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Habits of Thinking:

Working Within Correctional Environments to Introduce and Sustain Personal Change

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"Your beliefs become your thoughts; your thoughts become your words; your words become your actions; your actions become your habits; your habits become your values; your values become your destiny!" Mahatma Gandhi

As a practitioner, educator, administrator and consultant in corrections for more nearly thirty years now, I continue to be curious and hopeful about the prospect of change. My optimism is rooted in my belief that there are positive answers to the questions that confront us: What helps people change, and can people in corrections help facilitate that process; can habits of thinking influence behavior and can these habits be broken?

In this article I will explore the influence of cognitive structures (i.e., patterns of thinking, attitudes/beliefs and emotions) on human biology and behavior. I will also explore the influence of environment on this internal process; the challenges for correctional organizations; and the promising programs and approaches.

The Apple Doesn't Fall Far from the Tree: The Influence of DNA and Environment

The theory of human behavior that offers the best explanation for the body of research termed "What Works' to Reduce Recidivism" is Social Learning Theory. Albert Bandura, cited as the father of this theory, conceptualizes three primary forces that explain human behavior. (A. Bandura, 1977) These forces are behavior, environment and cognitive structure.



As this illustration demonstrates, these forces interact in a triadic, dynamic relationship, each subject to change and the potential influence of the others. For example, when the price of gasoline climbed over \$3.00 per gallon in the United States, many people changed some of their driving habits; choosing places to vacation that were closer to home, sharing rides with others, and so on. As you recall, this spike in gas prices resulted in part from natural disaster. two hurricanes in the Gulf area.

"What helps people change, and can people in corrections help facilitate that process, can habits of thinking influence behavior and can these habits be broken?"

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Both events - the hurricanes and the rise in gas prices – introduced significant changes in our shared environment. These external environmental changes triggered changes in our thoughts and emotions (i.e., our cognitive structure) that in turn produced changes in our behavior. This process is what Bandura referred to as a triadic, dynamic relationship.

In his book, *The Biology of Belief*, Dr. Bruce Lipton offers some convincing biological evidence to support Social Learning Theory. Dr. Lipton, a former medical school professor and research scientist, rejects the prevailing theory of human development - that genes and DNA hard wiring control our biology and our personality. Instead, he claims human DNA is influenced by signals outside the cell, including energy coming from outside the body, or signals for our environment - signals that are influenced by the way we think. (B. Lipton-2005)

One of the main tenants of Social Learning Theory asserts that *modeling* shapes human behavior. According to Bandura, children observe and interact with their environment mostly through observation. Thus, they observe and model their behavior after what they see going on around them. This modeling effect is strengthened when the relationship between the child and the adult model is emotionally strong and when the model is the object of the child's admiration, respect, and love. So, for most of us, the modeling and shaping of both our behaviors and internal attitudes/beliefs about the world comes from the people who parent us. (A-Bandura-1977)

Bandura's conclusion about this modeling effect is bolstered by biological evidence. In *Quantitative EEG and Neurofeedback*, Dr. Rima Laibow describes the progression of human developmental stages in the context of changes he observed in the electrical impulses generated by the brain as recorded by electroencephalography (EEG). (R. Laibow 1999 and 2002) Laibow identified five distinct wave levels that correspond to the progression in human development: *Delta*, *Theta*, *Alpha*, *Beta*, and *Gamma*.

Between birth and two years of age, the human brain predominantly operates at the lowest EEG frequency - 0.5 to 4 cycles (Hz) per second - known as *Delta* waves. Between the ages of two and six children begin to spend more time at a higher EEG activity known as *Theta* (4-8 Hz).

The lower *Delta* frequency range (the range that hypnotherapists use to put people in more suggestible states) provides us with some important understanding of how, in human development, information is acquired and stored. Young children, birth to two years of age, are biologically configured to observe and store vast amounts of information from their environment. As a result, the behaviors and beliefs of their models, which most commonly would be the parents, are adopted, often stored at a *Delta* subconscious level.

Between the age of six and twelve, in human development, individuals move out of the *Delta* range and become less susceptible to environmental influences as the brain begins to operate on higher *Alpha* frequency waves (8-12 Hz). This range is described as a calm consciousness or awareness of self.

Around the age of twelve, children begin to show signs of sustained frequencies between 12 and 35 Hz, known as *Beta* waves. This range is characterized as "active or focused consciousness," the kind of brain activity necessary to read, integrate and comprehend. Beyond *Beta*, we find the highest EEG spectrum, *Gamma* waves (35 Hz and higher). These levels are observed when humans are engaged in a peak performance activity such as landing an airplane.

The EEG research helps us understand the developmental process whereby information is integrated from our environment into our subconscious and conscious minds. It also helps us understand, as Bandura observed, the importance of modeling in shaping our behavior.

In addition to the foregoing supporting research from Laibow, the concept of modeling behavior is also supported by evolutionary evidence and human biological information. The study of evolution shows how reflex behaviors acquired during evolution are passed on to offspring in the form of genetic-based instincts. The evolution of larger

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brains, however, with their increased neural cell population, provided humans the opportunity to learn from their life experiences and not rely solely on instinctual behavior. Thus, in the human condition, behavior is regulated by both instinctual behaviors (“no brainers” or subconscious reactions) and conscious prefrontal cortex functions like problem solving. In the humans, as development progresses and patterns of thinking and feeling are established in response to changes in the environment, neurological pathways are created. When these patterns of thought and feeling become habit the neurological pathways become ruts in the subconscious, and without conscious effort we fall back into these ruts. (B. Lipton-2005)

For example, think back to when you first learned to drive a car. At first, the pedal locations and the temperamental process of engaging and disengaging the clutch were the focus of active “thinking.” You had to think about how much pressure from your foot was required to stop, and you had to think about all those minor steering wheel corrections necessary to keep the car moving in the proper direction. Over time these functions became “no brainers.” Now, you undoubtedly jump in the car, start it and are well down the road thinking about how your day went and what’s for dinner, and you have never given conscious thought to any of these driving tasks. So it is clear that conditioning the mind to think in certain ways strengthens the neurological connections so that over time people have conditioned responses to their environment. You don’t have to think, but perhaps you should.

All of the foregoing findings suggest that not only does our cognitive structure, (our internal system of thoughts, feeling, and emotions) affect our behavior, but the way we think affects our biology. By the time a person reaches adolescence, the subconscious mind is neurologically programmed with messages, good or bad, that function as personal beliefs. The power, habit, and influence of these beliefs, these so-called “truths,” on behavior throughout the spectrum of a person’s life are profound! In humans, the behaviors, beliefs and attitudes we observe in our parents tend to become ingrained “neuro-nets,” hard-wired synaptic pathways that influence our biology as well as our behavior. While we do not have to turn into our parents, without conscious changes in our thought processes, our biology takes over.

Derailing Automatic Thinking: Shifting Our Focus from Behavior to the Thinking Behind the Behavior

Every interaction between a correctional practitioner and an offender is an opportunity to do one of two things; either reinforce the offenders automatic thinking, (internal habits, neuro-nets of thinking, feeling, attitudes/beliefs) or to purposefully disrupt that thinking. (R. Ferns, 2002)

Within correctional settings, jails, probation offices, detention centers, prisons, etc., the focus has been on controlling offender/inmate behaviors. Understandably, job one in every correctional facility is security (the safe, humane and legally mandated operation of the facility, along with escape and assault prevention). While the focus on control, punishment and compliance is understandable, it falls short of what we know must be done to support change in offenders. If change is to occur, we have to get at how offenders think, and create internal motivation for them to change their thinking.

Gornik offers this insightful analysis of the criminal mind:

Antisocial thinking is very seldom simply a matter of imagining crimes or plotting assaults. With most offenders, there is almost always a more subtle network of attitudes, beliefs, and thinking patterns that create an entitlement and righteousness about selfish and harmful acts. Antisocial thinking provides a self-validating and rewarding escape from responsibility and social norms. Many offenders are accustomed to feeling unfairly treated and have learned a defiant, hostile attitude as part of their basic orientation toward life and other people. Hostile responses and victim-stance thinking are learned cognitive behaviors. For the offender, feeling like a victim creates a sense of outrage, power, and self-gratification. These powerful emotional experiences create cognitive reinforcement. Conversely, to admit a mistake would be a sign of weakness and vulnerability.

Habits (Continued)

Relationships with other people are adversarial and dominated by a struggle for power. Cooperation is seldom more than a passing convenience. A win-lose (us/them) orientation dominates personal relationships. Winning is defined as forcing someone else to lose. The gratification that comes with this kind of winning is, for some offenders, the only real satisfaction and gratification they ever learned. This need to win is exaggerated in the offenders' interactions with security staff. Whether they win or lose, the underlying cognitive structure is reinforced. This self-serving logic creates a vicious cycle (Bush & Bilodeau, 1994). As offenders progress through treatment, respect for custody staff is an important measure of change. Research has also identified motivation and readiness to change as main factors in successful treatment outcomes. (Gornik-1999)

Opportunities to disrupt criminal thinking within the daily operation of correctional facilities and offices are abundant. With recidivism rates in the balance and public safety as the primary goal, the viability and opportunity for change cannot be left as the sole responsibility of good programs. Probation Officers, correctional staff, security, program, and support staff can (and should) learn how to interact with offenders in ways that purposefully target the thinking behind criminal behavior. The importance and the potential influence of probation officers and other correctional staff as they model behavior and attitudes/beliefs for this population cannot be underestimated. While interactions between staff and offenders are often short, these short interactions, when focused, can and do have an impact on offender thinking.

Imagine creating a correctional culture and a correctional environment where there is no escape from the opportunity for change and no escape from the responsibility for change. Imagine a culture speaking in one voice and with one message that is consistently applied. When such environments are purposefully created, the opportunity for change is real.

So, if we know the critical importance of thinking as it relates to influencing behavior and biology, what typically happens, day-to-day, in juvenile and adult correctional environments? Sadly, within these environments effective programming is largely absent. It is not uncommon for communities or correctional staffs to view corrective programs as coddling inmates. Punishment, to this way of thinking, is the necessary means for purging criminal behavior. In the typical correctional environment, the primary focus of daily operations is on cleaning, feeding, clothing, monitoring, reporting and safely moving offenders from place to place. Outside, in community corrections, we often find Probation Officers focused on contact requirements and supervision standards that have nothing to do with corrective intervention. A visit to the probation office might involve a superficial paper report, a quick exchange of payments and receipts, and a rapid-fire succession of yes-no questions, and perhaps a half-hearted referral for service.

When and if the foregoing operational and procedural requirements are met, then and only then can time be allotted for "programming." Sadly, even then "programming" is often no more than allowing someone out of their room or cell for an hour or less, or showing attendance slips from AA or NA meetings. Policy, training and the majority of correctional funding is focused on the application of rewards and punishments with the goal of compliance - not change.

Without purposeful interventions, offenders are left to fester in their cells or associate with other inmates, the effect of which is to entrench more deeply those neuro-nets that are at the root of criminal behavior. Then when these offenders are released, we wonder why recidivism rates are so high.

We know that relying on punishment - both as a program focus and as motivation for change - with this population doesn't work to reduce recidivism. (P. Gendreau, 1990) We also know that punishment or the threat of punishment alone often does very little to disrupt automatic thinking. For example, think back to the last time you got a speeding ticket. Can you remember some of your thoughts? Did any of them sound like this? "What a bunch of crap."

Habits (Continued)

“Everyone else out here is driving this fast.” “Guess I’ll have to watch a little closer next time.”

How long did your resolution last? Did that one speeding fine make a lasting impact on behavior? For most, while the ticket and the thought of getting another remains vividly fresh in our minds, we alter our behavior. However, over time we gravitate back to the ruts in our thinking, and we offer the same old rationalizations: “Everyone else is doing it. It’s only speeding, it’s not like I’m robbing banks.” When we fall back into these old thinking habits our behavior returns as sure as the spring rain. Humans, criminal or not, especially in times of stress, fall back to that which they are most accustomed and to what feels comfortable, regardless of ultimate consequence.

When I was a probation officer years ago, I remember how it seemed like all of the offenders that ended up back in jail would find a job the day they went to jail or tell me how motivated they were to get back into treatment the day they went to jail. Once they were back in the community, however, the lessons they said they learned from being in jail seemed to vanish as quickly as that new job or the treatment they were attending. Why? It is because the consequence of going to jail failed to change their thinking and their fundamental attitudes/beliefs.

In a study conducted in Oregon that compared recidivism outcomes between those offenders who received jail as a violation sanction with offenders who received some form of lesser graduated sanction, researchers found a lower recidivism rates for those probationers who did not go to jail. “Comparing groups of offenders who have committed the same types of crimes, and who have the same risk to re-offend, for every group, the recidivism rate is higher following a jail sanction than it is following a community-alternative sanction.” (G. Martin -2003)

Can We Help Others Change without Changing Ourselves?

Having spent nearly thirty years at this work, here are some of the thoughts, attitudes/beliefs I have heard staff and administrators voice.

- People who commit crimes think in rational terms prior to, during and preceding the commission of a crime.
- Most treatment efforts fail.
- The Judges we have are too soft on these guys.
- We don’t have the time to work with offenders the way your recommend.
- The community doesn’t care what we do as long as offenders are locked up.
- Most offenders don’t or can’t change.
- Strong punishments are a deterrent to crime.
- Community Supervision means surveillance, monitoring and quickly responding to violation behavior.
- We don’t use the term treatment in our system because it’s not well thought of by our staff.
- I get the most satisfaction from my job when I lock up one of the bad guys; I feel like I’m actually contributing to public safety.
- We seem to go through cycles: for a while we hire people who are heavy into law enforcement, and then we swing back to hiring social workers.
- I gave up caring about any of these scum years ago.
- You can’t force anyone to change unless they want to change.
- I’m not a social worker. I’m a probation officer.
- Why care? No one else seems to care.

If these examples are reflective of the prevalent attitudes/beliefs of the organization, we can predict that the day-to-day correctional practices will not change. And immersing staff in didactic training sessions will have little effect.

Habits (Continued)

Presenting people with information and evidence alone is not sufficient to change their attitudes and beliefs. From experience we know that educational “talking” programs are not effective with criminal populations. Why would we expect them to change long held beliefs of staff?

Whatever the attitudes are within a correctional culture, we can be sure they will influence the inmates. Hence, it is imperative that we make a conscious effort to mold attitudes and beliefs that will positively impact the offenders. Even when they are not spoken, the attitudes/beliefs of the staff are powerful modeling influences on the youth and adults who sometimes spend years in these facilities. As Bandura noted, and as numerous biologists have confirmed, the power of environment and culture on human behavior is strong. All too often this influence is ignored or underestimated.

The first step to applying evidence based practices within correctional cultures is to identify the shared beliefs of that culture, and ascertain if the culture is a barrier to change. After this work is complete, a strategy can be developed to facilitate changes in thinking. *“In the absence of developing the interest, intent and capacity for individual and organizational self reflection and self regulation organizational learning will not occur. This is as true for the individual agencies as it is for the cross-functional community partnerships needed to address crime and livability issues within communities.”* (R. Ferns, 2002) In short, correctional practitioners, and administrators need to learn how to uncover, challenge and change their own thinking - their own cognitive structures.

Cognitive Communities: A Promising Model Within a Correctional Culture

Therapeutic communities (TC) for the treatment of drug abuse and addiction have existed for about four decades. In general, the TC is a drug-free residential setting that employs a hierarchical model with treatment stages that reflect increased levels of personal and social responsibility. Peer influence, which is mediated through a variety of group processes, is used to help individuals learn and assimilate social norms and develop more effective social skills.

The TC differs from other treatment approaches principally in the use of the community (both residents and treatment staff) as a culture that is the key agent of change. This approach is often referred to as “community as method.” TC members interact (model) in structured and unstructured ways to influence cognitive structures as well as behaviors associated with drug use.

In addition to the importance of the community culture as a primary agent of change, a second fundamental TC principle is “self-help.” Self-help implies that the individual in treatment is the principal contributor to the change process. “Mutual self-help” means that individuals also assume partial responsibility for the recovery of their peers - an important aspect of an individual's own treatment.

Within the last four years a newer version of the TC model has emerged, called “Cognitive Communities.” Cognitive Communities are a blend of practices utilized in building community and the influence of community to shape new behaviors and practices used in cognitive restructuring programs where the focus is getting at the thinking behind the behavior. Within Cognitive Communities the approach is to employ the community - with its one-voice-one message consistently applied concept - to help offenders see their thinking while creating internal motivation for them to change their thinking. With the support and efforts of community at uncovering and changing the thinking behind the behavior, the power of community in shaping new behaviors is enhanced. This approach is being tested in Alaska and Virginia in specific prisons where TC programs have been operational for some time.

“Treatment models that maximize outcomes as part of correctional strategy incorporate an in-depth understanding of antisocial logic, social learning, cognitive/behavioral programs, and appropriate communication. Such a program could be referred to as a “cognitive community.” Competent delivery includes appropriate situational and

Habits (Continued)

interchangeable application of these methods. One example of application is knowing when and how to confront crime producing attitudes and beliefs (cognitive restructuring and cognitive skill building) and when to use the behavioral confrontation tools of the therapeutic community. In a cognitive community, cognitive behavioral programs are far more than simply a type of group to be placed into a therapeutic environment as a learning experience or a group activity. In effective application, social learning must never become rote compliance or peer coercion. The treatment model employed must be flexible enough to encompass self-actualization, but structured enough to create a climate for peer accountability and consequences (Gornik, Bush & Labarbera, 1999)."

In the cognitive community, thinking and behavior are both exposed to the larger community. The community then becomes the baseline and milieu in which new learning and change can take place. Once implemented, the cognitive community should emulate a real life setting. All staff, including custody, participates in the cognitive community practices. Thoughts and behaviors that typically lead to relapse are discovered more quickly. Staff's ability to recognize the internalization of offender change is more efficient. The cognitive community operates 24 hours a day, 7 days a week, and 365 days a year. Social learning and cognitive change operates as the oxygen and lifeblood of the community and fosters a "no place to hide" philosophy. Cognitive/behavioral practices form the lifestyle in which all other operations and activities exist including: work, both on-and-off the living unit, educational programming, drug treatment and counseling, specialized programs and groups, visitation, family re-unification, and transition planning. (Gornik, Bush & Labarbera, 1999).

Specific training for correctional staff is also emerging. For example, specialized communication skills training such as Motivational Interviewing (W. Miller, and S. Rollnick -1991) and Cognitive Reflective Communication (B. Bilodeau-1994) are now being offered to corrections practitioners given our understanding of the importance of developing and supporting internal motivation for change.

Effective Communication/Motivational Strategies is a specific 4.5 day training designed to teach corrections practitioners basic information about social learning theory, the stages of change, criminal logic, evidence based practices, and motivational interviewing. Participants learn how to apply personally this information and these skills/techniques, and then how to utilize them professionally with offenders. (R. Ferns-2002)

The Shift to Cognitive Programs

In the field of offender treatment, we now know that the most successful programs to date involve applications of cognitive/ social-learning models. We also know that if programs are to be effective in changing risk of future offending, they must be focused on aspects of individuals' functioning that have been shown to be linked to criminal acts. Successful programs vary in the number, range, and degree of inter-relatedness of such targets. These are sometimes defined on the basis of established risk factors for offending (D. Andrews, 1995), such as cognitive or social skills deficits, substance abuse, impulsivity, or anti-social attitudes.

Today, there are vast arrays of clinical approaches to working with criminal populations that focus on effecting changes in criminal thinking. In her book, *Making Sense with Offenders: Personal Constructs, Therapy and Change*, Julia Houston shares her many years of experience using Personal Construct Psychology (PCP) in offender rehabilitation. In short, PCP is based on the postulate that people, regardless of who they are, criminal or non-criminal, behave in ways that make sense to them and are consistent with their own understanding and views of the world.

How you think affects how you act. **Criminal Thinking Therapy** is an approach to the treatment of offenders that emphasizes the role of altering thinking patterns in order to bring about change in an offender's life. The criminal thinking approach to criminal transformation was first introduced by Stanton Samenow and Yochelson in their seminal three volume work, "The Criminal Personality."

Habits (Continued)

In their work with offenders, Samenow and Yochelson observed certain repeated patterns of logic and habits of thinking that offenders often used to rationalize their criminal behavior. These patterns of logic, coined “thinking errors,” became the targets for change as Samenow developed specific methods of interacting with offenders to bring about an awareness and internal motivation for offenders to change these patterns.

The National Institute of Corrections, NIC has developed a program called, *Thinking for a Change*, T4C program integrates cognitive approaches for changing behavior by restructuring offenders' thinking (e.g., antisocial attitudes, values, or beliefs) and teaching pro-social cognitive skills (e.g., effective problem solving and the ability to consider consequences).

The Future

We know that change for all of us is difficult, and we are now beginning to understand the power and influence of environment on our internal conscious and unconscious patterns of thinking/feeling as we respond to that environment. We also know that our thinking not only influences our behavior, it also affects our very biology. We have some solid evidence about the types of programs that work with both adult and juvenile offenders to reduce recidivism. While we cannot change the environments where probationers and paroles often reside after release, we can and should challenge our own attitudes/beliefs about this population in ways that model and reinforce the inherent potential of all humans to change. It's now time to change the way we think inside correctional organizations; it's time to move beyond incarceration and the threat of jail as our primary tool to motivate offenders to change; and it's time to train ourselves to get at the thinking behind criminal behavior. To become skilled at teaching others how to change we must first become good at it ourselves. It's time!

“If you keep on thinking the way you have always thought, don't be surprised when you keep on getting what you always got!” (Author unknown)

About the author: Ray Ferns is a nationally recognized consultant in juvenile and adult corrections. Ray's work experience includes working as correctional officer, probation officer, program administrator, trainer, director of community corrections, manager for a regional juvenile detention center, and adjunct professor for the University of Oregon. Ray resides with his family in the Pacific Northwest, along the scenic Columbia Gorge.

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Habits (Continued)

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CRISIS AND RESPONSE: A NEED FOR ETHICAL LEADERSHIP IN COMMUNITY CORRECTIONS

by

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For years we found questionable the practice of requiring probation and parole officers and other social service providers to attend mandatory training on ethics. We viewed this practice as dubious because we believed persons engaged in the delivery of human services were responding to a calling, a higher purpose, and, by the very nature of their work, they did not require training on ethical behavior. In addition, most of the training on ethics we have observed was pedagogically defective in that the presenters dryly discussed the difference between right and wrong, quoted language from regulations and statutes, or attempted to “preach” to those in attendance.

Based on an emerging body of knowledge, coupled with research conducted during a three month period, we have, regrettably, abandoned our view that ethics training is unnecessary. Furthermore, it is our view that the entire issue of ethical conduct needs to be revisited.

Actual Cases

For the past several months we have subscribed to a service through the search engine “Google” that provided us with current news items – both in the print and electronic media – on a variety of subjects. Some of the subjects we searched on a daily basis were the terms “probation,” “probation officer,” “parole,” “parole officer,” and “juvenile justice” which provided us with accounts of innovative probation programs; who was placed on probation and why; whose probation was revoked; the activities of “domestic diva” Martha Stewart and “grunge rocker” Courtney Love; which colleges and universities were on probation, usually for violations involving their athletic programs; and who had been named chief probation officer in a given jurisdiction.

Unfortunately, this service also provided information that did not speak well of the community corrections profession. During a three month period – between the middle of August and the middle of November, 2005 – Google and other search engines highlighted the following news stories:

- **August 17, 2005: *Belleville News-Democrat* (Illinois), “Probation supervisor will see other side.”**

According to the newspaper report, on December 6, 2003, while serving as Deputy Chief Probation Officer for Madison County, the accused was arrested for fleeing police due to a minor traffic violation. When stopped, he resisted arrest and a police officer used a stun gun to subdue him. During a search, police found less than a tenth of a gram of cocaine in his pants pocket. In April 2004 he resigned his position with the department following 28 years of service. On August 16, 2005, he was placed on two years probation for possession of cocaine. Assuming he complies with the terms of his probation, “the felony will be erased from his record.” In addition, “he also may be able to draw a county pension.”

Crisis (Continued)

- **August 17, 2005: *The Daily Star* (Oneonta, New York), “Probation officer suspended after DWI charge.”**

An Otsego County probation officer has been suspended without pay after being charged with driving while intoxicated. The alleged offense occurred on August 10, 2005, at about 12:10 AM, when the vehicle driven by the officer, who had been employed by the department since 1997, collided with another automobile. She was suspended from her job the following day. The department’s director, said, “I think this incident underscores the fact that alcohol can be a problem affecting people in all walks of life. But this is not acceptable behavior for anyone working in this office.”

As a follow-up to this original article, *The Daily Star* reports that on December 8, 2005, the officer entered a plea of guilty to misdemeanor DWI and she was fined \$500.00 and ordered to seek alcohol counseling. Interestingly, on that same day the department’s director who said that “this is not acceptable behavior for anyone working in this office” was charged with “driving while intoxicated and failure to keep right” after being involved in a one vehicle accident. He has been suspended without pay pending the outcome of a civil service hearing.

- **August 20, 2005: *The Herald Journal* (Logan, Utah), “Former officer changes plea to guilty for drug charges.”**

On August 19, 2005, a former juvenile probation officer who pleaded not guilty to felony drug charges last month changed his plea to guilty. The officer was arrested in June following the execution of a search warrant at his home, where a small amount of methamphetamine, several pipes, other drug paraphernalia, and a .22-caliber pistol were found. After being arrested, he was fired from his job in the Utah court system, where he had worked for ten years. The officer was subsequently sentenced to serve 90 days in jail.

- **August 23, 2005: *WOAI Channel 4 ABC News* (San Antonio, Texas), “Probation officer accused of indecent exposure.”**

This television news story reports that a local juvenile probation officer was arrested for indecent exposure and assault after he allegedly grabbed two undercover police officers in the groin inside the restroom at the Olmos Park Sports Complex; he then allegedly exposed himself. According to the report, the incident occurred at 3:45 PM while the officer was on duty. He is on bond and administrative leave with pay.

- **August 29, 2005: *Shelby Star* (North Carolina), “County juvenile probation officer arrested.”**

This news article reports that a Cleveland County juvenile probation officer was arrested following a high speed chase on a stolen motorcycle. The chase involved several law enforcement agencies. The officer “was arrested on charges of felony possession of a stolen vehicle, careless and reckless driving, felony speeding to elude arrest, resist, obstruct and delaying arrest, 80 mph in a 60 mph zone, fictitious registration plate, and expired inspection certificate.” He was subsequently released from the Cleveland County Detention Center on a \$10,000 bond.

- **August 31, 2005: *Houston Chronicle* (Texas), “Harris County probation director indicted.”**

In this article, it is reported that a grand jury indicted the former director of the Harris County Community Supervision and Corrections Department on a charge of abuse of official capacity, a Class A misdemeanor. The former director is accused of giving two county laptop computers to his daughters in college and corrupting two hard drives on his county computer between November 2004 and May 2005. He resigned his position in June after being suspended with pay a month earlier.

As a follow-up to the initial article, on January 5, 2006, the former director entered a plea of guilty to the charge. During the punishment phase of the proceedings, the prosecution produced evidence that “the former adult probation director used agency computers to download about a thousand pornographic images and to buy peyote, a hallucinogenic plant.” On January 6, 2006, the defendant was sentenced to serve four months in the Harris County Jail.

Crisis (Continued)

- **September 8, 2005: *The Rhinelander Daily News* (Wisconsin), “Former probation officer charged with assault.”**

A former probation officer from Eagle River has been charged with sexually assaulting a woman he was supervising. More specifically, he is charged with four counts of second degree sexual assault by a probation agent and two counts of committing misconduct in office by committing an unauthorized act. According to the criminal complaint, the officer “asked her questions about her sexual prowess and repeatedly touched her inappropriately.” The woman, who was on probation from January 2004 through January 2005, claims the officer “would touch her both over and under her clothing” and had her “put her hands on his body against her will.”

- **September 10, 2005: *Kentucky Post* (Kentucky), “Ex-probation officer charged with rape.”**

According to this article, on September 9, 2005, the Kenton County grand jury indicted a former Hamilton County probation officer on a single count of rape. He allegedly had coerced sex with a female probationer in her house while she was under his supervision. The accused was a municipal court probation officer before he was fired in February after the allegations surfaced. Prior to his firing, he had been employed by Hamilton County since 1990. The article quotes the female victim as saying the officer showed up at her home last year while she was on house arrest. “After she went to the bathroom, she said she found he had left his clothes on the floor. She went upstairs and, she told authorities, found him naked on her bed with his gun on her nightstand. They had sex and he left.”

- **September 10, 2005: *Louisville Courier-Journal* (Kentucky), “Probation officer in Clark is arrested.”**

This article tells of the September 8, 2005, arrest of a Clark County, Indiana, juvenile probation officer after he chased and pointed a handgun at his cousin. Both men were allegedly seeing the same woman and were arguing about her; interestingly, the woman was the estranged wife of the officer’s cousin. The probation officer, a Clarksville resident, faces four preliminary charges, all felonies: intimidation with a weapon, burglary, pointing a handgun, and criminal recklessness. The officer is free on bond.

- **September 14, 2005: *Newsday* (Long Island, New York), “Former probation officer sentenced for stealing \$52,000.”**

A former Malone, New York, probation officer was sentenced to serve five concurrent two to six years in prison and ordered to pay back \$52,000 he admitted stealing from probationers. According to the article, the officer, a 25-year veteran of the Franklin County Probation Department, pleaded guilty in July to charges including grand larceny, forgery, and tampering with public records. More specifically, the officer was charged with keeping money that 51 offenders paid toward court-ordered fines and forging judges’ signatures to reinstate driving privileges in exchange for cash. The officer was fired in January following an investigation that brought his illegal activities to light.

- **September 14, 2005: *Quay County Sun* (New Mexico), “Ex-detention officer agrees to plea deal.”**

According to this article, “a former juvenile detention officer accused of sexual misconduct with inmates has accepted a plea agreement that includes three years probation.” The officer was an employee of the Quay County Juvenile Detention Center when the three female inmates made the allegations. He was subsequently charged with two counts of criminal sexual penetration of a minor and two counts of criminal sexual contact with a minor; it is alleged these acts occurred between December 2002 and July 2003.

- **September 16, 2005: *Juneau Empire* (Alaska), “Man alleges harassment, sues state: Women create ‘hostile environment’ in probation department.”**

A man working as an Alaska probation officer has filed a lawsuit against the Department of Corrections and three women, including his former supervisor, alleging she allowed “a sexually hostile workplace.” The suit, filed in Juneau Superior Court, alleges “women were given better training opportunities, were assigned less difficult caseloads, and were otherwise given preference” by the manager of the local probation office. The lawsuit also

Crisis (Continued)

a female co-worker pinched and rubbed his nipples on numerous occasions, female co-workers entered the men's restroom while it was in use, sent offensive nude images via email, made offensive jokes, and, at an office birthday party, had a cake with a candle "in the shape of male genitals."

- **September 17, 2005: *The Baxter Bulletin* (Arkansas), "Former BC probation officer charged."**

A Baxter County probation officer resigned his position on Thursday, September 15, 2005, amid allegations of sexual misconduct. On Friday, the Mountain Home Police Department charged him with harassment and abuse of office, both misdemeanors. According to the article, the officer asked a female probationer "to show him her breasts and admitted touching her breasts." The officer also admitted "he asked her if she liked to perform oral sex and told her he could work out her probation for her." The officer subsequently entered pleas of no contest to the two charges. On the harassment charge he was fined \$1,000 and given a one year suspended sentence; he was also fined \$500 and given a 90-day suspended sentence for the abuse of office charge.

- **September 20, 2005: *Norfolk Virginia-Pilot* (Virginia), "Portsmouth drug court manager sentenced for sex with client."**

The former manager of the city's drug court program will serve 12 months in jail for sexual battery; under the sentence imposed, the 35-year-old defendant will be eligible for work release. According to a police summary, the male drug court manager was helping the female victim contact her probation officer and consoled her over the recent death of a relative. She subsequently hugged him "for being nice to her," and the program manager pressed against her and locked the office door. She subsequently performed oral sex on him because of his "position of power" and because she was afraid he would accuse her of violating her probation. Following the encounter, the defendant told the woman "not to tell anyone."

- **September 22, 2005: *Roseburg News-Review* (Oregon), "County says ousted detention center head violated multiple rules."**

The supervisor of the Douglas County Juvenile Detention Center, a 12-year veteran with the department, was fired for sexual harassment, creating a hostile work environment, favoritism, retaliation, and failure to follow established procedures. The allegations against the supervisor include "that he bullied, intimidated, and mocked employees, showed favoritism, denied sick leave, exhibited retaliatory behavior, and made improper comments regarding gender." Also alleged was that he "violated personnel rules" by not notifying the department's director of an injured child requiring emergency medical treatment and an escape.

- **September 24, 2005: *Beloit Daily News* (Wisconsin), "Probation agent accused of fight."**

A Wisconsin Department of Corrections probation agent was arrested for two counts of battery and for disorderly conduct after allegedly striking two women in a Beloit bar. The 46-year-old female agent allegedly kicked the bar manager and slapped and struck a customer with a barstool.

- **September 26, 2005: *Cincinnati Enquirer* (Ohio), "Judge, mistress convicted."**

A suspended Warren County judge and a former probation officer with whom he was having an affair were convicted on several misdemeanor charges and sentenced to three years probation. The 71-year-old judge pleaded guilty to intimidating court employees and aiding and abetting the improper compensation of his 35-year-old paramour; he also pleaded no contest to three counts of public indecency and two other counts of intimidation. The female probation officer, who was observed by court employees having sex with the judge on his jury room table, pleaded guilty to attempted theft in office and no contest to two counts of public indecency. According to an Assistant Ohio Attorney General, when the probation officer "clocked in, instead of working she would have sex with the judge or use county computers to work on a degree online."

Crisis (Continued)

- **September 27, 2005: *Lodi News-Sentinel* (California), “County to pay \$200,000 to settle pair of lawsuits.”**

According to the relevant part of the article, San Joaquin County will pay \$146,000 to a female employee of the county’s probation department to settle a sexual harassment lawsuit. According to a report conducted by the county, on several occasions the employee was subjected to “inappropriate conduct by a supervisor while employed by the San Joaquin County Juvenile Detention Center.”

- **September 28, 2005: *San Luis Obispo Tribune* (California), “LA County deputy probation officers walk off jobs.”**

Hundreds of deputy probation officers and other county employees called in sick or walked off their jobs on September 27, 2005, as part of a longstanding pay dispute with Los Angeles County. Of the 384 employees scheduled to work in the county’s three juvenile halls and 19 juvenile camps, only 101 showed up for work. “The county tried to redeploy 1,102 probation officers who ordinarily work in field offices to the camps and halls, but only 386 showed up. The others called in sick or gave no explanation for not showing up.”

- **September 29, 2005: *Sanford Herald* (North Carolina), “Probation officer guilty in road rage incident.”**

A 41-year-old Lee County probation officer who oversees some of the area’s most violent criminals was found guilty of “assaulting a man by punching him in the face during a June road rage incident.” The intensive probation officer, who has been with the Lee County Probation Office since 1990, “will most likely be spared any punishment, other than paying about \$1,600” to cover the victim’s medical expenses.

- **October 4, 2005: *Uniontown Herald Standard* (Pennsylvania), “Probation officer charged.”**

A 28-year-old Fayette County adult probation officer was charged by state police with smuggling contraband to a female inmate at the county prison. The inmate, in custody for the sale of heroin, was under the supervision of the probation officer, who smuggled in liquor, cigarettes, and gum to her. According to the female probationer, the officer concealed the contraband in his sock and pocket to bring them into the prison.

- **October 14, 2005: *Honolulu Advertiser* (Hawaii), “Probation officer gets 90 days.”**

A former Oahu senior probation officer, age 59, was sentenced to 90 days in jail and five years probation for stealing \$23,800 in court-ordered fines and restitution that he received from probationers and failed to turn it in to the court. Between 1993 and 2002, more than 70 probationers paid the officer cash for court-ordered fines and restitution.

- **October 14, 2005: *Portland Oregonian* (Oregon), “Teens’ abuser gets locked up for life.”**

A 50-year-old “former youth probation officer who exploited his position for years to have sex with teenage boys placed in his care,” was sentenced to 80 years in prison after having been convicted on 45 counts of sexually abusing five boys and providing some of them drugs. According to the article, the officer, an 11-year employee with the Oregon Youth Authority, selected only boys for his caseload, “groomed them with attention, clothes, and restaurant meals, and then sexually abused them, often on state time.”

- **October 29, 2005: *Kinston Free Press* (North Carolina), “Officer charged with taking bribes.”**

A Lenoir County surveillance officer with the Community Corrections Division of the North Carolina Department of Corrections was charged with accepting sexual favors, pornography, clothing, and admission to strip shows as bribes from two probationers. According to the warrants, the 35-year-old officer is charged with receiving sexual favors, access to strip shows, and access to pornography from a probationer in exchange for allowing him to violate his probation by drinking alcoholic beverages and giving him a “clean urine” screen after he had allegedly

Crisis (Continued)

smoked marijuana. The officer, a two year employee with the Lenoir County office, is also accused with allowing another probationer to consume alcoholic beverages and substitute a "clean" urine sample after smoking marijuana. In addition to charges of bribery and failing to discharge his duties, the officer is charged with obstruction of justice. This charge stems from an incident where the officer allegedly revealed the identity of a sheriff's department informant to a probationer, thus putting the informant at risk.

- **November 2, 2005: *Boston Globe* (Massachusetts), "Former probation officer pleads guilty to helping friend get license."**

The former assistant chief probation officer of the Woburn District Court pleaded guilty to federal corruption charges. According to the U. S. Attorney, the 67-year-old officer, who retired after the matter came to light, entered a plea of guilty in U. S. District Court to an information charging him with defrauding the Commonwealth of Massachusetts and its citizens of their rights to his honest services by making false statements and presenting fraudulent documents to get a hardship driver's license for a female acquaintance with a drug-related conviction.

As a follow-up to the initial article, on February 8, 2006, the former probation administrator was sentenced to serve three months in prison followed by six months home confinement and two years supervised release. He was also fined \$3,000.

- **November 5, 2005: *Baltimore Sun* (Maryland), "18 months given in extortion case."**

A former probation officer with the Maryland Division of Parole and Probation was sentenced to 18 months in federal prison for violating the public's trust by extorting "thousands of dollars from people convicted of drunken driving offenses in return for leniency." The former officer, age 33, told probationers that for \$100 they could "skip out on reporting each week" and for "\$150 she offered to end court-ordered supervision altogether." In addition to the prison sentence, the court imposed three years probation following her release from prison. She was also ordered to pay close to \$4,000 in restitution to her victims.

- **November 11, 2005: *KTVB Channel 7 NBC News* (Boise, Idaho), "Former Preston mayor charged with felony fraud."**

The Idaho Attorney General's Office has filed a felony fraud charge against the former mayor of Preston. Investigation reveals that the mayor, who was also a probation officer with the Idaho Department of Corrections at the time of the alleged offense, submitted a travel reimbursement claim for a \$1,300 trip to Washington, D. C., even though he knew it had already been paid by the Franklin County Drug Endowment Fund. If convicted, the former probation officer and city official could receive a sentence of five years to serve.

- **November 18, 2005: *Boston Globe* (Massachusetts), "Former halfway house monitor gets probation for accepting bribe."**

The former employee of Coolidge House, a federal halfway house in Boston, was sentenced to two years probation for accepting a bribe. As part of her sentence, she will serve the first six months in home confinement with electronic monitoring and will be required to perform 50 hours of community service. The 38 year old program monitor accepted \$300.00 from a male inmate in exchange for a favorable letter from her to be used at his revocation hearing.



In all the incidents cited, and assuming what has been reported is accurate, we find ourselves returning to a question frequently asked by Cheryl K. Townsend, President of the National Association of Probation Executives, when confronting aberrant behavior on the part of community corrections professionals: "What were they thinking?" Two possible answers to her rhetorical question that come to mind are: 1) they were not thinking; or 2) they were thinking, but their thinking was governed by a flawed or disconnected value system.

Crisis (Continued)

After three months, we quit keeping a record of the alleged transgressions of probation and parole professionals – not because we lost interest – but because we felt we had sufficient data for an article or a workshop and because we found this exercise depressing.

These news reports represent some of the most egregious behavior on the part of persons holding positions of responsibility in the community corrections profession, and because most of them involved detected law violations, they found their way into electronic and print media. But these reports cause us to pause and ask the following questions:

- What other violations are occurring that are not subject to media exposure?
- Are probation and parole administrators failing to model and demand ethical behavior within their agencies?
- Has the culture of our community corrections organizations deteriorated to the point that we are now tolerating the intolerable when it comes to staff conduct?
- And if unethical behavior is prevalent in our organizations – organizations charged with the responsibility of providing public protection and redirecting the lives of offenders – what does this say about us as a profession?

Unfortunately, there exist no empirical answers to these questions. And without ethical and courageous leadership, the response to the issues raised by these questions will not come easy.

Unacceptable Behavior

While many forms of unacceptable behavior are identified in the news synopses found earlier herein, for the sake of clarity we are providing a list of ethical violations we have found to exist in the juvenile justice and criminal justice systems:

- Crime, generally;
- Theft, to include submitting fraudulent time sheets and travel reimbursement claims, misapplication of supplies and equipment, and intellectual property violations;
- Contract kickbacks and bribery;
- Discrimination due to age, race, ethnicity, gender, and religion;
- Application of a double standard;
- Favoritism, bias, and patronage;
- Violations involving sex, including sexual harassment generally, supervisors sexually harassing subordinates, employees having sex with offenders, and employees having sex with superiors to advance in the organization;
- Drug and alcohol use and abuse on the job or that which impacts job performance;
- Laziness;
- Disloyalty, gossiping, and duplicitous behavior;
- Failure to report illegal and unethical behavior; and
- Failure to do the assigned job in accordance with established rules, regulations, and customs, and behavior that is not mission driven.

We readily acknowledge that there may be other forms of unethical or illegal behavior we have failed to identify. Those that we have listed are those that we have observed most frequently occurring during our combined careers.

Crisis (Continued)

Possible Strategies to Address Unethical Behavior

In October 2003 we asked a number of relatively new probation executives to describe ethical dilemmas they had faced during their career. In addition, they were asked to identify strategies that might make criminal justice practitioners more ethical. Their thoughtful responses, which cover a fairly wide range, are as follows:

- Teaching morals and values at an early age;
- Better recruitment and selection;
- Better pay;
- A course in ethics required before college graduation;
- Better education and training;
- Staff mentoring;
- Develop an organizational culture that stresses ethical conduct;
- Rapid and consistent response to ethical violation;
- Establish clearly defined expectations, with those expectations being modeled by those in authority; and
- Improved leadership.

Regrettably, a number of the strategies identified are beyond the realm of influence of community corrections executives. However, those that can be addressed within the agency should be done so with vigor and courage.

The data we have presented make a compelling case, we think, that ethical violations in the community corrections profession are a growing problem. What might an organization do to create a more ethical climate, promote “in character” behavior, and deter and reduce unethical acts?

Taking Ethics Seriously

There are at least a few important steps that leaders can take so that their organizations can achieve a high ethical standing. Perhaps most importantly, they can use the “bully pulpit” of their offices to underscore the importance of right actions. In their communications with staff, they can continually highlight the importance of acting in line with ethical norms. This may seem like a simple suggestion but, in our experience, correctional leaders seldom strike this theme except in response to a recent scandal. That is too late – the horse is already out of the barn at that point.

If it is true, as we believe, that we instruct more effectively by example than by precept, leaders must be scrupulous in their attention to the highest standards in their own behavior. This will be reflected in how they treat others in the organization, the associations they make in both their public and private lives, their strict adherence to organizational rules (accounting for work time, job-related expenses, use of sick and vacation time, etc.), the manner in which hiring and promotional decisions are made, and even in the language that they use. We all sense instantly when we are dealing with a person of character – they act in all small and large ways in alignment with a clear set of deeply held values. They are, to use an old-fashioned term, virtuous.

The manner in which all ethical infractions are handled will send a clear message throughout the organization about the importance of ethical behavior. Major infractions must, of course, result in serious penalties. We believe, for example, in a “zero tolerance” policy regarding criminal behavior. Any evidence of even minor criminal activity (i.e., drunk driving) should lead to discharge. But, more importantly, minor infractions must always result in some administrative sanction. To take one simple example, evidence of the use of alcohol in the course of one’s work should result, on the first occasion, in a loss of pay for the work day in question. Repeated incidents should lead to discharge.

While it can reasonably be questioned whether it is possible to instill character through training, training does have a role to play here. As one of our colleagues used to say: “I think our training programs might well take up the topic of the Ten Commandments, since some of our staff seem to need a refresher course.” He had a point. Such

Crisis (Continued)

instruction needn't be in the form of Sunday School but could promote deep and substantive discussion of ethical standards and how they apply to common dilemmas faced by community corrections officers. For example, what is the proper response to food or drink offered to an officer on a home contact? To what extent should an officer spend his/her free time at well known "watering holes," race tracks, adult entertainment clubs? What relationships, if any, should officers form with ex-probationers? What constitutes abuse of sick leave? What obligation does an officer have to report unethical conduct by a colleague?

An "Ounce of Prevention"

Perhaps the straightest route to organizational improvement in this area is through more conscientious recruitment. It is not clear to us that the screening for character before hiring is valued nearly as much as screening for competence. Surely we want recruits that are properly credentialed and have the appropriate skill set. But shouldn't we go further and seek evidence of strong ethical underpinnings?

How would we screen for character? At least two strategies come to mind. First, we should pose more detailed questions to references and inspect prior work histories more carefully regarding the candidates code of conduct. Have there been any instances of dishonesty? What respect do the candidates hold among colleagues? How have the candidates responded to challenging cases or constructive criticisms from supervisors? How do the candidates address and interact with their caseloads? Do they establish firm yet respectful boundaries?

Secondly, we could pose hypothetical dilemmas to candidates during employment interviews for the purpose of measuring their moral reasoning. How would they handle an inappropriate approach by someone on their caseload? An attempt to influence their opinion on a pre-sentence report? Encouragement from a colleague to join in office gossip? Evidence that a co-worker is falsifying reports?

We can also take care to put candidates for promotion through a similar ethical screen. Have they exemplified the highest standards of behavior? Are they recognized as exemplars of good character by colleagues and others? Only those with an unblemished record should be seriously considered for promotion.

Those in corrections have a special obligation – given the nature of the enterprise – to conform to the highest standards of professional and personal behavior. We cannot hope to put others on the straight and narrow path if we have not faithfully and relentlessly traveled that road ourselves.

It is time for a period of ethical renewal in community corrections.

President's Letter

Dear Members and Friends

It is great to see the forsythia and daffodils, to hear the robins chirp, and to feel the warmth of the sun again.

Legislative Update

I want to take this opportunity to thank those of you who took the time in the past couple of months to contact your state legislators about the issues that would have an impact on Probation & Parole Officers. I am especially grateful to the Officers who came to the General Assembly in mid-February to speak with the legislators about our position on VaLORS. As I have mentioned in the recent past, this issue was resolved temporarily in our favor. My instincts, however, tell me this will be a recurring battle in future legislative sessions.

Letter (Continued)

Your Board shares my instincts on this subject. So with that in mind, we have formed a Legislative Committee that will work on legislative issues year-round. We believe that the most effective way to communicate with our legislators is make our concerns known to them prior to the rush of the convening of the General Assembly. The core members of the committee will be comprised of the President, the President Elect and the immediate Past President. The remainder of the committee will consist of members from each area of the State.

I know already we have some members who have worked independently to raise the visibility of Probation Officers and to educate the public and our representatives. The intent of this newly formed committee is to bring together this medley of voices into a collective, harmonious voice. We will develop a unified strategy that will encourage open lines of communication between probation officers and legislators. If you have an interest in serving on this committee, please contact me or your area representatives.

Conference Update

I am excited to announce the 20th Annual VPPA Training Conference. It will be held in Richmond at the Crowne Plaza from May 23-25, 2006. We have lined up some nationally recognized presenters to train on a wide range of pertinent topics and look forward to an engaging and fun event. Mr. Camache has informed me that the Department has graciously agreed to provide full conference reimbursement to seventy-five VPPA members who live outside of a fifty-mile radius from the conference site and all VPPA member conference registration fees will be reimbursed. We thank the Department for the continued support in our training conferences.

Farewell

As I near the end of my presidential tenure and pen this last letter, I want to thank everyone for their support and encouragement. I thank you too for the trust you placed in me. It has been an honor to serve you and to work toward our common objectives.

Oliver Wendell Holmes said, "I find the great thing in this world is not so much where we stand, as in what direction we are moving: To reach the port of heaven, we must sail sometimes with the wind and sometimes against it, but we must sail, and not drift, nor lie at anchor." Whatever we do, we must never drop anchor and be content with our past accomplishments. I am confident we are heading in the right direction. I am equally confident that those who follow me will stay the course – be it with or against the wind - and forge ahead for our mutual benefit.

Our profession is an important one and we are under-selling ourselves if we do not let the public know that we are a fraternity of professionals who take ourselves and our work seriously. Likewise, we do ourselves a disservice if we fail to let the Commonwealth know the vital role we play in the law enforcement community.

I encourage you to reach out to your professional association. In the association, you will find a sense of community that can encourage you, and you will find a place of service that enables you to influence the direction of your profession. Please, come lend your voice to the chorus and help us achieve our collective goals.

Capital City Conference

The Association will convene its twentieth annual conference at the Crowne Plaza Hotel in downtown Richmond on May 23 through 25, 2006.

The Spring Conference committee has worked hard to put together a program that offers both quality training and pleasurable entertainment. The Department of Corrections, in particular Mr. James Camache, Deputy Director, has generously supported the conference planning.

The committee is very pleased with the trainers who have agreed to appear and equally pleased to announce that the keynote speaker for the Opening Session will be Mr. John W. Marshall, Secretary of Public Safety.

Please visit the Association's [Conference Web Page](#). There you will find the registration information, important links, the conference schedule, and directions to the conference site.

Around the State

District 28 Intensive Supervision Officer Douglas Irvin, Jr., who is a member of the Department's Monitoring Through Technology Committee (MTT), was featured in an article published January 5, 2006, in the *Roanoke Times* entitled "Satellites help track people on probation," regarding District 28's Home Electronic Monitoring Program. The article described the District's use of Global Positioning Satellite (GPS) equipment, and how the Radford unit was a statewide leader in the utilization of the technology. Officer Irvin has also been an important training resource for Departmental staff throughout the Commonwealth.

District 2 Norfolk Probation Officers, in conjunction with personnel from the Norfolk City Jail, the local judiciary, the Office of the Commonwealth's Attorney, and Public Defender's Office completed training in December provided by the Virginia Sentencing Commission to facilitate the pilot Return-to-Custody Program. The program will afford the opportunity to utilize a 30-day jail alternative as a sanction for non-compliant behavior. Programming for the program will be provided via the current jail re-entry program at the Norfolk City Jail. Southampton Work Center will provide services for those probation and post-release supervision offenders utilizing the Department's alternative for violators sentenced to 60 days. Chief of Operations Walt Pulliam has worked closely with the Sentencing Commission, District 2, Southampton Work Center, and the jail re-entry programs to support this initiative.

District 11 The Winchester Office is involved with several other partners in an Evidence-Based Practices pilot. Partners include the Northwestern Adult Regional Jail, the Northwestern Community Services Board, the Division of Court Services, Vocational Rehabilitation, DCE, White Post Detention/Diversion and Shenandoah University. They worked together to bring national speaker Ray Ferns to Winchester to deliver Motivational Interviewing training the week of January 23, 2006. Mr. Ferns, who authored the feature story in the current issue of the Journal, will also be a trainer at the Capital City Conference in May.

District 17 Probation and Parole Officers **Bob and Bill Gibson**, Abingdon, traveled to Moss Point, Mississippi, in December to assist in the rebuilding of seven homes and the local Methodist Church that were caught in the wrath of Hurricane Katrina. They worked with a group of eight from the Abingdon United Methodist Church. During their trip, they pulled up damaged flooring, installed insulation, painted, did sheetrock work and removed debris from all the homes. Bob and Bill have both been employed with the Department of Corrections for over twenty years, and both are VPPA members. District 17 and the Association are very proud of the work that both Bob and Bill have done to help those victimized by Hurricane Katrina.

The Soap Box

The Human Capital Project

In a relatively short period of time, the Department was tasked with determining the most innovative strategy to effectively spend this money. It was at that time, the Human Capital Project was developed.

The Human Capital Project (HCP) was designed to enhance the careers of Probation and Parole Officers. Its "value-added" approach rated employees on competency, educational background and tenure within the Department. Six critical tasks were identified for Probation and Parole Officers: (1) Managing cases effectively; (2) Conducting investigations; (3) Reporting violations; (4) Preparing guidelines and recommendations; (5) Reviewing Probation Conditions and developing plans of supervision, and (6) Testifying in court. Specialists were initially identified as Intensive Supervision Officers, Sex Offender Specialists, and CSAC Officers. Pre-Sentence Investigators were not initially considered specialists; however, a workgroup has been established to address that specific issue.

As of December 2005, 518 Tier Reviews had been completed by individual districts. 385 PO's were promoted to Tier II (158 received pay adjustments totaling \$223,917); 72 PO's were promoted to Tier III (39 received pay adjustments totaling \$59,459). Workgroups have been developed to address a similar Tier system for Senior, Deputy Chief, and Chief Probation and Parole Officers. Also, a workgroup is anticipated for Support Staff and Surveillance Officers in early 2006.

Soap Box (Continued)

While it is clear that not every PO throughout the state was *positively* impacted by this initiative, it cannot be said that anyone was *negatively* impacted. Critics of the HCP have voiced concerns, describing the new pay system as divisive. After speaking with many PO's throughout the state, it appears these critics represent only a small fraction of PO's. Many times people take a knee-jerk reaction and are quick to criticize and unwilling to accept change, regardless of the ultimate impact of that change. I also believe it's premature to be highly critical of the HCP, as it has not yet been completely developed.

One must observe that the HCP creates opportunities for advancement, in the face of the limited number of management-level positions available. Personally, I applaud the Department's efforts, and its decision to invest in their people, instead of upgrading computers or replacing worn bookshelves.

Finally, I would like to note that the Department, as of January 2006, has spent over \$500,000 funding the Human Capital Project.

"The world hates change, yet it is the only thing that has brought progress."

~ Charles F. Kettering ~

Kelli G. Cave
Probation Officer
District 35

Why Join the Fraternal Order of Police

Before becoming a Probation and Parole Officer, I was a Deputy Sheriff for 10 years. During that time I learned the value of belonging to organizations that actively worked to improve the working conditions and benefits for law enforcement officers. Immediately, upon becoming a P&P officer in 1983, I joined the VPPA. But, I also learned that the Fraternal Order of Police (FOP) accepted Probation Officers into their association, and I joined shortly thereafter. In terms of making political or policy changes you learn very quickly that you need numbers on your side. The FOP presently represents over 7,000 officers throughout the State of Virginia.

In 1999, when I learned that there was another push for early retirement for P&P officers, I contacted the FOP legislative chairman about the bill to pass VALOR's. I was informed that it was on their priority list and that they would be meeting face to face with some of the key legislators to get it passed. Until its passage I had weekly contact updating me on the status of the bill.

The passage of VALOR's allowed me to retire that year and I became more involved in the FOP. One of the key issues that I presented to the Executive Board yearly was to join forces with all the other law enforcement associations on bill's to help the law enforcement community. For the first time, in 2006, the FOP, Virginia Sheriff's Association, Virginia State Police Association, and the Chief's of Police Association, representing over 9,000 law enforcement officers worked together for passage of bill's this year. One of those was HB393 to raise the retirement multiplier from 1.7 to 2.2 plus the supplement. This did not pass but through the joint efforts of these associations, a personal meeting with the Governor was held and he did put it into his budget at a 2.0 multiplier plus the supplement, using general funds. The passage of this increased retirement looks very good this year.

All officers throughout the state work under the Code of Virginia. The FOP is successfully changing that code, so why not join and let your voices be heard? I would also encourage the VPPA Board to join with the other associations, in the planning sessions to sponsor legislative bills each year.

Ed Bright, Retired
District 12

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