Factors
- Information from Collateral Contacts

A common way of assisting disassociated offenders is attempting to overcome these obstacles and increase their bonds in the community. This can be accomplished through engaging offenders in group therapy, assigning them mentors, or by any action that exposes them to others. The presence of other issues, including substance abuse, often requires additional interventions and services that fit individual offenders.

Incentive Tools

Disassociated offenders lack effective external controls within the community. Overcoming the factors that led to disassociation can be accomplished through group therapy or mentors and treatment. Overcoming these factors will lead to the ability of the offender to form supportive relationships with neighbors, family and others.

Principle Guidelines

Introduction

- Supervision agencies should adopt behavioral management techniques as a goal of the organization. The behavioral management techniques should refer to actions that the staff use to achieve offender-related and organizational-related outcomes.

Section 1: Behavior Change

- To change offender behavior, supervision should focus on altering an offender's dynamic factors to achieve better results. Dynamic factors include criminal thinking, substance abuse, poor family relations, low internal controls, criminal or antisocial peer associations, and antisocial personality.
- To change offender behavior, the goal should be to improve offender decision-making in pro-social arenas and to reduce distorted thinking patterns.
- To change offender behavior, high-risk offenders should receive intensive (and structured) programs and/or services.
- To change offender behavior, supervision staff should focus on understanding the offender's prior and current behavior. And, the supervision staff should work with the offender to increase his/her own understanding of their behavior patterns and the consequences of engaging in negative and/or antisocial behavior.
- To change offender behavior, the emphasis should be on criminogenic needs (dynamic factors) to reduce the offender's risk of recidivism.

Section 2: Assessment and Planning

- Supervision staff should consider the offender's current stage of change in assigning supervision and/or treatment services.
- The key to identifying supervision and/or treatment services is to match the offender's dynamic factors with appropriate services. For offenders with multiple criminogenic needs, programs that address four or more of the factors will yield better results.
- The offender's risk factors should determine the supervision services. The higher the risk, the more external controls such as curfews, drug testing, face-to-face contacts, etc.
- The supervision plan should be a behavioral contract. The offender should be part of the team to develop the plan to ensure ownership and acceptance of the quarterly progress measures. The offender should sign this contract.
- The behavioral contract should prioritize the accomplishments that an offender should achieve on a quarterly basis. Progress should be tied to clear behavioral objectives (e.g., obtain weekly drug testing, obtain an assessment, etc.). Prioritization should first address areas of interest to the offender as a tool to facilitate change.
- The behavioral contract should encompass supervision requirements, court and/or parole mandated conditions, treatment services, and expected sanctions and incentives. Included should be the requirements and expected consequences for positive and negative progress.
- Supervision staff should use problem-solving techniques with the offender to assist the him/her in learning alternative behaviors and reactions to triggers (e.g., people, places, and things) that contribute to criminal behavior and/or substance abuse.

Section 3: Communication Tools

- Supervision agencies should develop policies and procedures that focus on developing positive rapport and trust between the staff and offender.
- Supervision agencies should develop policies and procedures that promote the use of open, direct, and empathetic communication between the staff and offender.
- Supervision agencies should ensure that the physical space available to staff encourages private discussions between staff and offender.
- Supervision agencies should measure the performance of staff in using effective communication strategies that assist the offender in the change process.

Section 4: Information Tools

- Supervision agencies should use information tools to acquire information about the offender and his/her behavior. The collected information should be shared with the offender to assist the offender in learning about his/her behavior patterns.
- Supervision agencies should use information tools to control the behavior of the offender, as well as provide feedback on his/her behavioral patterns.
- Supervision agencies should develop policies and procedures that focus on developing informal social controls (e.g., family, non-criminal peers, community support groups, etc.) to foster the development of natural relationships. Informal social controls are the key to long-term change in the offender's behavior and provides the offender with supportive relationships in the community.
- Supervision agencies should develop collateral contacts with the offender's natural support system to achieve pro-social goals for the offender.
- Supervision agencies should use drug testing and monitoring techniques (e.g., GPS, house arrest, etc.) to control offender behavior.
- Supervision agencies should use drug testing and monitoring techniques to inform the offender of his/her behavior patterns.

Section 5: Incentives to Shape Offender Behavior

- Supervision agencies should use incentives to encourage and reinforce pro-social behaviors.
- Supervision agencies should use incentives in a swift, certain, and progressive manner, just like sanctions, to shape offender behavior.

Section 6: Service Tools

- Supervision agencies should use service tools—treatment programs—to develop internal controls.
- Supervision agencies should use service tools—treatment programs—based on the criminogenic needs of the offender.

Section 7: Offender Types

- Supervision agencies should develop minimum supervision standards in the form of practice guidelines for different types of offenders.
- Supervision agencies should ensure that the different standards for each type of offender is based on a solid assessment protocol, matches offenders to appropriate treatment and supervision services, and establishes quarterly goals and objectives for the offender to achieve.

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