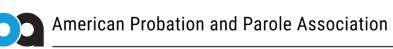American Probation and Parole Association

National Standards for Community Supervision

June 2024

Acknowledgments

The American Probation and Parole Association (APPA) is proud to present its National Standards for Community Supervision (Standards). These Standards were developed in collaboration with national experts and funded by a generous grant from the National Institute of Corrections (NIC). The APPA acknowledges the invaluable contributions of the Crime and Justice Institute for facilitating workgroup meetings, providing commentary, and consolidating feedback. We particularly want to express deep gratitude to each workgroup member who dedicated time, expertise, and thoughtful insights in the development of these Standards.

Developing a set of national standards has been one of the APPA's goals for a considerable amount of time. Indeed, for decades a number of our dedicated members have voiced the viewpoint that the APPA had an obligation to create such important guidelines, given that it is the national professional membership association for probation and parole stakeholders and represents over 40,000 professionals in pretrial, probation, and parole work. The APPA has always played an important role in driving improvements in the community supervision field, and the publication of these Standards as we approach our 50-year anniversary makes this accomplishment extra special.

All those who laid the groundwork, supported this endeavor, and gave of their time and talents to bring it to fruition have done a great service. A special acknowledgement goes to APPA Executive Director Veronica Ballard Cunningham, whose steadfast commitment and pivotal leadership in spearheading the working group and securing NIC funding was instrumental to the development and dissemination of the APPA's first set of Standards for probation and parole. Research in community supervision continues, and it is understood that some of these guidelines may need to be revisited in the future. However, considerable work went into making this evidence-based set of Standards as reliable and beneficial as possible. The APPA and its national partners believe the group effort behind these Standards has produced an important resource. Indeed, this was a job well done, and each contributor has the inner satisfaction of knowing that—a satisfaction that means more than the mere words on this acknowledgements page.

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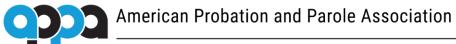President

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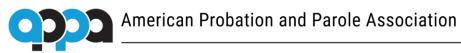Treasurer

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Executive Summary

Community supervision is a critically important component of a functional criminal legal system. For decades, supervision agencies have become increasingly professionalized and motivated to align with evidence-based practices. Therefore, having standards to guide decision-makers in this field is crucial.

Professional standards describe a competent level of practice within specific fields. They reflect a desired and achievable level of performance against which a practitioner's actual work can be compared and evaluated. The main purpose of professional standards is to direct and maintain effective practice.

As the "voice of the community corrections industry," the American Probation and Parole Association (APPA) serves as the field's leading professional membership association. It is only fitting that the APPA would establish National Standards for Community Supervision (Standards) as a valuable resource to provide guidance at every level. To this end, the APPA received funding from the U.S. Department of Justice's National Institute of Corrections (NIC) and partnered with the Crime and Justice Institute (CJI) to bring together practitioners and research leaders in the field to provide input and develop appropriate standards. This workgroup met to discuss best practices, to assess the research supporting those practices, and to determine what guidelines would be helpful for agencies and practitioners. The workgroup also discussed ideas for commentary that would further explain and provide guidance within the Standards. While there was not always unanimous consensus within the workgroup, the National Standards for Community Supervision aim to capture a wide variety of experience considering the research that does exist. These Standards, the first-ever to be formally published by the APPA, are meant to serve as a starting point in a larger process that continues to provide updated guidance over time.

The APPA would like to recognize and thank the NIC for generously funding this work and the CJI

for facilitating workgroup meetings, contributing to the commentary, and consolidating workgroup feedback. The partners would also like to thank every workgroup member who gave time, expertise, insights, and thoughtful consideration when contributing to the Standards.[1]

The partners hope this resource provides helpful guidance for the field, with the understanding that these guidelines may be revisited as research continues to inform evidence-based practices for effective supervision in the community.

Introduction

The APPA has engaged in an ambitious multiyear project to establish national standards for adult community supervision (probation and parole) agencies and practitioners. The goal is to comprehensively assess and utilize research to implement practices that will support rehabilitation and positive outcomes for individuals so they can lead productive and law-abiding lives. This document presents the results of that project.

These APPA National Standards for Community Supervision will guide community supervision agencies in strengthening and improving services, policy, and practice. The Standards document includes written definitions and guidance established by an authoritative professional body to serve as a model or minimum acceptable benchmark. The Standards have been established through consultation and consensus and will be available to any organization or agency for use on a voluntary basis.

These Standards are aspirational, setting forth definitions and practices to be incorporated into daily supervision practices. The goal is for agencies to use the Standards as benchmarks for professional practice and to inform written policies, regulations, rules, statutes, or other binding authorities. Because they are aspirational, the prescriptive term "should" rather than the mandatory term "shall" is used to describe the practices recommended consistent with these Standards. The APPA recognizes that full compliance with each and every Standard may not be

possible for all community supervision agencies due to a variety of local factors. Nonetheless, the Standards provide sound guidance for agencies and staff carrying out community supervision.
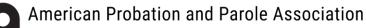
The APPA Standards development effort followed the approach utilized by the National Association of Pretrial Services Agencies. Each Standard is followed by commentary that provides greater detail, explanation, and support for the Standard. Research, supporting information, and examples from practice are provided in the commentary, including citations identifying source material.

Project Goals

- Development of national standards and commentary for adult community supervision (probation and parole)
- Education about how to apply standards to adult community supervision agency practice
- Recognition of and increased implementation of evidence-based practices
- Increased levels of standardization of practices
- Improved outcomes for adults on supervision
- Increased collection and payment of victim restitution
- Reduced levels of recidivism and revocations
- Improvement in desistance goals
- Improved outcomes for adults on supervision

The Standards Development Process

The project was guided by a Project Management Team, consisting of representatives from APPA, the NIC, the CJI, and William D. Burrell. The development of the Standards was the work of a Standards Working Group comprised of 12 members, all of whom have substantive experience in adult probation and/or parole. See the Acknowledgments for a membership list. In addition to the knowledge of the Working Group members about standards and practices, existing resources
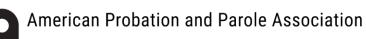
were collected from states and counties around the country.

It was initially anticipated that the Working Group would meet in person at the biannual APPA Training Institutes, with additional meetings carried out via web conferencing in the months between the Institutes. The COVID-19 pandemic forced the process to start with the Working Group meeting remotely monthly for the first ten months of the project. It was not until August 2021 that the first in-person meeting was held at the Annual Training Institute in Boston, Massachusetts. Virtual meetings continued through to the Spring of 2024.

Diversity, Equity, Inclusion, and Racial Justice

The APPA's Standards project embraces procedural and social justice principles. Standards are intended to guide organizations with the information necessary to maintain work environments that facilitate behavioral change, reduce recidivism, enhance victim compensation, and keep communities safe. American society is a mosaic enriched by a diverse composite of people with different ethnicities, sexual orientations, races, socioeconomic statuses, religions, and languages. The APPA strives to remove systemic patterns and practices that have failed to fully embrace diversity, equity, inclusion, and social justice within the criminal justice system.

The APPA firmly believes in a culture that is inclusive of all ideas by promoting excellence in the recruitment and retention of a diverse workforce. This means a workforce reflective of the individuals served in our communities and comprised of professionals who treat individuals on supervision with respect and dignity consistent with the belief that individuals can change for the good and lead productive lives. The Standards strive to embed these values throughout each organization's policies, procedures, and practices. Furthermore, the APPA recognizes that the responsibility for establishing and maintaining a culture where diversity, equity, inclusion, and social justice are valued lies within each community supervision professional.

Note About Inclusive Language

This document incorporates neutral, person-centered language when referring to individuals on community supervision. The preferred terminology for referring to people in the community supervision system includes person on probation, not probationer; person on parole, not parolee; and incarcerated person, not inmate. This represents a conscious effort to recognize and respect the dignity and worth of all individuals who are on supervision in the community. It is also intended to reduce the stigma associated with involvement in the criminal legal system and the collateral consequences resulting from such experience.
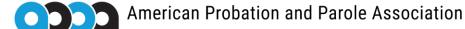
Stigma creates negative attitudes which can limit engagement by people on supervision with their community. Feeling stigmatized while trying to navigate supervision can reduce people's interest in and willingness to work, access treatment and services, participate in civic affairs, engage in positive/pro-social activities and relationships, and repairing and improving family relationships. All of these activities can increase the likelihood of success on community supervision, so every effort should be made to use language and engage in interactions that promote rather than discourage engagement.

Guiding Principles for Community Supervision

Principles

- The Community Supervision Agency (the Agency) is committed to enhancing the health, well-being, and safety of individuals on supervision, staff, and the community, and works to create an environment of trust, mutual respect, and understanding where all staff act in the best interests of individuals on supervision and the community.

- The Agency honors the belief that individuals on community supervision have the potential to change their thinking and behavior. It demonstrates respect, dignity, and fairness toward all people involved with its work. The Agency believes in the autonomy and agency of people on community supervision, giving them a voice in, and the opportunity to participate in, decisions about supervision. It also respects and incorporates relevant characteristics of people on community supervision in case planning and decision-making.

- The Agency believes in neutrality—objective, transparent decision-making, where rules are applied fairly and consistently, not in a subjective, arbitrary, or prejudicial manner. Diversity, inclusion, and equity are considered in all community supervision decision-making, programming and outcomes.

- The Agency works to honor the rights and voice of victims of crime.

- The Agency works to build systems and a culture supportive of effective practices and incorporates a human service perspective in supervision, with the primary focus on behavior change, and incentives rather than sanctions, deterrence, or retribution.

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- The Agency is committed to implementing evidence-based and evidence-informed policies and practices. Assessments are based on structured and validated instruments supplemented by staff knowledge and experience. The Agency implements effective staff practices and revises and updates policies and practices to reflect new knowledge as it emerges.

- The Agency takes a positive, success-oriented approach that is forward-looking. Community supervision should be goal-based and incentive-driven, giving individuals on supervision the ability to show compliance and earn their way off supervision. While community supervision addresses challenges the individual is facing, supervision agencies should incorporate strengths-based and asset-based strategies to build on positive attributes in the individual's life.

- The Agency collaborates broadly with the community, support system for people on community supervision, and other public and private organizations and agencies.

Evidence-Based Practices

The term "evidence-based practice" (EBP) is commonly used in the probation and parole community and refers to practices that are backed by empirical literature. While there is substantial, high-quality research available to support many aspects of community supervision, not all practices are addressed by research. There is much that community supervision agencies and staff do which has not been rigorously researched to date. However, community supervision agencies are encouraged to create policies consistent with the principles of evidence-based practices that do exist. The dialogue about EBP in probation and parole has largely focused on research or validation studies and how those can inform community supervision practices. In addition to evidence-based practices, there are additional sources of knowledge that can inform guidance for agencies.
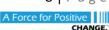
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In several other fields of human service including medicine, psychology, and social work, the term "evidence-informed practice" (EIP) is used. This refers to practices that incorporate the best available evidence, even if it is not the "gold standard" of empirical research, to inform policy and practice. It is also referred to as "research-informed practice."[1,2] "Evidence-informed practice" includes the experiences of practitioners who work in the field.

Both evidence-based and evidence-informed guidance can be supplemented and aided by the experiences and accumulated knowledge of staff in areas of practice, where no significant research exists to date. This is often referred to as "best practices." This approach makes specific reference to practitioner knowledge and experience as being a core element of EIP. Supervision officers develop experience and 'in-the-field' expertise over time, which informs their judgement. The following Standards, therefore, also include insights from supervision practitioners who have been trained and have helped shape policy and implementation decisions.

An additional source of input for supervision planning and decision-making is the person on community supervision. In social work, the EIP formula for decision-making includes clinical knowledge and experience, available research evidence, and client participation. This draws on the "specific responsivity" principle within the risk, need, responsivity framework, which posits that decisions, plans, and services that are responsive to the person's specific challenges, strengths, personality, cultural context, and preferences will be more likely to engage people on community supervision, motivate them to work on behavior change, and build rapport with the community supervision officer (CSO).

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[1] Prendergast, Michael L. 2011. "Issues in Defining and Applying Evidence-Based Practices Criteria for Treatment of Criminal Justice Involved Individuals on Supervision." *Journal of Psychoactive Drugs Suppl* 7: 10-18. https://doi.org/10.1080/02791072.2011.601984.

[2] Dodd, S. J., and Andrea Silver. 2016. "Evidence-Informed Social Work Practice." *Encyclopedia of Social Work.* National Association of Social Workers Press and Oxford University Press. https://doi.org/10.1093/acrefore/9780199975839.013.915.

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Moving forward, community supervision agencies should inform policy and practice decisions by looking to:

- Evidence and guidance from high quality, rigorous empirical research on effective practices;
- Experience of practitioners and staff as to the best practices for both policy-level decisions and for case-level decisions; and,
- Participation and input from the person on community supervision.

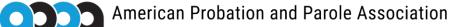# I. The Community Supervision Agency

INTRODUCTION

Community supervision agencies will inherently vary in their organizational structure. However, to support adherence to these Standards, essential components of an agency's structure include a viable strategic plan, staff dedicated to implementation and sustainability, recruitment and retention goals, coaching and performance feedback, and collaboration with community agencies. The Standards outlined below are meant to highlight just a few factors agency leadership should consider.

Standard 1.1

Agencies should develop and implement a strategic plan which includes:

- **A vision statement, setting forth what the agency seeks to achieve in the future**
- **A mission statement, setting forth what the agency does, and a purpose statement, explaining why the agency does the work**
- **Goals, specific aims the agency commits to achieving**
- **Values, the underlying guiding principles that drive policy, decision-making, and operations**

Commentary: The strategic plan should include the source of legal authority for the supervision agency and forecast activity for the upcoming 3-5 years. The strategic plan and resulting mission, vision, goals, and values should focus on behavior change and improving public safety, which includes consideration of both supervisees and the community they are living in. The purpose of including these priorities also establishes the agency's commitment to evidence-based practices throughout supervision, and an agency's role in the larger community. This plan can also be adjusted to focus on specific challenges the agency faces. The strategic plan should include the agency's commitment to the safety, health, and well-being of the community; to victim safety and support; to staff health and wellness; to supporting behavioral change and desistance of

people on community supervision that reduces future recidivism and improves social productivity; and to use of evidence-based and evidence-informed practices.

Beyond outlining work the agency should focus on, the strategic plan should be used as a framework for management; leadership should be intentional when thinking through ways to integrate the content of the plan throughout the managerial mindset across the agency. These organizational goals within the strategic plan should drive performance measures.

Standard 1.2

Agencies should have written policies, procedures, and established practices for creating and maintaining an implementation and sustainability team.

Commentary: Implementation is the process by which a policy is carried out and fulfilled. This work is different from creating a policy, which is often a broad statement of goals without defined action steps related to who will do the work, how people will be trained, or what measures to track to demonstrate whether implementing the policy aligns with the policy's initial purpose. Implementation and sustainable operation of evidence-based practices is a major challenge. It requires a long-term commitment on the part of the agency. It is not simply a project with a start and end date, such as a grant, but rather represents a permanent shift in managerial mindset to one of constant innovation, evaluation, adjustment, and development. Studies identify barriers to full implementation of the principles of effective intervention both at the individual and organizational level.[3,4,5,6]

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[3] Viglione, Jill, Danielle S. Rudes and Faye Taxman. 2015. "Misalignment in Supervision: Implementing Risk/Needs Assessment Instruments in Probation." *Criminal Justice and Behavior* 42 (3): 263-285. https://doi.org/10.1177/0093854814548447.

[4] Miller, Joel, and Carrie Maloney. 2013. "Practitioner compliance with risk/needs assessment tools: A theoretical and empirical assessment." *Criminal Justice and Behavior* 40 (7): 716–736. https://doi.org/10.1177/0093854812468883.

[5] Bourgon, Guy, James Bonta, Tanya Rugge, Terri-Lynne Scott, and Annie K. Yessine. 2009. "Program Design, Implementation, and Evaluation in "Real World" Community Supervision." *Federal Probation* 70 (1). https://www.uscourts.gov/sites/default/files/74_1_1_0.pdf.

[6] Viglione, Jill, Brandy Blasko and Faye S. Taxman. 2018. "Organizational Factors and Probation Officer Use of Evidence-Based Practices: A Multilevel Examination." *International Journal of Offender Therapy and Comparative Criminology* 62 (6): 1648–1667. https://doi.org/10.1177/0306624X16681091.

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For example, organizational commitment,[7,8] culture,[9,10] and staff perceptions[11,12] can complicate the change process and prevent the successful implementation of the RNR model in practice.

Implementation is best done at the ground level, including input and participation from all individuals who are doing the work of supervision on a daily basis. This requires the agency to make a formal commitment to have staff dedicated to implementing, improving, and sustaining evidence-based and research-informed practices.

This team should have membership representing a "vertical slice" of the agency, i.e., representation from line supervision officers, supervisors, managers, executive staff, trainers, researchers, and stakeholders. The implementation and sustainability team are accountable to agency leadership for ensuring that effective interventions and effective implementation methods are in use to produce intended outcomes for individuals on supervision. An implementation team should focus on leadership opportunities for current staff and ways management can support the agency, environmental factors that include access to resources, and staff training and technical assistance. Leadership is critical to motivating staff and articulating a shared vision for the changes being implemented. Environmental factors to consider include capacity for the changed policy and support from key stakeholders. For example, a major modification to the condition-setting process in a jurisdiction where presentence interview writers are hired by the community supervision agency will require buy-in and

[7] Drapela, Laurie A. and Faith E. Lutze. 2009. "Innovation in Community Corrections and Probation Officers' Fears of Being Sued: Implementing Neighborhood-Based Supervision in Spokane, Washington." *Journal of Contemporary Criminal Justice* 25 (4): 364-383. https://doi.org/10.1177/1043986209344549.

[8] Fixsen, Dean L., Karen A. Blase, Sandra F. Naoom, and Frances Wallace. 2009. "Core Implementation Components." *Research on Social Work Practice* 19 (5): 531–540. https://doi.org/10.1177/1049731509335549.

[9] Rudes, Danielle S., Faye S. Taxman, Shannon Portillo, Amy Murphy, Anne Rhodes, Maxine L. Stitzer, Peter F. Luongo and Peter D. Friedmann. 2012. "Adding positive reinforcement in justice settings: acceptability and feasibility." *Journal of Substance Abuse Treatment* 42 (3): 260-70. https://doi.org/10.1016/j.jsat.2011.08.002.

[10] Taxman, Faye S. and Steven Belenko. 2011. *Implementing Evidence-Based Practices in Community Corrections and Addiction Treatment.* https://doi.org/10.1007/978-1-4614-0412-5.

[11] Rudes, Danielle S., Faye S. Taxman, Shannon Portillo, Amy Murphy, Anne Rhodes, Maxine L. Stitzer, Peter F. Luongo and Peter D. Friedmann. 2012. "Adding positive reinforcement in justice settings: acceptability and feasibility." *Journal of Substance Abuse Treatment* 42 (3): 260-70. https://doi.org/10.1016/j.jsat.2011.08.002.

[12] Viglione, Jill, Brandy Blasko and Faye S. Taxman. 2018. "Organizational Factors and Probation Officer Use of Evidence-Based Practices: A Multilevel Examination." *International Journal of Offender Therapy and Comparative Criminology* 62 (6): 1648–1667. https://doi.org/10.1177/0306624X16681091.
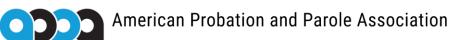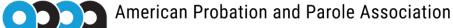
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cooperation from judges, defenders, and prosecutors. This consensus-building can be spearheaded by an implementation team, which will ensure that any progress is not only informed by supervision representatives but also can be rolled out into daily practice as soon as policy changes are approved. For agencies interested in developing an implementation team, connecting with the APPA for additional guidance is encouraged. For supervision agencies that have gotten these implementation teams off the ground, establishing quality assurance measures to guide the team will encourage consistency even as team membership changes.

Standard 1.3

Agencies should review and revise job descriptions to ensure that they address the knowledge, skills, and abilities necessary for effective implementation of evidenced-based practices in community supervision. Job descriptions for staff should include behavior change duties, core correctional practices, and evidence-based practice responsibilities.

Commentary: Critical to the success of each agency is hiring and retaining the right staff. The evolution of community supervision philosophy and practice requires careful examination of practices related to the recruitment, selection, hiring, training, coaching, and ongoing professional development of staff. Job descriptions should make clear that the role of CSOs is to encourage and support long-term behavior modification and promote public safety, rather than merely monitoring compliance. Performance criteria should focus on agency priorities and the use of evidence-based practices; these criteria should avoid only prioritizing metrics such as the number of contacts officers have with probationers, the number of violations detected, and the number of sentences revoked. Job descriptions and related performance metrics should make clear the importance of substantive behavioral intervention conversations and referrals to treatment or programming.

An agency that seeks to employ CSOs who see themselves as coaches to individuals on supervision would hire staff who embrace a human service correctional orientation. They would want to employ officers who were committed to building cognitive and social skills in offenders so that they could avoid future legal entanglements. These coaches would have people skills and desire to have expertise in delivering effective

interventions. The ultimate goal of the organization would be to use its coaches to effect behavior change and to enable individuals to live a productive life.

Staff Development

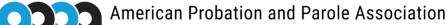### Standard 1.4

There should be written policies, procedures, and established practices for entry level and promotional staff selection criteria.

Commentary: New hires especially can impact the culture of the supervision agency and must be selected based on who possesses the competencies required for the position. Supervision agencies are moving away from focusing mainly on compliance monitoring and reacting to violations; instead, agencies are adopting a more proactive approach to supervision that balances individual accountability and behavior change with the application of the risk-need-responsivity (RNR) framework, which research shows effectively reduces recidivism.[13] To achieve public safety results, supervision agencies should recruit and hire people who fit this paradigm of proactive engagement and are interested in assisting individuals on supervision to achieve long-term behavior change. Additionally, agencies should discuss hiring practices that encourage and support prospective employees with lived justice experience who can provide feedback to the agency about ways to address supervision barriers and build rapport with individuals on supervision.

Hiring and promotion practices should include a structured behavioral interview process. This process should include assessment of several competencies: critical thinking skills, ability to respond positively to coaching, integrity, attitude toward learning, and belief in both evidenced-based practices and individuals' ability to change behavior with the help of support and resources. Agencies might prioritize applicants who have experience or training in behavioral

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[13] Council of State Governments. "Improve Supervision Workforce Practices, Such as Hiring, Training, and Evaluation. – 50-State Report." Accessed May 10, 2024. https://50statepublicsafety.us/part-2/strategy-3/action-item-2/.

psychology and social work; agency leadership may also consider incorporating personality assessments to determine if applicants have a mindset that algins with the agency's mission. Face-to-face interviews as well as reference checks should be conducted for all initial hires.

Resource guides have been developed to help those who are conducting interviews have a better understanding of what qualities they should look for when interviewing potential supervision officers.[14] For example, the Division of Criminal Justice Services Office of Probation and Correctional Alternatives in New York has worked to compile a detailed job description for every tier of employment, as well as qualifications for promotional advancement.[15]

Criteria for promotions will differ across agencies, with some requiring examinations to advance positions within the supervision agency. Promotion criteria might include the CSO's ability to administer risk and needs assessments (hereinafter referred to as 'RNA') with fidelity, incorporate those results into a proactive and individualized case plan, integrate feedback from supervisors, and show competence when mentoring and training fellow staff.

Standard 1.5

Agencies should have written policies and procedures and established practices for comprehensive training and skill development of new and existing staff.

Commentary: Training and staff skill development should, at a minimum, include:

- Assessments
- Case plans
- Enhancing intrinsic motivation
- Increasing positive reinforcement

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[14] Wells, Leslie. 2018. "Reducing Recidivism through Hiring Processes." Indiana University, School of Public and Environmental Affairs. Accessed May 10, 2024. https://blog.oneill.iupui.edu/2018/12/17/recidivism-probation-officers-hiring-hr/.

[15] State of New York, Division of Criminal Justice Services. 2019. "Standard Specifications for Professional Probation Positions, Appendix H-10." Accessed May 10, 2024. https://www.criminaljustice.ny.gov/opca/pdfs/TEXT-Appendix-H-10.pdf.
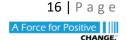
- Effective violation response

- Coaching skills

- Cognitive behavioral approaches

- Skill building with individuals on supervision

- Core correctional practices (CCPs)

- Field work (home visits, interacting with employers and treatment providers)

All training should focus on skills that promote the agency's mission and values, providing tangible guidance on resources officers can use to track progress including case plans, check lists, worksheets, and other tools CSOs can use to help organize the individuals they supervise. There should be training that corresponds with any policy requiring action from CSOs and frequent booster or refresher trainings should be offered regardless of whether changes to policies are made. Research suggests that officers who participated in monthly review sessions or "boosters" following an initial Effective Practices in Community Supervision (EPICS) training continued to increase their proficiency in the use of Core Correctional Practice (CCPs) over the course of 18 months.[16] A meta-analysis of training programs found that individuals supervised by probation officers trained in CCPs were 13% less likely to reoffend compared with those supervised by officers who had not undergone the training.[17,18] While training is the starting point for officers, agencies should ensure that follow-up coaching and fidelity measures are in place to establish a more comprehensive approach to ensure staff are consistently using skills developed. This skill-based approach should also be checked against the strategic plan to ensure the agency is preparing people in a way that allows them to execute the plan.

[16] Labrecque, Ryan M., and Paula Smith. 2017. "Does Training and Coaching Matter? An 18-Month Evaluation of a Community Supervision Model." *Victims and Offenders* 12 (2): 233–252. https://doi.org/10.1080/15564886.2015.1013234.

[17] Andrews, D. A., and J. J. Kiessling. 1980. "Program Structure and Effective Correctional Practices - A Summary of the CaVIC (Canadian Volunteers in Corrections) Research." Accessed May 13, 2024. https://www.ojp.gov/ncjrs/virtual-library/abstracts/program-structure-and-effective-correctional-practices-summary.

[18] Dowden, Craig and D. A. Andrews. 2004. "Importance of Staff Practice in Delivering Effective Correctional Treatment: A Meta-Analytic Review of Core Correctional Practice." *International Journal of Offender Therapy and Comparative Criminology* 48 (2): 203-214. https://doi.org/10.1177/0306624X03257765.

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Standard 1.6

Agencies should develop and implement policies, procedures, and practices for the monitoring and coaching of community supervision officers and for providing performance feedback.

Commentary: Coaching on the skills officers are expected to master is critical when looking to improve officer fidelity to CCPs. Research has shown that there are much greater gains in skill usage when coaching and performance feedback is offered. Specifically, research that has surveyed trained officers indicate that the respondents see the value in coaching and report that coaching increases the likelihood they will use the skills with clients.[19] This is consistent with research indicating that skill use increases as officers participate in more post-training booster sessions and coaching.[20] Supervisors should regularly observe CSOs interacting directly with individuals on supervision and engage in discussions about officer performance. For more information on performance measures, see Standard 11. Objective feedback should be provided to individual staff regarding skill development and mastery. In this supportive role, supervisors provide morale building, assess strengths and needs, suggest varying clinical approaches, model best practices, increase officer motivation, and prevent burnout. For entry level CSOs, the supportive function is especially critical.

Standard 1.7

Agencies should have policies, procedures, and established practices that encourage and facilitate collaboration with agencies that serve individuals on community supervision or that have knowledge and resources that can support the community supervision process.

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[19] Lowenkamp, Melanie S., Charles R. Robinson, Igor Koutsenok, Christopher Lowenkamp, and Natalie Pearl. 2012. "The Importance of Coaching: A Brief Survey of Probation Officers." *Federal Probation* 76: 36-40. https://www.uscourts.gov/sites/default/files/76_2_7_0.pdf.
[20] Bourgon, Guy, Leticia Gutierrez and Jennifer Ashton. 2012. "The Evolution of Community Supervision Practice: The Transformation from Case Manager to Change Agent." *Federal Probation* 76: 27-35. https://www.uscourts.gov/sites/default/files/76_2_6_0.pdf.

Commentary: Agencies can provide more robust services and referral resources when they partner with high-quality community partners that have some affiliation with the community supervision population. Collaboration with community-based organizations that offer substance use and mental health treatment, reentry support, housing and other services is critical for an agency to be able to make impactful referrals that address an individual's holistic needs. To enhance the effectiveness of their work, probation and parole agencies can work with community groups that deliver the formal and informal supports people on supervision need. Creation of memoranda of understanding or contracts can clarify the role partnering agencies will play in supporting individuals on supervision and can hold partners accountable to ensure high-quality services. Without providing an exhaustive list, agencies can monitor the quality of provider services using tools including the Correctional Program Assessment Inventory (CPAI and CPAI-2000)[21], Correctional Program Checklist (CPC), the Standardized Program Evaluation Protocol (SPEP), or a similar process that examines the use and application of principles of effective interventions within the services provided.

Supervision agencies can act as hubs, connecting supervised individuals with local organizations that offer housing, education, employment, and other help. One example of an initiative that's been tried in the field is the Neighborhood Opportunity Network in New York (NeON), a citywide network of community-based centers in the seven neighborhoods of NYC where large concentrations of people on probation reside. Each NeON has a local stakeholder group, open to the community at large and usually comprised of a diverse array of community members, including members of local community-based organizations, clergy, local business owners. These community centers establish connections between providers and individuals on supervision to facilitate people's access to treatment programs, health care, education, and other services in the areas where they live.

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[21] Duriez, Stephanie A., Carrie Sullivan, Edward J. Latessa, and Lori Brusman Lovins. 2018. "The Evolution of Correctional Program Assessment in the Age of Evidence-Based Practices." *Corrections* 3 (2): 119–36. https://doi.org/10.1080/23774657.2017.1343104.

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Finally, collaboration might include participation in Criminal Justice Coordinating Councils, serving on service provider advisory boards, and working with human and social services agencies, institutions of higher education, and research organizations to evaluate which partnerships are having the greatest impact for the supervision population.[22]

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[22] Bogue, Brad, Nancy Campbell, Mark Carey, Elise Clawson, Dot Faust, Kate Florio, Lore Joplin, George Keiser, Billy Wasson & William Woodward. 2004. *Implementing Evidence-based Principles in Community Corrections: Collaboration for Systemic Change in the Criminal Justice System*. Washington, DC: National Institute of Corrections.

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II.   Sentencing to Probation and Parole Release

INTRODUCTION

The APPA recognizes that decisions about sentences to probation or release on parole are the province of the court or the releasing authority. Jurisdictions vary in how much influence supervision agencies have when recommending conditions of supervision or release. In several areas, however, agencies can provide information and work with the courts and releasing authorities to ensure that sentences, release orders, and conditions are consistent with the research, policy, and practices supporting effective community supervision. This Standard is intended to inform judicial and release authority decision-making rather than to supplant it.

Terms and Conditions of Probation and Parole

Both the duration of the supervision period (herein referred to as 'term' of supervision) as well as the number and type of conditions of supervision are determined by the court at the time of sentencing. Parole releasing authorities or statute determine the supervision term for individuals released on parole.

Standard 2.1

Agencies should work with the courts and releasing authorities to ensure that terms and conditions of supervision are reasonable, tailored to the individual, not overly burdensome, and include a focus on criminogenic factors.

Commentary: Two components of supervision that cause barriers to supervision success are (a) the length of the supervision terms and (b) the number of standard and special conditions. Many states authorize probation terms of up to five years and still others have 10-year maximum terms. Moreover, some even allow lifetime probation to be imposed. Even with less lengthy terms, courts often will impose consecutive sentences, which lengthens the overall time on supervision. The result is that many individuals serve much longer terms than necessary to

achieve the purposes of community supervision. Recent research has demonstrated that long supervision sentences do not deter crime and deliver diminishing benefits over the course of lengthy supervision terms.[23]

Excessive numbers of standard and special conditions draw the CSO away from the core element of supervision: behavior change. Many conditions are of questionable utility and often do not take into account the criminogenic factors identified by an RNA. Instead, conditions should reflect the results of individual RNAs, with a focus on factors that most directly impact public safety, including criminal history, antisocial personality or cognition, antisocial peers, substance use, employment/education obstacles, and family challenges.[24]

When looking at conditions imposed in their totality, conditions should not place an unreasonable burden on the individual's ability to reintegrate into the community.[25] Conditions should be guided by their feasibility and relevance to the individual, which might include considering employment status, family responsibilities, ability to pay fines, and should reflect individual responsivity factors. Additionally, conditions should be limited to those requirements that the agency has the capacity to enforce; compliance monitoring that creates an excess of administrative tasks for officers takes away time and resources from substantive behavior-change work.

Standard 2.2

Agencies should provide recommendations concerning terms and conditions in presentence reports submitted to the court and in pre-parole investigations submitted to the releasing authority.

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[23] The Pew Charitable Trusts. 2020. "Policy Reforms Can Strengthen Community Supervision." Accessed May 3, 2024. https://www.pewtrusts.org/en/research-and-analysis/reports/2020/04/policy-reforms-can-strengthen-community-supervision.

[24] Bonta, James, and D. A. Andrews. 2017. *The Psychology of Criminal Conduct*. (6th ed.). New York, NY: Routledge. https://doi.org/10.1111/bjop.12254.

[25] American Law Institute. 2017. *Model Penal Code: Sentencing, Proposed Final Draft.* Philadelphia, PA: American Law Institute. *https://robinainstitute.umn.edu/sites/robinainstitute.umn.edu/files/2022-02/mpcs_proposed_final_draft.pdf*.

Commentary: Judges have acknowledged the importance of presentence interviews and how supervision staff contribute to the presentence process. Community supervision agencies should play a role in setting initial conditions as an objective and neutral entity. In the probation context, best practice suggests that sentencing judges consult the probation department on questions of whether to impose probation and how probation conditions should be configured.[26] Where an agency oversees presentence interview writers, the agency should ensure these report writers are trained on RNR principles, the local risk-need tool, and criminogenic needs that should be prioritized, to inform condition recommendations to the court. Information about the individual's criminogenic needs through assessments should be shared with the court as early as possible to inform the number and types of conditions, taking into consideration individual responsivity factors. If an assessment cannot be completed by the time conditions are determined during sentencing, a general condition such as "Treatment and programming conditions, as well as subsequent referrals, should reflect the results of the RNA the CSO administers," should be recommended as a universal condition to ensure conditions are individualized and responsive to risk and need.
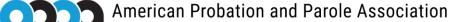
As it relates to recommendations about the length of supervision terms, research consistently shows the vast majority of new criminal activity by individuals on community supervision occurs within the first 12 months of supervision.[27, 28, 29] Given the recidivism reduction goals of community supervision, there is reduced value in continuing supervision when the period of highest risk of re-offense has passed. To avoid unnecessarily long supervision terms, agencies should reassess risk after the first year; where risk has decreased substantially, there might be justification for reduced supervision (e.g., reduced contact frequency or transition from in-person

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[26] American Law Institute. 2017. *Model Penal Code: Sentencing, Proposed Final Draft.* Philadelphia, PA: American Law Institute. *https://robinainstitute.umn.edu/sites/robinainstitute.umn.edu/files/2022-02/mpcs_proposed_final_draft.pdf*.

[27] Austin, James. 2010. "Reducing America's Correctional Populations: A Strategic Plan." *Justice Research and Policy* 12 (1): 9-40. https://www.ojp.gov/ncjrs/virtual-library/abstracts/reducing-americas-correctional-populations-strategic-plan.

[28] Minnesota Sentencing Guidelines Commission. 2020. "2019 Probation Revocations: Offenders Sentenced from 2004-2018, Revoked to Prison through 2019." Accessed May 21, 2024. https://mn.gov/msgc-stat/documents/reports/2019/2019MSGCReportProbationRevocations.pdf.

[29] Belshaw, Scott H. 2011. "Are All Probation Revocations Treated Equal: An Examination of Felony Probation Revocations in a Large Texas County." *International Journal of Punishment and Sentencing* 7 (2): 67-76.

contacts to remote contacts) compared to the intensity of supervision when individuals first start their term. Modification of terms and conditions can be brought to the court or releasing authority for approval. Routine reassessment can highlight progress that has been accomplished on supervision and whether a full term of supervision is necessary.

The provisions of the American Law Institute's Model Penal Code–Sentencing set forth recommendations for the length of probation sentences and parole terms: felony probation, three years; misdemeanor probation, one year; felony parole, five years; misdemeanor parole, one year. Even where state statutes allow judges to sentence to longer durations of supervision, probation agencies should provide recommendations for terms and conditions that align with research that indicates the value of supervision within the first year, compared to diminishing returns for longer supervision terms.[30]

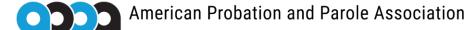## Restitution and Economic Sanctions

Many community supervision agencies have the responsibility for overseeing both the collection of financial obligations imposed as a condition of probation or parole and for enforcement of such payments.

Standard 2.3

Where restitution is imposed by a court, agencies with responsibility for collections and enforcement should make all reasonable efforts to collect the restitution and forward it to the victim in a timely manner.

Commentary: Restitution to victims of crime for injury or loss is a key element of a restorative framework in the criminal legal system and for community supervision. Restitution can be an essential component of the sentencing process, providing victims with a sense of accountability

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[30] American Law Institute. 2017. *Model Penal Code: Sentencing, Proposed Final Draft.* Philadelphia, PA: American Law Institute. *https://robinainstitute.umn.edu/sites/robinainstitute.umn.edu/files/2022-02/mpcs_proposed_final_draft.pdf*.
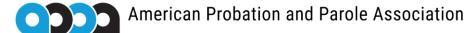
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from the person on supervision and some monetary recovery for their losses. However, when restitution is applied in combination with other legal financial obligations without taking into consideration the person on supervision's ability to pay, the result can be a debt that is impossible to pay. Therefore, supervision agencies should advocate for the ability to pay hearings at the time of sentencing or throughout the duration of supervision to establish affordable restitution payments over a feasible timeline. This might include considering similar factors public defender offices use to determine indigency; this calculation might not reduce the final restitution amount but would give all parties more realistic information about whether the individual is making good-faith efforts to pay towards restitution, given their circumstances. Where restitution is ordered, an agency should have clear policies that ensure the collection of restitution takes priority over other court fines and supervision fees.

Standard 2.4

Ideally, other financial sanctions such as fines, fees, surcharges, and penalties should not be imposed as a condition of probation or parole. Where supervision fees are collected, they should be reinvested back into treatment and services for people on supervision, as opposed to supporting agency operational costs.

Commentary: Supervision fees emerged in the 1980s as a means of funding the expanding community supervision system.[31] While in many jurisdictions such fees often comprise a substantial portion of a community supervision agency's funding, they also serve to exacerbate the financial burdens of those on community supervision and their families. In addition to restitution, many probation and parole orders include a wide array of economic sanctions, including fines, supervision fees, surcharges, penalties, and fees for services (e.g., drug testing and electronic monitoring). Such economic sanctions should not be imposed on individuals on

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[31] Peterson, Paul. 2012. "Supervision Fees: State Policies and Practice." *Federal Probation* 76 (1): 40-45. https://www.uscourts.gov/sites/default/files/76_1_7_0.pdf.

probation or parole, to the extent agencies and courts can avoid them.[32] These economic sanctions pose a financial burden for a population that largely exists on the margins of financial viability and independence.[33] Many individuals on supervision face difficulties paying rent, buying food, getting to work, and supporting their families. Elimination of economic sanctions would also allow client payments to be directed to restitution payments, basic needs, and other financial obligations such as child support payments.

Economic sanctions create additional and unnecessary work for CSOs and agencies and further limit time for core supervision work. Financial obligations beyond restitution also force CSOs to focus on the collection of money rather than on carrying out evidence-based supervision practices. Moreover, collections activities blur the role and focus of community supervision, both for the CSO and the clients. Supervision agencies and other legal system stakeholders have made substantial effort to curtail or eliminate such sanctions broadly in the criminal and juvenile systems.[34]

Economic sanctions often accumulate to large, essentially unpayable amounts, creating obstacles to successful completion of supervision even where the person is otherwise compliant. Since discharge from supervision usually requires full payment of all financial obligations, individuals without the financial means to handle all payments are kept on community supervision for longer than necessary to positively impact behavior change. Delayed terminations based on unpaid financial obligations further inflate caseloads, lengthen time on supervision thereby expanding the timeframe for possible violations, and expose individuals on community supervision to the risk of revocation for failure to pay. This cycle exacerbates an individual's inability to meet

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[32] American Law Institute. 2017. *Model Penal Code: Sentencing, Proposed Final Draft. § 6.04. Economic Sanctions; General Provisions.* Philadelphia, PA: American Law Institute. *https://robinainstitute.umn.edu/sites/robinainstitute.umn.edu/files/2022-02/mpcs_proposed_final_draft.pdf*.

[33] Finkel, Mack. 2019. "New Data: Low Incomes – but High Fees – for People on Probation." Accessed May 21, 2024. https://www.prisonpolicy.org/blog/2019/04/09/probation_income/.

[34] Menendez, Matthew, Michael F. Crowley, Lauren-Brooke Eisen, and Noah Atchison. 2019. *The Steep Costs of Criminal Justice Fees and Fines.* New York, NY: Brennan Center for Justice. https://www.brennancenter.org/our-work/research-reports/steep-costs-criminal-justice-fees-and-fines.

financial obligations.

Some have argued that financial sanctions give the client "skin in the game," thereby increasing their motivation to cooperate and comply with the conditions and requirements of supervision. There is no evidence in research to support this premise, and experience suggests otherwise. Individuals who see no path to paying these obligations often give up and abscond from supervision.
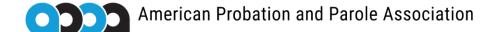
As an initial matter, supervision agencies currently using supervision fees to support operations or overhead should look for alternative funding streams. Where possible, supervision fees should be eliminated, and jurisdictions should collaborate to fund community supervision agencies adequately from general revenues, whether state or municipal budgets. Additionally, where supervision fees are necessary for the continued functioning of an agency, the agency should advocate for ability to pay hearings at the time of sentencing or throughout the duration of supervision to establish affordable financial payments that consider all potential supervision fees, court fines, and restitution. Where supervision fees are collected, these financial obligations should be reinvested back into funding treatment and services for individuals on supervision, who otherwise would not be able to cover the cost of some court-mandated treatment, education, or programming requirements. This structure allows the individual to contribute to their own and others' rehabilitation.

Early Discharge from Community Supervision

Statutes will often provide for the early discharge from supervision prior to the expiration of the term originally imposed by the court or releasing authority. Such discharge is granted by the court or releasing authority on the recommendation of a community supervision agency.

Standard 2.5

In collaboration with the court or releasing authority, agencies should develop and implement

a policy to provide for early discharge from community supervision.

Commentary: Generally, such early discharge policies require that at least 12 months of the term be served and for the individual on community supervision to be arrest-free, in compliance with conditions, have no serious violations, have completed or made substantial progress on any treatment requirements, and show other indicators of progress and successful adjustment. Eligibility should not require full payment of fines or fees but rather a showing of substantial progress towards financial obligations or "good faith effort," to be determined in light of the individual's financial situation and other areas of compliance.

Incentives

Research on behavior change clearly shows the effectiveness of incentives in facilitating and sustaining behavior change.[35] To promote equitable use of incentives for supervisees across all risk and need levels, agencies should provide structured guidance on how to best use incentives. Additional guidance about incentives will be provided in Standard 9 "Effective Interventions."

Standard 2.6

Agencies should work with the court and releasing authority to develop and implement a system of incentives for people on community supervision.

Commentary: One of the best-known findings of behavioral psychology is that rewards are generally more effective at altering behavior than penalties—yet this principle has been underutilized in community supervision.[36] Recent research has shown that the most powerful

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[35] Wodahl, Eric J., Brett Garland, Scott E. Culhane, and William P. McCarty. 2011. "Utilizing Behavioral Interventions to Improve Supervision Outcomes in Community-Based Corrections." *Criminal Justice and Behavior* 38 (4): 386-405. https://doi.org/10.1177/0093854810397866.

[36] Carter, Madeline M. 2015. *Behavior Management of Justice-Involved Individuals: Contemporary Research and State-of-the-Art Policy and Practice*. Washington, DC: National Institute of Corrections. https://cepp.com/wp-content/uploads/2021/04/Behavior-Management-of-Justice-Involved-Individuals-Contemporary-Research-and-State-of-the-Art-Policy-and-Practice-2015.pdf.

incentives are those which reduce the impact of community supervision on the individual.[37] Incentives should be tailored to the individual; CSOs should learn what incentives are most impactful through conversations such that incentives are reflective of the person's goals and motivating factors during the supervision term. Examples of incentives over the long-term include removing or lessening conditions, shortening the term of supervision, reduction in community service hours required, and reduction or forgiveness of fees and fines (but not victim restitution). Some of the most powerful incentives are early discharges from the supervision term. Short-term incentives include a reduction in drug tests where there has been documented compliance, a reduced number of contact visits with the assigned CSO and expanded use of technology where limits were initially imposed. Supervision agencies should work with courts and releasing authorities to outline incentives and processes that acknowledge compliance with supervision, especially as it relates to reducing the time or intensity of supervision terms and conditions.

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[37] Wodahl, Eric J., Brett E. Garland, and Thomas J. Mower. 2017. "Understanding the Perceived Value of Incentives in Community Supervision." *Corrections: Policy, Practice and Research* 2 (3): 165-188. https://doi.org/10.1080/23774657.2017.1291314.

III.   Assessment

INTRODUCTION

In recent decades, important advances have been made in the development of actuarial tools to measure the risks of recidivism posed by individuals, to assess their criminogenic needs, and to gauge likely responsiveness to specific rehabilitative interventions. Research has shown that well-designed actuarial risk assessments offer better probability for future behavior than individual professional judgments on risk of reoffense. Actuarial risk assessments may also help reduce the likelihood of implicit bias and human error associated with professional judgment.[38] If properly developed and regularly validated, a risk tool will accurately predict who poses a higher risk for reoffending and who does not, based on a variety of factors.

The risk principle within the RNR model has two important components: (a) use of a reliable and validated risk assessment to predict criminal behavior and (b) appropriately matched level and intensity of services recommended based on the risk level. Research behind the risk principle suggests that the dosage or amount of treatment should increase or decrease in accordance with risk level to reduce recidivism.[39]

Despite the broad implementation of risk assessment tools, recent literature has highlighted concerns about certain aspects of these instruments and the contexts in which they are used. Because risk algorithms use data that can be impacted by racial disparities related to policing, arrest rates, criminal history, and other compounding factors, opponents of these tools flag the potential harm that risk tools can pose. Some tools rely on factors correlated with race, such as criminal history, employment status, and housing stability. While these factors are predictive of

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[38] Ægisdóttir, Stefania, Michael J. White, Paul M. Spengler, Alan S. Maugherman, Linda A. Anderson, Robert S. Cook, Cassandra N. Nichols, Georgios K. Lampropoulos, Blain S. Walker, Genna Cohen, and Jeffrey D. Rush. 2006. "The Meta-Analysis of Clinical Judgment Project: Fifty-Six Years of Accumulated Research on Clinical Versus Statistical Prediction." *The Counseling Psychologist* 34 (3): 341–382. https://psycnet.apa.org/doi/10.1177/0011000005285875.

[39] Makarios, Matthew, Kimberly Gentry Sperber, and Edward J. Latessa. 2014. "Treatment Dosage and the Risk Principle: A Refinement and Extension." *Journal of Offender Rehabilitation* 53 (5): 334-350. https://doi.org/10.1080/10509674.2014.922157.

recidivism, they may also reflect the cumulative effects of discrimination.[40] As a result, risk assessment tools, if not created carefully, may overestimate the risk of recidivism for people of color, leading to higher rates of pretrial detention, prison sentences, or probation or parole denials. Additionally, even where the tool itself does not result in disparate impacts across demographic groups, opponents argue that the assessment results can be used in an inequitable way if decision-makers give a risk score more weight for certain populations within a larger decision-making framework. While risk assessment tools are meant to be race-neutral, supervision agencies should review resulting data to ensure a race-neutral tool is implemented in a way that does not produce unintentional disparate results.

To address concerns about RNAs, there are steps agencies can take to advance transparency around tool creation and use. RNAs should have accessible algorithms and agencies should regularly reassess "cut points" or scores that categorize risk scores into risk categories (e.g., low, medium, high), reviewing outcomes per risk categories and ensuring scores are predictive. These tools are commonly used within supervision agencies and the following guidance outlines best practices where the decision to implement an RNA within the agency has been made. The importance of proper implementation and use of these RNA tools cannot be overstated, and agencies should consistently review correctional policy and practice so that RNAs are being used responsibly to reduce the risk levels of those who need programming the most, thereby enhancing public safety. RNAs and resulting outcomes constitute an evolving field of research and it is the responsibility of agencies to re-evaluate their tools and decision-making results as research informs the implementation of these tools.

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[40] Freeman, Kelly R., Cathy Hu, and Jesse Jannetta. 2021. *Racial Equity and Criminal Justice Risk Assessment.* Washington, D.C.: Urban Institute. https://www.urban.org/sites/default/files/publication/103864/racial-equity-and-criminal-justice-risk-assessment.pdf.

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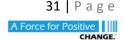
Risk and Needs Assessment

Standard 3.1

Agencies should adopt and implement empirically developed and validated risk and needs assessments.
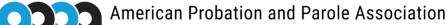
Commentary: The efficacy of an RNA depends on the reliability and accuracy of its predictions and corresponding supervision guidance. Determining how well a tool performs at predicting risk is called validation, and an RNA's performance is referred to as predictive validity. Validation tests whether a tool's assessment of estimated risk for an individual corresponds to actual behavior or outcomes. This requires additional data against which the tool's aggregate predictive value can be tested.[41] Best practice dictates the assessment be validated with individuals from the jurisdiction where the tool is being implemented.

Once the tool developer identifies a population of interest and existing data about that population, a portion of the data can be used to devise a risk prediction model (i.e., the development sample) and the remainder of the data for validation tests. For example, if the case characteristics (e.g., charge information and criminal history) and outcomes (e.g., failure to appear and new arrest) of 1,000 people on probation can be measured historically, the tool developer may randomly select 500 of them to develop a risk prediction model. The developer then tests the performance of the model using data on the remaining 500 people on probation (i.e., the validation sample). In this approach, data can be partitioned into two splits or multiple splits. Per BJA's Public Safety Risk Assessment Clearinghouse, when multiple splits are used, the developer repeatedly examines one of the splits at a time and averages results from the multiple validation tests.[42] The two splits method, known as hold-out validation, is commonly employed in criminal justice applications largely because it is easier to implement. It is important to recognize

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[41] Imrey, Peter B., and A. Philip Dawid. 2015. "A Commentary on Statistical Assessment of Violence Recidivism Risk." *Statistics and Public Policy* 2 (1): 1-18. https://doi.org/10.1080/2330443X.2015.1029338.

[42] Bureau of Justice Assistance. n.d. "Risk Validation." Accessed April 3, 2024. https://bja.ojp.gov/program/psrac/validation/risk-validation.

that 1) the performance of validation tests is sensitive to test settings and the data used and 2) examining validation in a few different ways is therefore highly recommended as opposed to relying solely on a single method or a single data run.

Validation is a critical part of a risk tool's development to ensure an instrument is robust and maintains integrity throughout future quality assurance processes. RNAs should be developed and regularly validated using supervision populations within the jurisdiction using the tool. As a practical matter, however, full validation is not always possible; at the very least, the design and implementation of data informed decision-making tools must focus on the principles of fairness, efficiency, effectiveness, and communication. The Guidelines for Post-Sentencing Risk Assessment provide measurements and a checklist for implementation of each of these principles.[43]
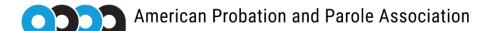
A professionally developed assessment that has been validated using local supervision populations might also be a "reliable" tool even if the instrument was created using out-of-state cohorts of supervision populations. A decision-making framework ultimately translates these risk scores into release-condition recommendations, with higher risk scores corresponding to stricter release conditions.[44] For instance, parole decision-making frameworks are less focused on grids requiring certain responses based on risk levels but rather outlines a process that demonstrates due diligence and defensible decision-making. An agency should review pre-established release or supervision condition recommendations with their own jurisdiction's resource capacity in mind.

Standard 3.2

The risk and needs assessment should be developed using actuarial statistical methods.

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[43] Bucklen, Kristofer B., Grant Duwe, and Faye S. Taxman. n.d. *Guidelines for Post-Sentencing Risk Assessment.* Washington, D.C.: National Institute of Justice. https://www.ojp.gov/pdffiles1/nij/300654.pdf.

[44] Serin, Ralph, and Renee Gobeil. 2014. *Analysis of the Use of the Structured Decisionmaking Framework in Three States.* Washington, D.C.: National Institute of Justice. https://info.nicic.gov/nicrp/system/files/028408.pdf.

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Commentary: Actuarial statistical methods involve conclusions that rest solely on empirically established relations between data and the condition or event of interest. Actuarial RNAs guide decision making at various points across the criminal justice continuum by approximating a person's likelihood of reoffending based on several characteristics and determining what individual criminogenic needs must be addressed to reduce that likelihood. Accuracy and reliability of prediction models can improve when tailored to a particular setting and population. There are two types of reliability: inter-rater and intra-rater reliability. Inter-rater reliability means that two different staff members applying the RNA to the same individual will get the same score and risk classification resulting from their use of the tool. Intra-rater reliability refers to whether the same rater will obtain the same score and risk classification with repeated assessments of the same individual, given no changes in the circumstances of the individual or over a short period of time where it is safe to assume that behavioral changes that would impact the final score have not taken place. Reliability needs to be established before an instrument's validity is tested to ensure the integrity of the risk classifications.

Standard 3.3

Jurisdictions should use third- or fourth-generation risk and needs assessments that incorporate both static and dynamic risk factors.

Commentary: Unlike first-generation risk assessment which relied on unstructured professional judgment and second-generation risk assessment which relied on numeric predictions derived from analyses of static risk factors alone, the third-generation risk assessment incorporates dynamic factors linked directly to criminal behavior, also called criminogenic needs. Because criminogenic needs are changeable and related to reoffending, their incorporation into assessments help practitioners target and monitor risk reduction efforts. While third-generation instruments help practitioners allocate supervision and intervention resources, fourth-generation instruments emphasize the structured monitoring of individuals over time to maximize treatment and supervision benefits. Fourth-generation instruments focus on responsivity considerations

that may affect how practitioners relate to individuals on supervision and select appropriate interventions for them at appropriate times. Fourth-generation instruments, including the Level of Service/Case Management Inventory, can help practitioners efficiently integrate case planning and risk management efforts.
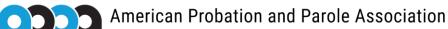
Standard 3.4

Agencies should consider the use of risk screening instruments to quickly and efficiently identify individuals who score as low risk and can be assigned to minimal supervision caseloads.

Commentary: A brief risk screening can provide quick information to CSOs about individuals who do not need a more in-depth assessment or intensive supervision or services, reserving resources for those with higher risk and need and avoiding over-supervision of those who are low risk, with protective factors in place. Whereas screeners flag an initial risk, fuller assessments that involve criminogenic needs might include a more official diagnosis and might require a trained professional to make further recommendations. Screeners serve to ensure lower-risk individuals are not referred to more intensive treatment, which is an inefficient use of resources and may even increase risk of recidivism. Research has found that low-risk individuals placed in minimal treatment programming have a recidivism rate of 15%, while placing similar low-risk individuals in intensive treatment programming increases the recidivism rate to 32%.[45]

For example, the Ohio Risk Assessment Community Supervision Screening Tool (ORAS CSST) simply classifies individuals as low or moderate/high risk. This very brief tool quickly screens those people placed on supervision for whom additional assessment is not necessary and refers the rest to the full community supervision assessment.

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[45] Viglione, J. 2019. "The Risk-Need-Responsivity Model: How Do Probation Officers Implement the Principles of Effective Intervention?" *Criminal Justice and Behavior* 46 (5): 655–673. https://doi.org/10.1177/0093854818807505.

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Screening tools have often been used in response to supervision agency capacity limitations. Where agencies use risk screening tools to quickly and efficiently identify individuals who score low risk and can be assigned to minimal supervision caseloads, the agency should use a similar development and validation process for both the full assessment and screener. Factors such as underlying offense and availability of trailer assessments should be considered when determining how and when to use screeners. Screeners should only be used to inform initial supervision categorization (e.g., contact frequency or supervision intensity) but the full assessment should inform the case plan (e.g., treatment/need-based referrals).

Standard 3.5

Agencies should consider adoption of specialized risk and needs assessments when assessing specific populations on community supervision for whom generic risk and needs assessments have proven less accurate. Specialized assessments and resulting specialized caseloads are recommended for women and individuals convicted of certain crimes including sex offenses, intimate partner violence/domestic violence, driving under the influence, and violent crimes. Agencies should also consider the adoption and use of supplemental assessment tools to assist in developing individualized case plans.

Commentary: Some evidence is available to support the effectiveness of specialized assessments and caseloads for specific populations. For example, people with mental health diagnoses and those charged with domestic violence offenses have been shown to have lower rates of re-arrest and technical violations when supervised on a specialized rather than a traditional caseload.[46] Assessment tools validated for specific populations are needed to identify appropriate risk and needs levels. To deliver more effective outcomes, however, specialized caseloads should be used as a tool for programming and treatment, not as a means of mere surveillance.

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[46] The Pew Charitable Trusts. 2020. "Policy Reforms Can Strengthen Community Supervision." Accessed May 3, 2024. https://www.pewtrusts.org/en/research-and-analysis/reports/2020/04/policy-reforms-can-strengthen-community-supervision.

For example, gender-specific RNAs have been shown to be valuable. The Women's Risk and Needs Assessment (WRNA) not only measures women's specific criminogenic needs, but also their strengths to drive a comprehensive, holistic case-plan designed to inform their gender- and trauma-responsive treatment and supervision.[47] Critical to these tools having distinct value is the availability of programming or resources that are also gender-specific and responsive to assessment recommendations. Some research exists to support the premise that gender-informed interventions are significantly more likely to be associated with reductions in recidivism than gender-neutral interventions.[48] These findings support recent research indicating that women and girls are more likely to respond well to gender-informed approaches if their backgrounds and pathways to offending are associated with issues related to gender. Identifying gender-specific needs is the first step, but an agency's access and connection to gender-responsive services should be considered as well.

The STATIC-99, STABLE-2000, STABLE-2007, and the Violence Risk Scale: Sexual Offender Version (VRS:SO) are examples of assessments for those convicted of sex offenses. Individuals convicted of sex offenses tend to score lower risk on traditional RNAs because of less extensive criminal histories. Research has demonstrated good reliability for scoring of the STATIC-99 and preliminary support for the reliability of the STABLE-2000 and STABLE-2007.[49,50]

Additionally, research on DWI recidivism has established that its causal factors are a combination of alcoholism or substance use and a risky decision-making process associated with high risk drivers—individuals who lack appropriate levels of restraint or self-control to resist the
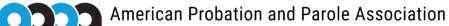
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[47] National Institute of Corrections. n.d. "Women's Risk and Needs Assessment." Accessed April 3, 2024. https://info.nicic.gov/sites/default/files/Risk%20and%20Needs%20Assessment.pdf.

[48] Gobeil, Renee, Kelley Blanchette, and Lynn Stewart. 2016. "A Meta-Analytic Review of Correctional Interventions for Women Offenders: Gender-Neutral Versus Gender-Informed Approaches." *Criminal Justice and Behavior*: 301-322. https://doi.org/10.1177/0093854815621100.

[49] Hanson, R. Karl, Leslie M. Helmus, and Andrew J.R. Harris. 2015. "Assessing the Risk and Needs of Supervised Sexual Offenders: A Prospective Study Using STABLE-2007, Static-99R, and Static-2002R." *Criminal Justice and Behavior* 42 (12). https://doi.org/10.1177/0093854815602094.

[50] Fernandez, Yolanda M., and L. Maaike Helmus. 2017. "A Field Examination of the Inter-Rater Reliability of the Static-99 and STABLE-2007 Scored by Correctional Program Officers." *Sexual Offender Treatment* 12 (2): http://www.sexual-offender-treatment.org/181.html.

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impulsivity of driving impaired.[51] The APPA developed the Impaired Driving Assessment, an instrument that can increase the probability of identifying an individual's risk of engaging in future conduct of impaired driving, and to help determine the most effective community supervision to reduce such risk.[52]

Supplemental assessment tools for specific populations on community supervision can aid the CSO in identifying additional factors beyond risk and needs factors. Examples of supplemental tools include those for assessing mental health issues, trauma, substance use, specific responsivity factors, treatment readiness, criminal thinking, Stages of Change, strengths and protective factors. Other approaches to supplemental assessments include "trailers" which are used in addition to the initial RNA. Trailers are designed for specialized populations and improve an assessment's guidance around service allocation.[53]

Standard 3.6

Agencies should have policies, procedures, and established practices in place to ensure that the assessment process identifies and addresses specific responsivity factors that have an impact on an individual's responsiveness to supervision, interventions, services, and treatment.
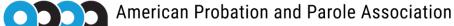
Commentary: Specific responsivity factors that contribute to an individual's outcomes on supervision and ability to comply with conditions include strengths, level of motivation, preferences, personality, age, gender, ethnicity, cultural identification, racial and ethnic identification, trauma, mental health, physical health, learning styles, cognitive abilities, developmental stages, reading comprehension, change readiness, and treatment readiness.[54] A
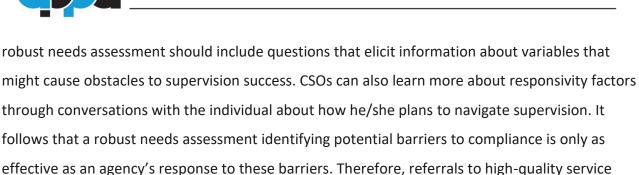
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[51] Keane, Carl, Paul S. Maxim, and James J. Teevan. 1993. "Drinking and Driving, Self-Control, and Gender: Testing a General Theory of Crime." *Journal of Research in Crime and Delinquency* 30 (1): 30-46. https://psycnet.apa.org/doi/10.1177/0022427893030001003.

[52] Lowe, Nathan. 2014. *Screening for Risk and Needs using the Impaired Driving Assessment.* Washington, D.C.: National Highway Traffic Safety Administration. https://www.appa-net.org/eweb/docs/appa/pubs/srnuida.pdf.

[53] Johnson, James L., Christopher T. Lowenkamp, Scott W. VanBenschoten, and Charles R. Robinson. 2011. "The Construction and Validation of the Federal Post Conviction Risk Assessment (PCRA)." *Federal Probation* 75 (2): https://www.azp.uscourts.gov/sites/azp/files/2%20Actuarial.pdf.

[54] Bonta, James, and D. A. Andrews. 2017. *The Psychology of Criminal Conduct*. (6th ed.). New York, NY: Routledge. https://doi.org/10.1111/bjop.12254.

robust needs assessment should include questions that elicit information about variables that might cause obstacles to supervision success. CSOs can also learn more about responsivity factors through conversations with the individual about how he/she plans to navigate supervision. It follows that a robust needs assessment identifying potential barriers to compliance is only as effective as an agency's response to these barriers. Therefore, referrals to high-quality service providers are critical to supervision compliance. This work might involve having resources translated in multiple languages and having partnerships with culturally competent providers that address responsivity factors. Agencies should create policies that recognize the value of addressing responsivity factors in the case plan; trainings for identifying responsivity factors might involve suggested discussion questions and methods to document these responsivity factors.

Assessment Process

Standard 3.7

Agencies should develop and implement written policies, procedures, and established practices for systematically assessing all incoming people on community supervision, which includes a timeframe for assessment completion and submission to supervisors.

Commentary: Because the completed assessment is used to inform the case plan, agencies should determine a timeframe within which an RNA must take place before the creation of a case plan. There should be clear guidance on what standard assessments should be applied to all supervisees and what underlying crimes or conditions might trigger additional assessments. Establishing guidelines for risk assessment in policy helps standardize decision-making and improves consistency of supervision decisions.[55] Supervisors should receive and review all risk assessments to ensure completeness and timeliness, fidelity, and consistency across the agency.

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[55] Bureau of Justice Assistance. n.d. "What is Risk Assessment." Accessed April 3, 2024. https://bja.ojp.gov/program/psrac/basics/what-is-risk-assessment.

Standard 3.8

The initial assessment should include administration of the risk and needs assessment, any supplemental assessments as needed, and development of a supervision case plan that addresses the level of supervision with a proposed supervision contact schedule, indicating the frequency and types of contacts for the initial period of supervision.

Commentary: Case planning involves developing a set of goals and benchmarks in collaboration with supervised individuals to address their needs as identified by a validated RNA. Successful case plans set specific, measurable objectives and encourage people to take ownership of their goals and the strategies for achieving them. Research shows that building case plans on the findings of validated RNA tools is a critical component of supervision success.[56,57] Using RNAs in the case planning process also helps CSOs to focus more intensive case management in areas where an individual is at a higher risk.[58] Please refer to Standard 8, Case Planning, for additional information about using RNAs for case plan development. Regardless of risk level, contact standards should emphasize meaningful contacts whether these are happening in the office, in the field, or at the individual's home. Agencies should provide guidance on what skills (e.g., basic life skills such as meal prep, budgeting, cleaning, cognitive behavioral skills or coping mechanisms) can be developed across different types of contacts depending on the environment.

Identifying each person's strengths, as well as potential triggers that can lead to criminal behavior, can help shape an effective plan that lays out achievable goals and a path to meet them.[59] Additionally, depending on each jurisdiction's referral processes, early RNAs can help

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[56] Latessa, Edward J., and Brian Lovins. 2010. "The Role of Offender Risk Assessment: A Policy Maker Guide." *Victims and Offenders* 5 (3): 203-219. https://www.tandfonline.com/doi/abs/10.1080/15564886.2010.485900.

[57] Wanamaker, Kayla A., Natalie J. Jones, and Shelley L. Brown. 2018. "Strengths-Based Assessments for Use with Forensic Populations: A Critical Review." *International Journal of Forensic Mental Health* 17 (2): 202-221. https://doi.org/10.1080/14999013.2018.1451414.

[58] Bureau of Justice Assistance. n.d. "What is Risk Assessment." Accessed April 3, 2024. https://bja.ojp.gov/program/psrac/basics/what-is-risk-assessment.

[59] Wanamaker, Kayla A., Natalie J. Jones, and Shelley L. Brown. 2018. "Strengths-Based Assessments for Use with Forensic Populations: A Critical Review." *International Journal of Forensic Mental Health* 17 (2): 202-221. https://doi.org/10.1080/14999013.2018.1451414.

CSOs to identify individuals on supervision for targeted programming, including those offered through problem-solving courts such as drug treatment or mental health courts.[60]

Standard 3.9

Where the CSO makes recommendations that differ from the standard supervision recommendations based on the risk and needs assessment score, the CSO should submit reasons in support of the override to the supervisor for review and approval. Agencies should develop policies for reviewing and approving risk and needs assessment overrides to limit their use.

Commentary: Some clinical professionals and correctional staff have contended that the actuarial risk assessment process diminishes their expertise, advocating for the use of overrides (using professional judgment to override an RNA score) to account for factors that the RNA process does not consider.[61] Overrides are defined as "decisions by evaluators to assign a different risk level than that indicated by an actuarial prediction tool."[62] This discretion, known as a clinical override, grants decision-makers the possibility to reconsider an individual's actuarial risk category in an upward or downward fashion. Perhaps the most well-researched aspect of overrides is the use of overrides to increase risk levels. Studies have largely confirmed that most overrides are used to raise rather than lower risk levels.[63, 64]

Overuse or inappropriate use of overrides tends to reduce the ability of the RNA to predict risk, which is the primary reason for using an RNA. It is important to "avoid adjusting actuarial risk

[60] The Pew Charitable Trusts. 2020. "Policy Reforms Can Strengthen Community Supervision." Accessed May 3, 2024. https://www.pewtrusts.org/en/research-and-analysis/reports/2020/04/policy-reforms-can-strengthen-community-supervision.

[61] Hannah-Moffat, Kelly, Paula Maurutto, and Sarah Turnbull. 2014. "Negotiated Risk: Actuarial Illusions and Discretion in Probation." *Canadian Journal of Law & Society* 24 (3): 391-409. https://doi.org/10.1017/S0829320100010097.

[62] Hanson, Karl R. 2022. *Prediction Statistics for Psychological Assessment*. Washington, DC: American Psychological Association.

[63] Cohen, Thomas H., Christopher T. Lowenkamp, Kristin Bechtel, and Anthoy W. Flores. 2020. "Risk assessment overrides: Shuffling the Risk Deck Without Any Improvements in Prediction." *Criminal Justice and Behavior* 47 (12): 1609-1629. https://doi.org/10.1177/0093854820953449.

[64] Wormith, Stephen J., Sarah Hogg, and Lida Guzzo. 2012. "The Predictive Validity of a General Risk/Needs Assessment Inventory on Sexual Offender Recidivism and an Exploration of the Professional Override." *Criminal Justice and Behavior* 39 (12): 1511-1538. https://doi.org/10.1177/0093854812455741.

estimates based on variables similar to those already considered in the development of the actuarial tool," such as a person's criminal history or the seriousness of their offense.[65] Because this information is already included in the RNA, overriding a person's risk classification because of their criminal history or offense seriousness double-counts that information and degrades the accuracy and reliability of the RNA result. Therefore, overrides should be used sparingly and must be justified and approved by a supervisor. Researchers have recommended that overrides be used in less than 5% of the cases[66] and no more than 10% of cases.[67]

For these reasons, tracking the rationales for proposed overrides is critical. This permits CSOs and supervisors to discuss the accuracy of scoring, reasoning behind decisions, how overrides affect the probability of reoffending (i.e., risk principle), and, if the override results in a higher risk classification, how this will be addressed in supervision. In this manner, both officer and supervisor can determine whether there is consensus on the appropriateness of the override and broaden their understanding and application of RNR principles.

RNA developers must perform a balancing act when considering ways to develop risk tools that allow for more clinically-informed assessment results and risk management interventions, which might incorporate more officer experience.[68] Developing a risk management intervention includes scoring of an RNA as part of a more extensive process, including identifying ways to mitigate risk, which may require officer discretion.[69] All of these considerations should therefore

[65] Hanson, Karl R. 2022. *Prediction Statistics for Psychological Assessment*. Washington, DC: American Psychological Association.
[66] Bonta, James, and D. A. Andrews. 2024. *The Psychology of Criminal Conduct*. (7th ed.). New York, NY: Routledge. https://doi.org/10.4324/9781003292128.
[67] Trafate, Raymond C., Tom Hogan, Gina M. Vincent, Natalie J. Jones and Guy Bourgon. 2023. "Ten Things Risk/Needs Assessment Is Not." *Federal Probation* 87 (1): 15. https://www.uscourts.gov/federal-probation-journal/2023/06/ten-things-risk-needs-assessment-not.
[68] Frechette, Julien, and Patrick Lussier. 2021. "Betting Against the Odds: The Mysterious Case of the Clinical Override in Risk Assessment of Adult Convicted Offenders." *International Journal of Offender Therapy and Comparative Criminology:* 887-909. https://doi.org/10.1177/0306624X211049181.
[69] Serin, Ralph C., Christopher T. Lowenkamp, and Caleb D. Lloyd. 2020. "Managing Violent Offenders in the Community: Reentry and Beyond." In *The Wiley Handbook of What Works in Violence Risk Management: Theory, Research, and Practice:* 543-558. https://psycnet.apa.org/doi/10.1002/9781119315933.ch28.
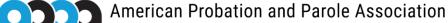
be documented for review by supervisors when considering an override. Generally, overrides are not more predictive than the original assessment results and should be the exception.

Standard 3.10

The CSO should present and discuss the results of the assessments (including the top assessed criminogenic need areas, strengths, and other relevant factors), the requirements of the court or releasing authority order, and the supervision case plan with the individual on supervision.

Commentary: Individuals on supervision will only be able to understand and comply with conditions of supervision and case plan goals if they understand how the assessment fits into their supervision and is impacting action steps within their case plan.[70,71] Officers should discuss the results of the assessment in plain language, explaining how assessments are used in making decisions about supervision levels and treatment/service referrals. As will be discussed in further detail in Standard 8, Case Planning, decisions about how the assessment impacts case plan priorities should be shared between the individual on supervision and CSO.

This facilitated discussion-based process is known as providing normative feedback. Normative feedback is designed to help individuals on supervision realize their problematic behaviors as compared to the general population and to challenge the normalization of problematic behaviors. Studies on personalized normative feedback indicate that the practice is effective in addressing addictive behaviors.[72,73] The goals of normative feedback are to facilitate individual

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[70] Epperson, Matthew W., Leon Sawh, and Sophia P. Sarantakos. 2020. "Building a therapeutic relationship between probation officers and probationers with serious mental illnesses." *CNS Spectrums* 25 (5): 723-733. https://doi.org/10.1017/S1092852919001871.

[71] Nahouli, Zacharia, Jay-Marie Mackenzie, Andreas Aresti, and Coral Dando. 2022. "Rapport Building with Offenders in Probation Supervision: The Views of English Probation Practitioners." *Probation Journal* 70 (2): 104-123. https://doi.org/10.1177/02645505221137448.

[72] Neighbors, Clayton, Lindsey M. Rodriguez, Dipali V. Rinker, Maigen Agana, Rubi G. Gonzales, Jennifer L. Tacket, and Dawn W. Foster. 2015. "Efficacy of Personalized Normative Feedback as a Brief Intervention for College Student Gambling: A Randomized Controlled Trial." *Journal of Consulting and Clinical Psychology* 83 (3): 500-511. https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4939822/.

[73] LaBrie, Joseph W., Melissa A. Lewis, David C. Atkins, Clayton Neighbors, and Cheng Zheng. 2013. "RCT of Web-based Personalized Normative Feedback for College Drinking Prevention: Are Typical Student Norms Good Enough." *Journal of Consulting and Clinical Psychology* 81 (6): 1074-1086. http://doi.org/10.1037/a0034087.

self-awareness, increase motivation to change and treatment readiness, and provide a focus on effective targeted interventions during community supervision.

Discussing the results of an RNA with an individual on supervision emphasizes the importance of the working alliance. Some community corrections agencies have adopted approaches used in therapy to improve how people receive treatment and build relationships.[74] This strategy, referred to broadly as the therapeutic or working alliance, provides guidance to both the individual on supervision and CSO on how individuals best receive and learn from therapy and programming.[75] The basic premise is that mutual respect, collaboration, and attachment between supervising officer and individual are important catalysts for behavior change.[76]

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[74] Tatman, Anthony W. and Keisha M. Love. 2010. "An Offender Version of the Working Alliance Inventory-Short Revised." *Journal of Offender Rehabilitation* 49 (3): 165-179. https://doi.org/10.1080/10509671003666560.

[75] DeSorcy, Danielle R., Mark E. Olver, and J. Stephen Wormith. 2017. "Working Alliance and Psychopathy: Linkages to Treatment Outcome in a Sample of Treated Sexual Offenders." *Journal of Interpersonal Violence* 35 (7-8): 1739-1760. https://doi.org/10.1177/0886260517698822.

[76] Kennealy, Patrick J., Jennifer L. Skeem, Sarah M. Manchak, and Jennifer Eno Louden. 2012. "Firm, Fair, and Caring Officer-Offender Relationships Protect Against Supervision Failure." *Law and Human Behavior* 36 (6): 496-505. https://doi.org/10.1037/h0093935.

IV. Transition to the Community/Pre-Release

INTRODUCTION

The transition from incarceration in jail or prison to life in the community is challenging on many levels. Community supervision agencies and staff should develop policies, practices, and support systems, including relationships with correctional facilities and other governmental and private agencies, to facilitate the successful transition of incarcerated individuals to the community. While the majority of these Standards apply to individuals incarcerated in state correctional facilities who are released on parole, they also apply to individuals who may be serving time in jail or other facilities (e.g., prerelease or work release centers) as a condition of a community supervision sentence.

Standard 4.1

Agencies should develop and implement written policies, procedures, and established practices to support the transition of incarcerated individuals to life in the community.

Commentary: In addition to establishing connections to community providers, once the person is released from custody, supervision agencies should have policies in place that streamline the information flow between correctional facilities and the supervision agency or parole board to ensure continuity of care. Policies should explicitly address what types of information are needed to make appropriate referrals, while abiding by HIPAA and other privacy concerns. These policies should address the role of institutional probation parole specialists (IPPOs) or case managers who work with individuals while they are still in custody and preparing to be released; some jurisdictions will have these staffing roles within correctional facilities to enhance communication and improve reentry planning.

Standard 4.2

Preparation for reentry should include assistance in addressing any need that will support successful supervision and reintegration into the community, with a particular focus on stability factors such as housing and employment.
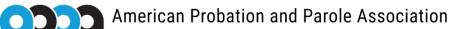
Commentary: People leaving carceral settings present myriad needs that, if left unaddressed, can negatively impact supervision compliance. Some of the needs or services supervision agencies can assist the person with include locating housing, identifying job opportunities, connecting to behavioral health resources, developing a resume and learning interviewing skills, debt counseling and developing or resuming healthy family relationships. Several of these needs, when addressed by supervision agency engagement and community providers, show improved outcomes for supervision and reentry success.[77] Many of these referral connections require navigating administrative processes like securing identification, enrolling in benefits to be able to afford certain services, and might require budgeting guidance or some level of financial literacy. Reentry plans should also consider different responsivity factors including mental health status and circumstances that might present barriers to supervision such as childcare responsibilities, access to transportation, or language limitations.

Standard 4.3

The CSO should develop an individualized reentry plan that takes into account the individualized programming the individual received while incarcerated, as well as the skills acquired.

Commentary: As discussed in the Standard 3 Assessment and throughout this document, a reentry plan and supervision mandates should be tailored to the individual, both regarding what programming and services they have already engaged in while incarcerated and what might be

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[77] Breno, Alex J., Avinash Bhati, Tonya VanDeinse, Amy Murphy, Gary S. Cuddeback, and Faye S. Taxman. 2023. "Effective Probation Strategies to Respond to Signals of Poor on Community Supervision." *Criminal Justice and Behavior* 50 (8): 1140-1162. https://doi.org/10.1177/00938548231165278.

impactful when in the community. It is often difficult to provide individualized plans given that many jurisdictions do not have the staffing, funding, or ability to support this approach. While there are capacity issues when crafting individualized reentry plans, research suggests it is crucial to focus on cognitive and behavioral skills, substance use, mental and physical health, and issues surrounding housing, employment, and family bonds as individuals reintegrate into their communities and families.[78]

Standard 4.4

In developing the reentry plan, the CSO should involve any agency that provides a service to the individual in the community and, with the individual's permission, should include family involvement.

Commentary: Often conditions of supervision will involve mandated behavioral or substance use treatment, such that service providers are responsible for treatment of individuals and reporting to the court or Parole Board, in parallel with supervision agencies. CSOs should coordinate with other providers including programs that supplement drug testing, therapy, programming, community service, or any other referral sources related to the person's reentry. Where the individual has prosocial support through family, friends, or other community members, the CSO should discuss with the individual on supervision whether and how to include others as part of the reentry planning process. Who the individual considers "family" and support network should be inclusive and defined broadly so "supports" are not limited to immediate family or blood relatives. This could include sponsors for someone in treatment, family members or friends helping with childcare, colleagues assisting the individual with transportation, or anyone supporting the individual's success on supervision. The CSO should balance including other individuals in discussions against HIPAA protections for the individual on supervision.

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[78] National Institute of Corrections. 2023. "Five Things About Reentry." Accessed April 4, 2024. https://nij.ojp.gov/topics/articles/five-things-about-reentry.

Treatment Planning and Release Materials

Standard 4.5

Individuals being released to community supervision should be provided a written health care discharge plan that identifies medical and mental health services available to the individual in the community.

Commentary: Individuals incarcerated in jails and prisons are more likely than the general population to experience chronic medical conditions, infectious diseases, disability, mental illness, and substance use.[79] Based on the greater medical needs of the incarcerated population, agencies should prioritize continuity of care for individuals releasing from incarceration to supervision. Governmental authorities should implement policies that allow government benefits, including health benefits, to be restored to individuals immediately upon release.[80] In April 2023, the Centers for Medicare and Medicaid Services (CMS) released guidance encouraging states to apply for a new Section 1115 demonstration opportunity to test transition-related strategies to support community reentry for people who are incarcerated.[81] This demonstration allows states a partial waiver of the "inmate exclusion" policy, which prohibits Medicaid from paying for services provided during incarceration. Supervision agencies should therefore coordinate with other reentry service providers to identify opportunities for prerelease benefits planning to ensure continued care coverage. Where Medicaid, Medicare, or Veterans Affair benefits are not immediately available upon release, CSOs should work with the individual to re-apply for these benefits as part of their case plan.

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[79] Jennings, Latasha, Carolina F. Branson, Andrea M. Maxwell, Tyler N.A. Winkelman, and Rebecca J. Shlafer. 2021. "Physicians' Perspectives on Continuity of for Patients Involved in the Criminal Justice System: A Qualitative Study." *PLoS One* 16 (7). https://doi.org/10.1371/journal.pone.0254578.

[80] La Vigne, Nancy, Elizabeth Davies, Tobi Palmer, and Robin Halberstadt. 2008. *Release Planning for Successful Reentry: A Guide for Corrections, Service Providers, and Community Groups.* Washington, D.C.: Urban Institute. https://www.urban.org/sites/default/files/publication/32056/411767-Release-Planning-for-Successful-Reentry.PDF.

[81] Hinton, Elizabeth, Akash Pillai, and Amaya Diana. 2024. "Section 1115 Waiver Watch: Medicaid Pre-Release Services for People Who Are Incarcerated." *KFF.* Accessed May 3, 2024. https://www.kff.org/medicaid/issue-brief/section-1115-waiver-watch-medicaid-pre-release-services-for-people-who-are-incarcerated/#:~:text=In%20April%202023%2C%20the%20Centers,for%20people%20who%20are%20incarcerated.
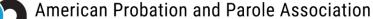
A reentry plan should include information about the medical care provided within facilities and any follow-up care, as well as referrals or recommended treatment. The medical, dental, and behavioral health information shared in the plan should be limited to the information necessary to ensure continuity of care in the community. CSOs should coordinate with correctional facility staff to finalize any signed releases of information for medical and behavioral health care information so institutional records can be shared with in-community health care to promote continuity. Incorporating medical and mental health needs into transition planning can also improve reentry outcomes. SAMHSA identifies medication and prescription access, benefits, and health care coverage at or immediately following release as key elements during reentry.[82]

To support the continuity of care, the supervising agency should identify and arrange for community-based health care services, including substance use treatment and mental health treatment. The agency should ensure that all health care treatment and medications provided to the individual during the term of imprisonment will continue uninterrupted, including the following, if necessary:

- Facilitating the acquisition of prescription medication or medical equipment for a brief period reasonably necessary to obtain access to health care services in the community.
- Coordinating initial medically necessary transportation from the correctional facility to a community health care facility for continuing treatment.
- Otherwise addressing the individual's serious immediate post-release health care needs.

Overall, supervision agencies and correctional facilities should determine what types of information is necessary to share with which service providers to balance privacy with impactful continuity of care.

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[82] Substance Abuse and Mental Health Services Administration. n.d. "The Sequential Intercept Model (SIM)." Accessed April 4, 2024. https://www.samhsa.gov/criminal-juvenile-justice/sim-overview/intercept-4.

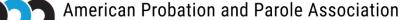A Force for Positive CHANGE.

Standard 4.6

Agencies should ensure that upon release, each individual confined for more than three months possesses or is provided with photographic identification and resources to meet their immediate needs.

Commentary: The resources provided to each confined individual at release should include: photo identification (ID); clothing appropriate for the season; a voter registration card or general instructions on how to register to vote, if eligible to vote upon release; and sufficient cash or its equivalent (debit card) necessary for maintenance during a brief period immediately following release.

A photo ID is a key component of a releasing individual's ability to access publicly funded benefits such as Medicaid and food assistance, gain employment, enter behavioral health treatment, and secure housing. Roughly 20 states have statutory protections to help releasing individuals get identification. The entity responsible for providing photo IDs at release also varies across states, ranging from jails and prisons to mobile identification teams; these entities connect with people coming from facilities across different timelines prior to release.[83] Based on the state's legal requirements, timelines, and responsible entity, the supervision agency should support individuals on supervision to access permanent or temporary photo ID prior to or immediately following release. This support should include providing funds or waivers to cover any photo ID fees.

Each supervision agency should research its state's laws about restoring the voting rights of individuals with convictions and individuals on probation or parole. The supervision agency's practices about supporting the voting rights of individuals on supervision should both enfranchise

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[83] National Conference of State Legislatures. 2024. "Providing Identification for Those Released from Incarceration." Accessed April 4, 2024. https://www.ncsl.org/civil-and-criminal-justice/providing-identification-for-those-released-from-incarceration#:~:text=Incarcerated%20individuals%20will%20receive%20a,security%20card%20and%20release%20papers.

eligible voters and protect against the accidental registration of those who are not eligible to vote.

Standard 4.7

CSOs should provide each individual being released to the community with specific information about when and how to contact any agency having supervisory responsibility for the person in the community.
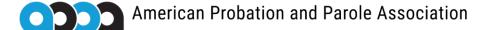
Commentary: Giving individuals on supervision specific guidance about their responsibilities for contacting their CSO can improve compliance, decrease technical violations, and reduce recidivism. The initial weeks on supervision are critical to an individual's success. Individuals on parole are most likely to reoffend during the first few weeks after release, and those on probation are most likely to reoffend during the first 10-18 months. [84] Clearly communicated and complete information about initial appointments and requirements can increase a releasing individual's likelihood of attending initial appointments and receiving supervision and support during the high-risk period immediately following release. This can be done through group orientation presentations outlining supervision expectations, introduction to supervision pamphlets, or text message reminders at the start of supervision to get individuals accustomed to the supervision schedule.

Safe Release

Standard 4.8

Agencies should work with correctional facilities to plan, whenever possible, for releases from the correctional facility at a reasonable time of day. Where possible, collaboration between supervision agencies and service providers should ensure individuals are provided

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[84] The Pew Charitable Trusts. 2020. "Policy Reforms Can Strengthen Community Supervision." Accessed May 3, 2024. https://www.pewtrusts.org/en/research-and-analysis/reports/2020/04/policy-reforms-can-strengthen-community-supervision.

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transportation to an appropriate and reasonable destination and be given contact information for all relevant community service providers.
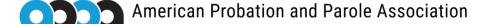
Commentary: Releasing individuals from incarceration at a reasonable time of day is critical to their safety and their ability to access reentry services. Many reentry resources that support emergency sheltering and housing, access to emergency medical and mental health treatment, and intake into substance use programming are only open during regular working hours.

When individuals leave a correctional facility overnight, they may be released into a dangerous area or situation without the contacts or resources to access a safe place. Many correctional facilities are located in places without easy access to public transportation, particularly overnight. The individual's safety may be further compromised if the after-hours release is during a cold winter or in the context of other inclement weather. When releasing individuals struggling with substance use, the days immediately following release are particularly high risk. A study conducted in Oregon found that people releasing from prison faced on overdose risk 10 times higher that of the general population, with particularly high opioid overdose rates the first two weeks after release.[85] Releases during regular working hours, coupled with transportation support or contact information for community providers, can keep individuals being released safe and facilitate speedy connection to emergency resources and treatment.

Standard 4.9

Agencies should provide funds for and encourage the use of community residential centers, prerelease programs, and housing opportunities for crisis situations where individuals on community supervision may need temporary housing.

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[85] Hartung, Daniel M., Caitlin M. McCracken, Thuan Nguyen, Katherine Kempany, and Elizabeth N. Waddell. 2023. "Fatal and Nonfatal Opioid Overdose Risk Following Release from Prison: A Retrospective Cohort Study Using Linked Administrative Data." *Journal of Substance Use and Addiction Treatment* 147. https://doi.org/10.1016/j.josat.2023.208971.

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Commentary: Housing is critical to an individual on supervision's ability to comply with supervision requirements, engage in treatment, and secure employment. CSOs can play an important role in supporting connections to housing for individuals coming from any custodial setting, as well as those in crisis situations. The Urban Institute conducted a study of individuals on parole supervision in Cleveland, Ohio and found that connection to housing within the first month post-release was critical to reducing recidivism.[86] In other studies, researchers found that the impact of stable housing is particularly strong for relatively low-risk people and for relatively low-severity offenses (i.e., property crimes, minor crimes, and revocations).[87]

Where appropriate, CSOs can assist individuals in identifying and applying for any housing assistance for which they might be eligible, such as low-income vouchers or other rental assistance set aside for specific populations. Supervision agencies can collaborate with the following resources:

- Their local Continuum of Care, the regional planning body that coordinates local responses to homelessness and connections to housing resources.
- Individual landlords or landlord associations to provide information about support the individual on supervision has through their CSO and programming.

For more information on housing for individuals on supervision, a resource produced by the Bureau of Justice Assistance (BJA) and the Council of State Governments (CSG) provides further guidance to supervision agencies and CSOs on prioritizing housing for individuals on their caseloads.[88]

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[86] Visher, Christy A., and Shannon M.E. Courtney. 2007. *One Year Out: Experiences of Prisoners Returning to Cleveland.* Washington, D.C.: Urban Institute. https://www.urban.org/sites/default/files/publication/43021/311445-One-Year-Out-Experiences-of-Prisoners-Returning-to-Cleveland.PDF.

[87] Jacobs, Leah, and Aaron Gottlieb. 2020. "The Effect of Housing Circumstances on Recidivism" *Criminal Justice Behavior* 47 (9): 1097–1115. https://doi.org/10.1177/0093854820942285.

[88] Council of State Governments. 2021. "The Role of Probation and Parole in Making Housing a Priority for People with Behavioral Health Needs." Accessed April 5, 2024. https://csgjusticecenter.org/wp-content/uploads/2021/03/Field-Notes_The-Role-of-Probation-and-Parole-in-Housing.pdf.

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American Probation and Parole Association

V.   Supervision Practices

INTRODUCTION

Although many specifics will vary from jurisdiction to jurisdiction, community supervision agencies should develop supervision practices based on a few fundamental principles as detailed in the Standards below. First and foremost, RNAs should drive supervision decisions; caseload design and distribution should be evidence-based. Supervision agencies should also provide their CSOs with structured guidance regarding important topics such as different types of contact visits, specialized caseloads, and early discharge eligibility. Finally, supervision agencies should develop policies about protection of information and compensation for victims of crime.

Caseload Organization and Structure

Standard 5.1

Agencies should develop and implement a caseload structure driven primarily by the results of the risk and needs assessment process. Active supervision, which includes regular reporting to a CSO, should be provided to individuals with moderate- and high-risk scores.

Commentary: Research has consistently shown that supervision and treatment interventions are most impactful when focused on individuals with moderate to high risk scores. Supervision resources, including financial and human capital, should be targeted to high-risk cases.[89] Supervision agencies should make caseload structure decisions in accordance with the RNR framework, and align services and supervision to an individual's risk and need level.[90] As detailed above under Standard 3 Assessment, individuals on supervision should be continually reassessed to account for changes in dynamic factors and supervision resources should be continually

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[89] Lowenkamp, Christopher T., and Edwards J. Latessa. 2004. "Understanding the Risk Principle: How and Why Correction Interventions Can Harm Low-risk Offenders." *Topics in Community Corrections:* 3-8. https://correctiveservices.dcj.nsw.gov.au/documents/Risk-principal--accessible-442577.pdf.
[90] National Institute of Corrections. n.d. "Transition from Jail to Community Toolkit." Accessed April 6, 2024. https://info.nicic.gov/tjc/.

reprioritized to account for changes in assessment scores, with more intensive supervision reserved for those assessed as moderate to high risk.

Standard 5.2

Agencies should establish separate caseloads for individuals who have low scores on the risk and needs assessment. Supervision in this category should be minimal, allowing for more resources to be spent on moderate- and high-risk individuals on supervision.
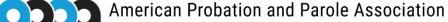
Commentary: The research has also shown that those with low risk scores should be supervised using less intensive means and are likely to succeed on community supervision with minimal interaction with CSOs. Supervision agencies can focus supervision resources on higher-risk individuals by assigning fewer officers to low-risk individuals, without any negative repercussions for public safety. Less frequent CSO contact for low-risk individuals does not lead to increased volume or seriousness of criminal activity.[91] In fact, the research has shown that over-supervising or involving low-risk individuals in treatment or programming can increase failure rates on community supervision.[92] Supervision agencies can consider using technological alternatives to replace regular supervision meetings, such as telephone monitoring. A study conducted in New York City found that an automated call reporting system for lower-risk individuals was an efficient supervision tool, producing superior results in reducing recidivism and improving compliance.[93] However, research shows that supervision agencies should be intentional in the implementation

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[91] Barnes, Geoffrey C., Lindsay Ahlman, Charlotte Gill, Lawrence W. Sherman, Ellen Kurtz & Robert Malvestuto. "Low-Intensity Community Supervision for Low-Risk Offenders: A Randomized, Controlled Trial." *Journal of Experimental Criminology*. 6 (2): 159-189. http://dx.doi.org/10.1007/s11292-010-9094-4.

[92] Cohen, Thomas H., David Cook, and Christopher T. Lowenkamp. 2016. "The Supervision of Low-risk Offenders: How the Low-risk Policy Has Changed Federal Supervision Practices without Compromising Community Safety." *Federal Probation* 80 (1). https://www.researchgate.net/publication/306032058_The_Supervision_of_Low-risk_Offenders_How_the_Low-risk_Policy_Has_Changed_Federal_Supervision_Practices_without_Compromising_Community_Safety.

[93] Wilson, James A., Wendy Naro. 2007. *Innovation in Probation: Assessing New York City's Automated Reporting System.* Washington, DC: The JFA Institute. https://docplayer.net/6440735-July-2007-james-a-wilson-fordham-university-wendy-naro-james-f-austin-jfa-associates.html.

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of technology-based supervision strategies to ensure that CSOs are utilizing these tools in alignment with a validated RNA tool and still addressing needs even for low-risk individuals.[94]
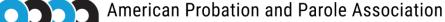
Geographic Assignment

Standard 5.3

Agencies should organize supervision caseloads geographically to promote efficiency, with considerations involving resource allocation, resource distribution, and knowledge of community-based services.

Commentary: Case assignment decisions should consider variables including designated officer distribution across caseloads, resource allocation, and caseload types. CSO teams should be designated and assigned to certain geographic regions, with attention towards risk and need levels and responsivity factors. Designated officers should supervise as many individuals on supervision as possible in a certain geographic area to save other officers long travel times for field visits. Offices can also consider forming teams of officers that serve a given geographic area and report out updates to one another to provide additional flexibility and distribute the travel for field visits.

Geographic assignment increases efficiency, as the CSO has a limited area in which to travel, reducing travel time and expenses. It also enables the CSO to get to know the area better, with implications for staff safety, as well as obtaining more specific knowledge of local community organizations and resources, court teams, treatment and service providers, employers, and others. This knowledge increases the CSO's effectiveness in connecting people on their caseload to relevant resources. By locating CSOs close to where individuals on supervision are living when

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[94] Viglione, Jill, Faye S. Taxman. 2018. "Low Risk Offenders Under Probation Supervision: Risk Management and the Risk-Needs-Responsivity Framework." *Criminal Justice and Behavior* 45 (12): 1809-1831. https://journals.sagepub.com/doi/full/10.1177/0093854818790299.

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possible, supervision agencies can also help individuals to comply with supervision conditions by reducing the travel required for reporting.[95]
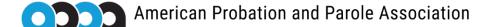
Specialized Caseloads

Standard 5.4

Agencies should review the composition of their total caseload to determine whether the number of individuals on supervision with common profiles or offense types is sufficient to support grouping them into specialized caseloads.

Commentary: Specialized caseloads are commonly established for individuals sentenced for certain types of offenses (e.g., sex offenses, intimate partner or domestic violence, or other violent crimes). Alternatively, caseloads might be organized by profiles (e.g., individuals involved in gang activity, people struggling with substance use, women, veterans) or by specialized needs, including those with behavioral health diagnoses. Specialized caseloads typically feature smaller caseload sizes to enable closer supervision, targeted evidence-based interventions and services, specialized training for the CSOs, and increased collaboration with treatment providers and clinicians. Research indicates that when specialized caseloads are in place, supervision agencies typically see fewer arrests, fewer days in jail for people after supervision placement, and cost savings due to reduced recidivism and reduced use of emergency services and inpatient and residential services.[96] Research has shown that specialized caseloads are more effective with

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[95] The Pew Charitable Trusts. 2020. "Policy Reforms Can Strengthen Community Supervision." Accessed May 3, 2024. https://www.pewtrusts.org/en/research-and-analysis/reports/2020/04/policy-reforms-can-strengthen-community-supervision.

[96] Haneberg, Risë. 2021. *Implementing Specialized Caseloads to Reduce Recidivism for People with Co-Occurring Disorders*. New York, NY: CSG Justice Center. https://csgjusticecenter.org/wp-content/uploads/2021/02/CSGJC-Specialized-Caseloads_508compliantFINAL.pdf.
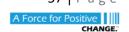
people with mental health diagnoses.[97,98,99] Assignments of CSOs to specialized caseloads should generally be on a volunteer basis or connected to officers' training and related experiences with specialized populations.

Most recently, there has been research on the efficacy of mental health-focused caseloads.[100] This research outlines 1) supervision agencies' mental health screening and identification methods; 2) characteristics of mental health caseloads, including eligibility criteria, officer selection, required training, and interfacing with service providers; and 3) other strategies agencies use to supervise people with mental illnesses beyond mental health caseloads. One effective strategy highlighted was the practice of co-locating mental health treatment within the supervision setting for faster screening, referrals, and assessments. Another practice highlighted involved multidisciplinary case staffing meetings where behavioral health providers join regular supervision staffing meetings to flag issues or unfolding concerns.

Supervision agencies should weigh their local resources and needs when determining whether to establish specialized caseloads and should define specialized caseloads that are relevant to their populations.[101] Establishing specialized caseloads can be a challenge in smaller agencies where there are not enough individuals on supervision with specialized needs to justify the distinct resources required for specialized caseloads. Also, agencies in rural areas may find that the numbers of cases may be adequate, but their geographic distribution makes the organization of specialized caseloads impractical. Specialized caseloads might require a limited departure from

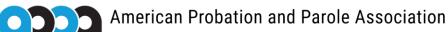[97] Skeem, Jennifer L., and Jennifer Eno Louden. 2006. "Toward Evidence-Based Practice for Probationers and Parolees Mandated to Mental Health Treatment." *Psychiatric Services* 57 (3): 333-342. https://pubmed.ncbi.nlm.nih.gov/16524990/.

[98] Skeem, Jennifer L., John Encandela, and Jennifer Eno Louden. 2003. "Perspectives on Probation and Mandated Mental Health Treatment in Specialized and Traditional Probation Departments." *Behavioral Science and the Law* 21 (4): 429-458. https://doi.org/10.1002/bsl.547.

[99] Wolff, Nancy, Matthew Epperson, Jing Shi, Jessica Huening, Brooke E. Schumann, and Irene Rubinson Sullivan. 2014. "Mental Health Specialized Probation Caseloads: Are They Effective?" *International Journal of Law and Psychiatry* 37 (5): 464-72. https://doi.org/10.1016/j.ijlp.2014.02.019.

[100] Van Deinse, Tonya B., Mariah Cowell Mercier, Allison K. Waters, Mackensie Disbennett, Gary S. Cuddeback, Tracy Velazquez, Andrea M. Lichtman, and Faye Taxman. 2023. "Strategies for Supervising People with Mental Illnesses on Probations Caseloads: Results from a Nationwide Study." *Health & Justice* 11 (1): 41. https://doi.org/10.1186%2Fs40352-023-00241-w.

[101] The Pew Charitable Trusts. 2020. "Policy Reforms Can Strengthen Community Supervision." Accessed May 3, 2024. https://www.pewtrusts.org/en/research-and-analysis/reports/2020/04/policy-reforms-can-strengthen-community-supervision.

the geographic assignment standard above, as certain cases would be assigned to a specialized caseload instead of under an officer that is most geographically convenient to the individual. Additionally, even if there are not enough cases to support a separate caseload, there should be recurring trainings available to address specific needs and responsivity factors per population type.
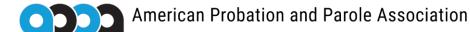
Standard 5.5

As soon as possible following sentencing or release from a correctional facility, the CSO should meet with the individual who is starting supervision and explain all terms and conditions of community supervision.

Commentary: Without a full understanding of their terms and conditions of supervision, individuals on supervision will struggle to comply. To ensure this understanding, CSOs should review the terms and conditions with the individual on supervision as soon as possible following sentencing or release. This review should be done in person, including a verbal review, as supervision terms and conditions are often lengthy and written in legal language, and may be challenging for individuals on supervision to read and understand, particularly those with lower levels of literacy or limited English language reading comprehension. This conversation should be an interactive experience, with officers practicing active listening and prompting questions the individual might have. The person on community supervision should sign the conditions form, indicating understanding and acknowledgement of the requirements. The CSO should give the person on community supervision a written copy of those terms and conditions as well.

Supervision Contacts

Standard 5.6

Community supervision is provided through interpersonal contacts between the CSO and the person on community supervision.

Commentary: The purposes of regular meetings between CSOs and persons on community supervision are to check on their overall status, to secure updated information, to assess progress in meeting the objectives of the case plan, to deliver cognitive behavioral interventions that specifically target risk, to respond to instances of noncompliance and if necessary, and revise case plan goals and objectives where circumstances have changed.

Supervision contacts may be in person or via telephone or electronic media such as email or video conferencing. In-person contact may occur in the agency's office, the individual's home, place of employment (if discussed with the individual and this will not jeopardize employment), at treatment programs, or in a variety of other places. The type and frequency of supervision contacts should be driven by continual RNR assessments, focusing more on the individual's needs than risk. Using RNAs, CSOs should balance the benefits of contacts against taking time the individual on supervision would otherwise be able to focus on responsibilities such as work, childcare, and treatment.[102] By tailoring supervision contacts to each individual's risk and need levels, supervision agencies can also best prioritize limited supervision resources.[103] While formal reassessment will not happen at every contact visit, discussions addressing risk and need factors that impact the case plan should occur. Agencies should refer to the Quality Contacts Standards Form to provide officers guidance on substantive contacts with individuals on supervision and provide feedback to officers.[104]

Standard 5.7

Agencies' policies should provide that the nature and frequency of supervision contacts are based upon the case plan and responsiveness to treatment and supervision. Agencies should

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[102] The Pew Charitable Trusts. 2020. "Policy Reforms Can Strengthen Community Supervision." Accessed May 3, 2024. https://www.pewtrusts.org/en/research-and-analysis/reports/2020/04/policy-reforms-can-strengthen-community-supervision.

[103] The Pew Charitable Trusts. 2020. "Policy Reforms Can Strengthen Community Supervision." Accessed May 3, 2024. https://www.pewtrusts.org/en/research-and-analysis/reports/2020/04/policy-reforms-can-strengthen-community-supervision.

[104] Taxman, Faye S., Christina Yancey, and Jeanne E. Bilanin. 2006. *Proactive Community Supervision in Maryland: Changing Offender Outcomes*. Virginia Commonwealth University and the University of Maryland. https://www.researchgate.net/publication/241222778_Proactive_Community_Supervision_in_Maryland_Changing_Offender_Outcomes.

establish minimum contact standards to ensure accountability, but the CSO should develop a tailored contact schedule for each case and have it approved by the supervisor.

Commentary: Historically, community supervision agencies have developed contact standards for each level of supervision, with the frequency and nature of contacts defined and then applied uniformly across all individuals in that level, essentially independent of the supervision strategy and case plan. In an evidence-based model, the content of the contact, rather than frequency, is more important and should drive the nature and frequency of contacts. Contacts should, among other things, be used to facilitate a positive working relationship between the person on community supervision and the CSO. See Standard 6.3 for additional information on the importance of building rapport between CSOs and individuals on supervision. Additionally, the focus of contacts should be on behavioral and cognitive interventions, instead of using meetings as mere compliance checks. For example, officers might use particular resources for certain individuals on supervision to promote behavioral interventions, such as the Brief Intervention to Promote Service Engagement (BIPSE), which aims to enhance the therapeutic relationship between probation officers and persons on probation with serious mental illnesses.[105] Tools like the BIPSE focus on engagement, shared decision-making and strategic case management, which will inform frequency and types of contact visits.

At times, the court might give input on frequency of supervision contact within the order of conditions and supervision. Judges should not order more detailed mandates, which are best left to the assigned supervising officer who has reviewed risk level and needs to inform the contact schedule.

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[105] Epperson, Matthew W., Lean Sawh, Sophia P. Sarantakos. 2021. "Building a Therapeutic Relationship Between Probation Officers and Probationers with Serious Mental Illnesses." *CNS Spectrums* 25 (5): 723-733. https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7483174/#:~:text=As%20part%20of%20an%20overall,use%20of%20mental%20health%20services.
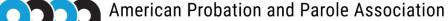
Collateral Contacts

Standard 5.8

The CSO should complete collateral contacts as needed to secure information about persons on community supervision that is important to the supervision process and to encourage ongoing support in the community.

Commentary: During the intake process, CSOs often ask individuals on supervision for names and phone numbers of additional contacts, which will inform the CSO's future collateral contacts. Collateral contacts occur when CSOs interact with third parties who are familiar with the individual on supervision, including family members, friends, treatment providers, employers, and law enforcement officers.[106] These third parties are typically people who can confirm a client's home address, employment, progress in treatment, and other details. They can also include people who provide a prosocial support system for individuals on supervision, and who can help individuals desist from criminal behavior.[107] The insights gained from collateral contacts can aid CSOs in creating effective treatment and intervention plans. Importantly, these conversations can shed light on the strengths of the individual on supervision and the challenges that they face from a trusted source. When a CSO is unable to contact the individual on supervision when conducting a home visit, reaching out to a collateral contact during these visits should be a standard procedure. This ensures that the CSO can gather information from at least one source until they can contact the individual on supervision directly. These contacts may be made in person or electronically. Where the individual on supervision has failed to contact the CSO at the required time, officers should attempt to confirm the individual's location through

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[106] Cohen, Thomas H., David Cook and Christopher T. Lowenkamp. 2016. "The Supervision of Low-risk Federal Offenders: How the Low-risk Policy Has Changed Federal Supervision Practices without Compromising Community Safety." *Federal Probation* 80 (1): 3-11. https://www.uscourts.gov/sites/default/files/80_1_1_0.pdf.

[107] Schaefer, Lacey, Gemma C. Williams, and Tenille Ford. 2021. "Social Supports for Community Corrections Clients: Risk Factors or Protective Factors?" *Journal of Qualitative Criminal Justice & Criminology* 11 (1). https://doi.org/10.21428/88de04a1.69f6e14b.

conversations with collateral contacts before filing absconding or failure to report violation reports.
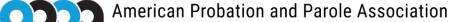
Home Visits

Standard 5.9

Agencies should develop and implement policies governing home visits by CSOs. The policy should define the purpose of home visits, describe how they will be accomplished, and articulate how information obtained during a home visit will be used to focus on behavior change of the person on community supervision.

Commentary: Home visits are often viewed as a critical tool for CSOs and have been described as "a means to broker social services and promote rehabilitation efforts while also conducting law enforcement-oriented field work."[108] Arguably, home visits can help to bolster the officer-supervisee relationship by increasing an individual's trust in their officer and opening channels of communication that promote a healthier approach to the probation sentence. However, although home visits and other types of field work can take up significant amounts of CSOs' time, it is unclear how effective these field contacts are at promoting community supervision's mission of public safety. This may be because field contacts are difficult to study effectively.

While there has been limited research on the efficacy of home visits in particular, some research has indicated that overall field visits did seem to reduce recidivism; however, some findings in specific jurisdictions were inconsistent.[109] For example, in Ohio, unscheduled and scheduled visits were found to be equally effective, while in Minnesota, researchers found that only unscheduled visits led to significant reductions in recidivism. Research has also found that overall, multiple successful field contacts are less effective for low-risk individuals than for very high and high-risk

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[108] Ahlin, Eileen M., Maria Joao Lobo Antines, and Heather Tibman-Carbone. 2013. "A Review of Probation Home Visits: What Do We Know?" *Federal Probation* 77 (3): 32-37. https://www.uscourts.gov/sites/default/files/77_3_5_0.pdf.
[109] Abt Associates. 2019. "Evaluating the Impact of Probation and Parole Home Visits." Accessed May 3, 2024. https://www.abtglobal.com/insights/publications/report/evaluating-the-impact-of-probation-and-parole-home-visits.

individuals. While conducting case planning activities during the home visits did not reduce recidivism, the use of other evidence-based practices did have an impact on reducing recidivism.[110] The study concluded that more research is needed to determine best practices for home visits.

When drafting policies related to home visits, agencies should consider the theoretical basis for home visits[111] (i.e., whether they are mandated for rehabilitative or therapeutic purposes), the impact on family members living in a shared home, and how frequently home visits are needed based on the person's risk level and needs.[112]

Searches

Standard 5.10

Agencies should develop and implement clearly defined policies and protocols, approved by the court or releasing authority, that govern searches of persons on community supervision and their property.

Commentary: Under *Griffin v. Wisconsin* (1987),[113] probation and parole officers do not need probable cause to search the homes of individuals on supervision, as those individuals are not covered by the safeguards of the Fourth Amendment. Members of the relevant supervision agency also have the legal authority to search an individual's person and property and obtain any contraband, abiding by chain of custody requirements. Agency policies should require the CSO to document the reasons for conducting such a search, conduct all searches in a lawful and reasonable manner, and document the results of the searches. Policies should also make clear

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[110] Abt Associates. 2019. "Evaluating the Impact of Probation and Parole Home Visits." Accessed May 3, 2024. https://www.abtglobal.com/insights/publications/report/evaluating-the-impact-of-probation-and-parole-home-visits.

[111] Taxman, Faye S. 2002. "Supervision—Exploring the Dimensions of Effectiveness." *Federal Probation* 66 (2): 14-27. https://www.uscourts.gov/sites/default/files/66_2_3_0.pdf.

[112] Ahlin, Eileen M., Venn State Harrisburg and Maria João Lobo Antunes. 2013. "A review of probation home visits: What do we know?" *Federal Probation* 77: 32-37. https://www.uscourts.gov/sites/default/files/77_3_5_0.pdf.

[113] *Griffin v. Wisconsin*, 483 U.S. 868 (1987).

that searches should not be extended to other people who may be residing with or are otherwise closely associated with the individual on supervision, except for reasons of officer safety. Searches in a home should be limited to places the individual on supervision has shared access, but not areas for which a cohabitant has exclusive access. Additionally, policies should authorize CSOs to conduct limited ("pat-down") searches of other people who are present, specifically to search for weapons, if the circumstances reasonably require it. This is to ensure the safety of all parties involved.

Typically searches will occur in the following circumstances:

- The CSO has reasonable suspicion to believe that the individual is in violation of the conditions of supervision and that the search will produce evidence of the suspected violation; or
- The court/Parole Board has ordered, as a special condition of supervision, that the individual submit to a warrantless search by the CSO; or
- The CSO has obtained a valid written consent to search from the individual; or
- The court has authorized a search order.

Additionally, so long as the CSO is legally on the premises and contraband or other evidence of crime is within the plain sight of the CSO, the CSO has the right to seize the evidence and use this as part of a report of violation. For additional guidance, agencies should review APPA's sample search and seizure policy for supervision agencies.[114]

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[114] American Parole and Probation Association. n.d. "Sample Search and Seizure Policy Statement." Accessed April 9, 2024. https://www.appa-net.org/psn/docs/Search_Seizure_Policy.pdf.

Digital Technology-Based Supervision

Standard 5.11

Agencies should develop and implement policies and practices governing the use of technology-based and/or electronic tools for supervision.

Commentary: The COVID-19 pandemic greatly accelerated experimentation and use of a wide variety of communications technologies. While these methods have greatly increased the ability of CSOs to communicate with the individuals on their caseloads, it is important to ensure that they are used as a supplement to in-person supervision rather than a replacement for it. Technology-based resources to support supervision might include text messaging, email, video, social media, and reporting kiosks. For some low-risk populations, technology-based contacts might provide sufficient communication. The agency's policy for using these tools should address appropriate applications, exclusions, target populations, ethics, and privacy concerns.

Early Discharge

Standard 5.12

Agencies, in collaboration with the court or releasing authority, should develop a policy to govern early discharge from community supervision.

Commentary: As of 2020, forty states had laws allowing judges to discharge individuals from supervision before their scheduled end date, and sixteen states allowed individuals to accumulate earned time credits based on good behavior on supervision.[115] Accordingly, community supervision agencies should develop policies that fit their state's statutory eligibility requirements for early discharge or earned time, in consultation with other decision-makers within the justice system. Reviewing the early discharge policy, the CSO should determine that

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[115] Pew Charitable Trusts. 2020. "States Can Shorten Probation and Protect Public Safety." Accessed May 23, 2024. https://www.pewtrusts.org/en/research-and-analysis/reports/2020/12/states-can-shorten-probation-and-protect-public-safety

the person on community supervision has complied with the conditions of supervision and has met the goals of the case plan. The application for early discharge must be approved by the supervisor and agency head before submission to the court or releasing authority for consideration. Early discharge is often dependent on having statutory authority to take such action but can also be built into community supervision policy. The possibility of receiving an early discharge is one of the stronger motivators for individuals on community supervision to comply with the conditions and work to complete the case plan objectives in a timely manner. [116]

Jurisdictions have seen success with early discharge policies coupled with earned compliance. For example, in Missouri, the Urban Institute and the Crime and Justice Institute compared people who received early discharge through earned compliance credits with those discharged from supervision before the state had implemented the early discharge policy. The report found no increase in recidivism for people who earned early discharges. [117] In fact, in the six years following the policy's implementation, Missouri's supervision populations (both probation and parole) declined by 30%—and the terms of those who received earned compliance credits and successfully completed supervision were cut on average by more than a year. [118,119] Researchers studying New York City probation also found that people who were discharged early from probation, regardless of their underlying charges, had lower rates of recidivism than people who served full terms of supervision. [120]

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[116] Wodahl, Eric J., Brett E. Garland, and Thomas J. Mower. 2017. "Understanding the Perceived Value of Incentives in Community Supervision." *Corrections: Policy, Practice and Research* 2 (3): 165-188. https://doi.org/10.1080/23774657.2017.1291314.

[117] Crime and Justice Institute. 2022. "An Assessment of Earned Discharge Community Supervision Policies in Oregon and Missouri." Accessed May 21, 2024. https://www.cjinstitute.org/assets/sites/2/2022/01/2022.1.11_Earned-discharge-oregon-missouri_final.pdf

[118] Olsen, Robin, Constance Hull, Barbara Pierce, Ashlin Oglesby-Neal, Leigh Courtney, and Valerie Meade. 2022. *An Assessment of Earned Discharge Community Supervision Policies in Oregon and Missouri.* Washington, D.C. https://www.urban.org/sites/default/files/publication/105347/an-assessment-of-earned-discharge-community-supervision-policies-inoregon-and-missouri.pdf.

[119] Pew Charitable Trusts. 2016. "Missouri Policy Shortens Probation and Parole Terms, Protects Public Safety." Accessed May 3, 2024. https://www.pewtrusts.org/en/research-and-analysis/issue-briefs/2016/08/missouri-policy-shortens-probation-and-parole-terms-protects-public-safety.

[120] Williams, Jarred, Vincent Schiraldi, and Kendra Bradner. *The Wisconsin Community Corrections Story.* New York: Columbia University Justice Lab. https://perma.cc/WX76-QSTP.

Standard 5.13

Agencies should develop policies and training to ensure that CSOs exercise care in their conversations with individuals on community supervision to avoid influencing their political, religious, or legal decisions and should avoid inquiry into matters unrelated to their supervision.

Commentary: Officers should keep their relationships and all conversations with the individuals on community supervision on a professional level. While it is not always clear what information might impact the individual's ability to comply with supervision mandates, CSOs should stay focused on requesting information and having conversations tied to behavior change, as opposed to current events that involve political or religious decisions. One example of an agency providing guidance to their officers on this subject comes from the Illinois Probation and Court Services Association, which outlines some guidance about setting boundaries and role clarification in their Code of Ethics.[121] Agencies might include boundary-setting guidance within training through role-play scenarios, where topics outside the scope of supervision arise and officers can practice how to respectfully guide the conversation.

Documentation of Supervision

Standard 5.14

CSOs should maintain accurate records of the progress for each person on community supervision.

Commentary: Case notes are essential to the effectiveness of community supervision. Given the importance of having accurate and current information available at all times, any supervision case notes should be entered before the end of the business day on which the contact occurred or, at a minimum, within 24 hours of the contact. Although it can be time-consuming to maintain

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[121] Illinois Probation and Court Services Association. n.d. "IPCSA Code of Ethics." Accessed April 9, 2024. https://ipcsa.org/code-of-ethics/.

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these records, writing timely and accurate case notes will help CSOs maintain a record of the individual's progress towards the goals identified in their case plan. A contemporaneous record of the individual's behavior may also be valuable information in the event of future legal proceedings or where the case is transitioned to a new CSO. Agencies should think through guidance for documenting case notes especially as they relate to field visits, where access to laptops or other note-taking tools might be limited.
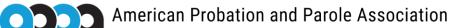
Cooperation with Law Enforcement

Standard 5.15

Agencies should establish and maintain effective communications with law enforcement for the exchange of information as deemed appropriate by the agency.

Commentary: Partnerships between police and community corrections agencies create opportunities that can be beneficial for both organizations. Policing agencies can better ensure public safety through frequent communication with civilians, community organizations, and community corrections agencies. Similarly, individuals on supervision benefit from strong relationships among agencies that respond to crises in the community and create a continuum of care, where supervision officers have relevant information that might encourage diversion from arrests where mental health crises or substance use incidents bring the person in contact with law enforcement.[122] Continuous communication and information sharing between agencies aids in deterring crime. Care must be taken to follow any limitations on information disclosure that may exist by statute, administrative regulations, rules, or the policy of the court or releasing authority. Written policy and procedure should provide that the confidentiality of the individual's community supervision status is maintained. Supervision services are available 24 hours a day only in instances where CSOs are on-call; therefore, collaboration with law enforcement out in the field allows law enforcement officers to respond more quickly where there is noncompliance

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[122] Guevara, Meghan, and Enver Solomon. 2009. "Implementing Evidence-Based Policy and Practice in Community Corrections." Accessed May 21, 2024. https://www.crj.org/assets/2017/07/Community_Corrections_BoxSet_Oct09.pdf

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with supervision conditions. Additionally, some jurisdictions' supervision agencies and law enforcement have partnered to address specific challenges. In Harris County, Texas, for example, the Community Supervision and Corrections Department developed a Domestic Violence Specialized Caseload; officers work in collaboration with community agencies and law enforcement to provide case management and better responses to family violence issues.[123]

Victim Services and Notification

Standard 5.16

Agencies should have a written policy that addresses the responsibilities of the supervision agency in relation to victims and survivors.

Commentary: The terms 'victim' or 'survivor' more broadly describe an individual who has been subjected to a crime, including domestic or intimate partner violence, robbery, assault, theft (including identify theft), sex crimes, crimes involving vehicular assault and others. Accordingly, a victim or survivor is an individual experiencing harm and/or injury either by verbal threat, physical and/or psychological means. Victims may also experience economic loss or a violation of fundamental human rights. Victims can be individuals, collective groups, community, or business entities. It is equally important to recognize that both the term victim and survivor are relevant. Victims of crime living and working in communities should be viewed as survivors and encouraged to continue their healing process. Survivors also include family members of individuals experiencing the physical harm (i.e., in the case where a death occurs).

The way supervision agencies engage victims and survivors through verbal and written communications is essential to restoring a sense of safety and well-being. Initial communication from the agency should acknowledge the loss and the supervision agency's role in providing

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[123] The Pew Charitable Trusts. 2020. "Policy Reforms Can Strengthen Community Supervision." Accessed May 3, 2024. https://www.pewtrusts.org/en/research-and-analysis/reports/2020/04/policy-reforms-can-strengthen-community-supervision.

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information, assistance, and referral to services. Supervision agencies might include restorative justice principles within officer training as a resource for engaging victims and survivors. [124]

Every community supervision agency should have a written policy to address the agency's stance on victim contact and safety. It is the responsibility of CSOs to help ensure public safety, facilitate the process of behavioral change through intervention and treatment, and enforce accountability for noncompliance. It is also expected that CSOs support measures and safeguards that keep victims safe from further harm and provide a mechanism to help financially compensate victims when appropriate, often through restitution amounts determined through the pre-sentence interview and/or victim impact statements considered at the time of sentencing.

Victims have a right to be notified when an individual is sentenced to any form of community supervision and in the event of subsequent post-sentence hearings, including early termination and revocation decisions. [125] It is not the role of CSOs to provide counseling or treatment to victims of crime; however, CSOs should be well trained to provide victims with accurate information about the supervision process and appropriate resources for support. CSO communications should acknowledge the loss of the victim/survivor and the agency's role, where applicable, in assisting victims through the preparation and submission of victim impact letters or determinations of financial loss and subsequent restitution collection.

In general, community supervision agencies should empower victims of crime to share appropriate concerns about continued incidents of unwanted contact or harm during the supervision term. Agency guidance should make clear how to balance policy requirements with limitations on the release of private information concerning the individual on supervision. Community supervision agencies should be receptive to requests from victims seeking an

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[124] Bazemore, Gordon, and Mara Schiff. 2001. *Restorative Community Justice: Repairing Harm and Transforming Communities.* (1st ed.). Routledge. https://doi.org/10.4324/9781315721347.

[125] American Parole and Probation Association. "Position Statement: Victims of Crime." January 2012. Accessed April 9, 2024. https://www.appa-net.org/eweb/Dynamicpage.aspx?&webcode=IB_PositionStatement&wps_key=771fcea9-2483-4ba3-8d00-b57c1f58fb50.

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understanding of general supervision requirements and expectations. While citizens contacting a community supervision agency may share whatever information they deem relevant, the community supervision agency has limitations regarding information that may be released. This communication should be conducted with sensitivity to each victim's experience and professional alignment with agency policies for confidentiality and the release of information. Likewise, agencies need to be familiar with the laws that govern the protection of victims' identities or other contact information. Agencies should have a policy directing no victim contact information (e.g., phone number, address, email address.) shall be documented within the official case record, especially for domestic/intimate partner violence cases. To contribute to victim confidentiality and safety, victim contact information should be stored separately, as the case record may be accessible to the individual on supervision.

In general, CSO communication with a victim of a crime should include information about the following:

- Acknowledgment of injury or loss
- How to connect with victim services or local advocates/organizations to help them with education and resources
- Action steps and resources for safety planning
- Local police safety zones for child custody drop-off or related issues
- Information about batterers' intervention treatment services and expectations of those participating, if appropriate
- General information about obtaining protective order; and,
- Process for contacting police to report a crime.

CSOs directly responsible for supervising an individual who has demonstrated violent conduct may experience direct contact with a victim during the course of supervision. The CSO should be knowledgeable about the following issues:

- The victim's experience (level of victimization cause by the incident);

- Facts of the arrest incident;

- History of calls to police and system interaction involving the victim's household that involve the person on supervision;

- History/status of protective orders;

- Child visitation/support orders;

- Family members residing in the immediate household or those impacted by the violence (particularly minor children);

- Civil orders/requirements involving the Department of Child Welfare/social services/schools; and,

- Personal safety planning.

One resource related to navigating domestic or intimate partner violent cases is the Coordinated Community Response (CCR) model designed to create a systems approach for addressing effective responses to domestic violence.[126] Generally, these models are spearheaded by victim service agencies and involve stakeholder representation that touches all aspects of the criminal justice system, such as police, magistrates, judges, prosecutors, victim advocates, victim services, probation/parole, court services, batterer intervention/treatment services, behavioral health and social service agencies, schools, and hospitals. Although not available in every area, CCRs are a mechanism for system cooperation and collaboration. CCRs improve workflow processes, address gaps in services, and help to alleviate the duplication of services. CCRs also factor in the overall impact on the family, minor children, and support systems.

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[126] Shorey, Ryan C., Vanessa Tirone, and Gregory L. Stuart. 2014. "Coordinated Community Response components for Victims of Intimate Partner Violence: A Review of the Literature." *Aggression and Violent Behavior* 19 (4): 363-371. https://doi.org/10.1016/j.avb.2014.06.001.

Standards 5.17

Agencies' policies related to victim services and notification should comply with federal guidance.

Commentary: All states, the District of Columbia, and most U.S. territories have statutory or constitutional provisions that enumerate rights and protections for victims of crime. Two key federal laws also address victims' rights. The Crime Victims' Rights Act (18 U.S.C § 3771), enacted in 2004, specifies a broad set of rights for victims of federal crimes and authorizes federal funding for programs to assist victims in asserting, accessing and enforcing those rights. The Victims of Crimes Act (42 U.S. Code Chapter 112), enacted in 1984, authorizes crime victim compensation and assistance to victims of federal and state crimes. These federal and state provisions generally articulate the following rights of victims throughout the criminal justice process: 1) to be informed of proceedings and events, (2) to attend proceedings and be heard, #3) to have proceedings conducted free from unreasonable delay, (4) to have privacy and protection from intimidation and harassment, (5) to receive restitution from the perpetrator, (6) to apply for crime victim compensation, and (7) enforcement of these rights and access to other available remedies. The Office for Victims of Crime supports an extensive searchable database (VictimLaw) of federal and state victims' rights statutes, tribal laws, constitutional amendments, court rules, administrative code provisions, and case summaries of related court decisions.[127]

The victim has the right to reasonable information concerning the individual convicted of the crime. Chief among the rights of victims[128] related to community supervision are:

- The right to reasonable, accurate, and timely notice of any public court proceeding, or any parole proceeding, involving the crime or of any release or escape of the accused;

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[127] Pretrial Justice Center for Courts. n.d. "Victims' Rights." Accessed April 9, 2024. https://www.ncsc.org/pjcc/topics/leadership-and management/victims#:~:text=These%20federal%20and%20state%20provisions,from%20intimidation%20and%20harassment%3B%20to.
[128] Office of the United States Attorneys. n.d. "Crime Victims' Rights Act." Accessed April 9, 2024. https://www.justice.gov/usao/resources/crime-victims-rights-ombudsman/victims-rights-act.

- The right to be reasonably heard at any public proceeding in the district court involving release, plea, sentencing, or any parole proceeding;

- The right to full and timely restitution as provided in law; and,

- The right to be treated with fairness and with respect for the victim's dignity and privacy.

It is important for the supervising agency and CSOs to be familiar with their state laws that govern victims' rights and support the safety and well-being of all concerned. Notification of status changes of the supervised individual (e.g., release from custody when starting supervision or after a violation) should be considered and ensured either through personal communication or electronic notification, whenever possible.

VI.   Caseload Size

INTRODUCTION

The APPA recognizes that establishing standards for caseload size is a complicated issue, for reasons including variation in risk factors and service needs, variation in court and parole orders, and differences among jurisdictions.[129] However, baseline standards for caseload size are important to guide supervision agencies, policy makers, and funders. Minimum standards developed by the supervision agency are critical to ensure some level of uniformity and appropriate supervision responses to offenses, specifically cases that present a particular risk to public safety such as violent or gun offenses. Supervision agencies should use this Caseload Size Standard to provide their leadership and staff with a framework for determining caseload size that maximizes supervision effectiveness.

Standard 6.1

Agencies should adopt caseload standards to govern the assignment of cases to CSOs and to determine the number of individuals on supervision CSOs will be responsible for supervising.

Commentary: Recent research and scholarship have examined the size of community supervision caseloads and the impact on effectiveness. Simply put, many agencies have too many individuals on supervision without the appropriate corresponding number of CSOs to supervise, which impacts effectiveness. In an analysis of five different studies on the impact of probation caseloads on recidivism, all five studies showed that reductions in caseload size produced lower arrest rates, lower probation violation rates, and fewer average jail days.[130] Additionally, CSOs strained with large caseloads and limited resources may default more frequently to their most punitive

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[129] Burrell, Bill. 2006. *Caseload Standard for Probation and Parole.* Lexington, KY: American Probation and Parole Association. https://cdpsdocs.state.co.us/ccjj/Resources/Ref/2006-09_APPA_Caseload_Standards_PP.pdf.

[130] Fix, Chris, Jordan Harrison, Grace Hothersall, Ander Smith, Russell Webster. 2022. "A Rapid Evidence Assessment of the Impact of Probation Caseloads on Reducing Recidivism and Other Probation Outcomes." *Probation Journal* 69 (2): 138-158. https://journals.sagepub.com/doi/10.1177/02645505211025595.

and cost-intensive option—formal revocation of the supervision sentence, which can result in jail or prison.[131]

Some probation and parole agencies have had success with the development and deployment of workload models and weighted caseload formula. A key consideration of workload analysis is determining the amount of time officers need to conduct meaningful contacts with persons on supervision. That information can then help agencies determine the caseload size that best enables effective implementation of RNR principles.

Standard 6.2

Caseload standards should be driven by the risk and needs assessment, identifying the level of risk of reoffending and the criminogenic needs requiring intervention, which will inform the time required on cases.

Commentary: The potential benefits of conducting a caseload analysis are supported by research indicating that reduced caseload sizes, in conjunction with implementation of RNR practices, can lower recidivism by increasing the time officers have to provide meaningful interventions.[132] Supervision agencies should use RNR assessments to distribute CSO resources from low-risk to high-risk individuals. As discussed above in Standard 5.2, higher levels of supervision can be harmful to low-risk individuals, such that caseloads that include persons assessed at different risk levels should not supervised in identical ways. Redistributing caseloads to focus less supervision time on low-risk individuals frees additional time for medium- and high-risk individuals, which can improve outcomes without expanding an agency's number of CSOs. One study, for example, evaluated the introduction of reduced caseloads—approximately 54 medium-to-high-risk individuals per officer—in an agency with officers who were fully trained in evidence-based

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[131] Jacobson, Michael P., Vincent Schiraldi, Reagan Daly, and Emily Hotez. n.d. *Less is More: How Reducing Probation Populations Can Improve Outcomes.* Cambridge, MA: Harvard Kennedy School. https://www.hks.harvard.edu/sites/default/files/centers/wiener/programs/pcj/files/less_is_more_final.pdf.
[132] The Pew Charitable Trusts. 2020. "Policy Reforms Can Strengthen Community Supervision." Accessed May 3, 2024. https://www.pewtrusts.org/en/research-and-analysis/reports/2020/04/policy-reforms-can-strengthen-community-supervision.

practices. The results showed that recidivism fell by 30% where agencies have redistributed caseloads to ensure smaller caseloads of higher-risk individuals.[133]
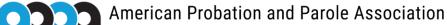
Standard 6.3

The recommended standards for adult community supervision caseloads are:

Case Type	Cases-to-Staff Ratio
Intensive	20:1
Moderate to High Risk	50:1
Low Risk	200:1
Administrative	No limit suggested

Commentary: Within the constraints of their available staff and specifics of their jurisdictions' supervision demands, supervision agencies should make efforts to comply with the cases-to-staff ratio detailed above, while acknowledging these are broad guidelines. The optimal caseload will vary across jurisdictions, based on diversity of needs in the population, the coverage area, the case plan requirements, and available staff and resources. These recommendations should be seen as target ranges and additional research should be conducted to allow for further guidance.

RNA scores based on validated tools should be used to determine whether cases are deemed "moderate to high risk" and "low risk", for purposes of case-to-staff ratios.

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[133] Jalbert, Sarah Kuck. 2012. "Reduced Caseloads Improve Probation Outcomes." *Journal of Crime and Justice* 35 (2): 221-38. https://doi.org/10.1080/0735648X.2012.679875.

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The case types detailed in the cases-to-staff ratio guidelines are defined as follows:

- **Intensive**: Includes individuals determined by the agency to require close monitoring, such as those with a record of sex offenses, interpersonal violence, or other violent offenses, or individuals involved with gangs, as described in the specialized caseloads section.

- **Moderate to high risk**: includes individuals who score in either the moderate or high risk range on a validated RNA.

- **Low risk**: includes individuals who score low risk on a validated RNA. The cases to staff ratio is high for this group, as supervision interventions should be significantly lighter touch than medium- and high-risk individuals. Additionally, low risk supervision may be supplemented by technology tools that can further reduce the workload burden on the responsible CSO; and,

- **Administrative caseload**: includes selected low-risk individuals who have been assessed as appropriate for minimal supervision and may not require contact but stay within the agency system in case there are violations.[134]

Research has confirmed that moderate to high-risk persons on probation on a 50:1 caseload received significantly more office sessions, field visits, employer contacts, telephone check-ins, and substance use disorder and mental health treatment.[135] As a consequence of receiving more services, individuals also had significantly better probation outcomes, including fewer positive drug tests and other technical violations.[136]

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[134] Vito, Gennaro F., and Franklin H. Marshall. 1983. "The Administrative Caseload Project: An Alternative Model of Probation Caseload Management." *Federal Probation* 46 (3): 33-41. https://www.ojp.gov/ncjrs/virtual-library/abstracts/administrative-caseload-project-alternative-model-probation.

[135] Jalbert, Sarah K., and William Rhodes. 2021. "Reduced Caseloads Improve Probation Outcomes." *Journal of Crime and Justice* 35 (2): 221–38. https://doi.org/10.1080/0735648X.2012.679875.

[136] Jalbert, Sarah K., and William Rhodes. 2021. "Reduced Caseloads Improve Probation Outcomes." *Journal of Crime and Justice* 35 (2): 221–38. https://doi.org/10.1080/0735648X.2012.679875.

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Another consideration in caseload distribution is the diminishing returns of field contacts as an individual's risk level decreases. Field visits are labor intensive for CSOs and decrease the number of individuals they can effectively supervise, but research shows that they are not equally impactful for all individuals on supervision,[137] and should be focused on high-risk individuals.[138]

Supervisor to Officer Ratio

Standard 6.4

A full-time supervisor should supervise six to eight CSOs.

Commentary: The role of the supervisor in community supervision is substantially affected by the adoption of evidence-based practices, as supervisors are responsible for much greater substantive involvement and interpersonal engagement with CSOs. This includes review and approval of assessments and case plans, conducting substantive case reviews with CSOs focusing on planning, strategies and techniques, skills, interventions, and outcomes, and providing coaching and performance feedback. It is important for agencies to provide guidance for the size of the supervisor caseloads, which might include the total number of cases being supervised by the supervisor's CSOs or just the number of CSOs they oversee. These guidelines should be reviewed and adjusted if CSO caseloads exceed the recommended standards.

Workload Studies

Standard 6.5

Agencies should conduct a time study-based workload analysis to establish weighted workload values for caseloads and better determine staffing needs.

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[137] Abt Associates. 2019. "Evaluating the Impact of Probation and Parole Home Visits." Accessed May 3, 2024. https://www.ojp.gov/pdffiles1/nij/grants/254342.pdf.
[138] Lowenkamp, Christopher T., and Edwards J. Latessa. 2004. "Understanding the Risk Principle: How and Why Correction Interventions Can Harm Low-risk Offenders." *Topics in Community Corrections:* 3-8. https://correctiveservices.dcj.nsw.gov.au/documents/Risk-principal--accessible-442577.pdf.

Commentary: The terms workload and caseload are often used interchangeably and incorrectly. A caseload is the number of individuals assigned to an officer or team for supervision or monitoring. Workload is the total amount of time that the required tasks and activities in a particular caseload generate for the individual officer or team. The discussion of workload only begins with the caseload, or number of cases assigned. It should also incorporate a review of agency policy, which determines what will be required for an individual case. Other factors such as statutes and administrative regulations will also affect the workload a case carries. Only when such a thorough analysis is done can the true workload impact of a given caseload number be ascertained.

Empirical studies of the time required by staff to do sufficient work to meet an agency's standards are called workload studies. Such studies are used to develop weighted models which prescribe differing time values for cases based on the amount of time required for a CSO to meet agency standards for supervision on a given type of case. A time study-based workload analysis is one way to justify the caseload standards. However, such studies can be costly and require certain practices to be in place.[139] Templates and workload allocation metrics are available in the "Community Supervision Workload Considerations for Public Safety" resource provided by BJA and the APPA.[140]

[139] Clear, Todd R., and Kenneth W. Gallagher. 1985. "Probation and Parole Supervision: A Review of Current Classification Practices." *Crime & Delinquency* 31 (3): 423-443. https://doi.org/10.1177/0011128785031003007.
[140] DeMichele, Matthew T., Brian K. Payne, and Adam K. Matz. 2011. "Community Supervision Workload Considerations for Public Safety." Accessed May 21, 2024. https://www.appa-net.org/eweb/docs/APPA/pubs/CSWCFPS.pdf.

VII.   Engagement and Building Relationships

INTRODUCTION

Changing behavior is a challenging process for anyone. Even those who are highly motivated struggle and often fail. Motivating individuals on community supervision to change longstanding habits and behaviors requires skills that allow officers to identify and foster motivation to change.

Essential to motivating people to change is applying an evidence-informed strategy for engaging individuals on supervision and working with them to enhance their motivation to change. These strategies for enhancing motivation might include core correctional practice (CCP) trainings, Strategic Training Interventions for Community Supervision (STICS),[141] Effective Practices in Community Supervision (EPICS),[142] Staff Training Aimed at Reducing Rearrest (STARR), [143] and others that promote skills officers can employ to communicate effectively. These trainings introduce strategies for identifying what motivates an individual to make improvements and how to engage in ways that are responsive to the individual's motivation.

Motivational Interviewing, a framework for conversations that focuses on resolving ambivalence about change and building an individual's internal motivations for change, is a practice that helps individuals on supervision to change their behavior.[144] Motivational Interviewing is one of many ways to enhance the relationship between officers and individuals on supervision by providing effective tools for handling resistance and keeping the individual engaged.[145,146] Even where

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[141] National Institute of Justice. 2011. "Program Profile: Strategic Training Initiative in Community Supervision (STICS)." Accessed April 19, 2024. https://crimesolutions.ojp.gov/ratedprograms/47#1-0.

[142] National Institute of Justice. 2016. "Program Profile: Effective Practices in Community Supervision (EPICS)." Accessed April 19, 2024. https://crimesolutions.ojp.gov/ratedprograms/465.

[143] National Institute of Justice. 2012. "Program Profile: Staff Training Aimed at Reducing Rearrest (STARR)." Accessed May 21, 2024. https://crimesolutions.ojp.gov/ratedprograms/236.

[144] Rubak, Sune, Annelli Sandbæk, Torsten Lauritzen, and Bo Christensen. 2005. "Motivational interviewing: a systematic review and meta-analysis." *British Journal of General Practice* 55: 305-312.

[145] Miller, William and Stephen Rollnick. 2013. *Motivational Interviewing: Helping People Change.* (3rd ed.). New York: Guilford Press.

[146] Stinson, Jill D., and Michael D. Clark. 2017. *Motivational Interviewing with Offenders; Engagement, Rehabilitation, and Reentry*. New York: Guilford Press.

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Motivational Interviewing does not have a causal relationship with improvements in supervision outcomes, this skill often helps establish a more positive relationship with the individual on supervision. While Motivational Interviewing is an essential skill, it is the responsibility of a supervision agency to build mechanisms for coaching, feedback, ongoing training, and quality assurance measures related to skills that build motivation, which is an evolving process.

Standard 7.1

Agencies should have written policies, procedures, and established practices for systematically enhancing the intrinsic motivation to change.

Commentary: One of the most critical components of community supervision is the content and quality of supervision meetings. Through these supervision contacts, CSOs manage the behavioral change process for individuals on supervision, including engaging the individual to develop prosocial skills.[147] To ensure impactful supervision meetings that are systematically focused on intrinsic motivation, supervision agencies should support and monitor their CSOs through formalized policies, procedures, and practices to build motivation to change through evidence-based practices. For example, supervision agencies can utilize a Quality Contact Standards Form to establish professional expectations for interactions between persons on supervision and CSOs.[148] This type of tool can include sections designed to foster personal connection and case planning and can be scored to give both the CSO and the supervisor a metric for the effectiveness of the contact. Contacts should focus on identifying intrinsic motivation for creating a 'better life,' such as the individual on supervision becoming an example for others, making their families proud, and relieving guilt or being able to move on with their lives in a positive way. Studies

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[147] Taxman, Faye S., Christina Yancey & Jeanne E. Bilanin. 2006. *"Proactive Community Supervision in Maryland: Changing Offender Outcomes." Virginia Commonwealth University and the University of Maryland.* https://www.researchgate.net/publication/241222778_Proactive_Community_Supervision_in_Maryland_Changing_Offender_Outcomes.

[148] Taxman, Faye S., Christina Yancey & Jeanne E. Bilanin. 2006. "Proactive Community Supervision in Maryland: Changing Offender Outcomes." *Virginia Commonwealth University and the University of Maryland.* https://www.researchgate.net/publication/241222778_Proactive_Community_Supervision_in_Maryland_Changing_Offender_Outcomes.

indicate that persons on probation who are motivated by 'better life' reasons were more likely to go to treatment and less likely to use drugs.[149] By highlighting internal, future-focused reasons, probation officers might be able to stimulate change early in the supervision process.

Standard 7.2

Agencies should work to ensure that CSOs engage persons on community supervision as active participants in assessment, case planning, and the supervision process. CSOs and persons on community supervision should work collaboratively to mutually identify targeted behavior to change, goals, solutions, and action steps.

Commentary: Engaging individuals in their supervision generates buy-in and ownership and helps the CSO to ensure that the planned interventions are responsive to the identified needs and preferences of the individual on supervision. One study showed that individuals struggling with alcohol misuse who were given the opportunity to discuss their drinking and then complete their own change plans were significantly more likely to make positive change statements by the end of their session that those who did not complete change plans.[150] Other studies indicate a positive correlation between procedural justice practices (i.e., providing supervisees with voice and ability to give feedback; neutral decision-making; respect for the individual, and transparency) and the individual's acceptance of and compliance with the outcome of decisions made.[151] For additional information on the importance of engaging individuals on supervision as active participants, please see Standards 3.10, 5.5, and 8.3.

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[149] Spohr, Stephanie A., Faye S. Taxman, and Scott T. Walters. 2017. "People's reasons for wanting to complete probation: Use and predictive validity in an e-health intervention." *Evaluation and Program Planning* 61: 144-149. https://doi.org/10.1016/j.evalprogplan.2017.01.004.

[150] Magill, Molly, Timothy R. Apodaca, Nancy P. Barnett, and Peter M. Monti. 2010. "The route to change: Within-session predictors of change plan completion in a motivational interview" *Journal of Substance Abuse Treatment* 38: 299-305.

[151] Blasko, Brandy L., and Faye S. Taxman. 2018. "Are Supervision Practices Procedurally Fair? Development and Predictive Utility of a Procedural Justice Measure for Use in Community Corrections Settings." *Criminal Justice and Behavior* 45 (3): 402-420. https://doi.org/10.1177/0093854817749255.

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Standard 7.3

Agencies should ensure that CSOs have sufficient skills to build positive, trusting relationships with the individuals on their caseload to advance supervision goals.
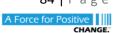
Commentary: While this component may appear daunting to achieve, a strong, trusting relationship is a core component of three significant frameworks – core correctional practices,[152] desistence theory,[153] and the working alliance.[154] The relationship between the CSO and individual on supervision is the foundation on which to build the supervision process, and it is arguably the most important of the CCPs.[155]

Rapport between a CSO and an individual on supervision is linked to both positive behavior change and lower recidivism.[156] The APPA has developed a tip sheet for building rapport, which is available online.[157] CSOs and supervision agencies should be mindful that rapport is necessary but not sufficient to facilitate behavior change. Relationship building should be a complement to, and not a replacement for, implementing the effective interventions detailed in Standard 9. Rapport and a respectful relationship is an important step and a foundational necessity to do other work toward long-term sustainable behavior change.

Although limited in scope, several empirical studies have shown that a positive therapeutic relationship between the CSO and individual on supervision is related to several desired

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[152] Dowden, Craig, and D. A. Andrews. 2004. "The Importance of Staff Practice in Delivering Effective Correctional Treatment: A Meta-Analytic Review of Core Correctional Practice." *International Journal of Offender Therapy and Comparative Criminology* 48 (2): 203–214. https://doi.org/10.1177/0306624X03257765.

[153] De Vries Robbé, Michiel, Ruth E. Mann, Shadd Maruna, and David Thornton. 2015. "An Exploration of Protective Factors Supporting Desistance from Sexual Offending." *Sexual Abuse* 27 (1): 16-33. https://doi.org/10.1177/1079063214547582.

[154] Hart, Jennifer, and Kimberly Collins. (2014). "A 'back to basics' approach to offender supervision: Does working alliance contribute towards success of probation?" *European Journal of Probation* 6 (2): 112-125. https://doi.org/10.1177/2066220314543747.

[155] Dowden, Craig and D. A. Andrews. 2004. "Importance of Staff Practice in Delivering Effective Correctional Treatment: A Meta-Analytic Review of Core Correctional Practice." *International Journal of Offender Therapy and Comparative Criminology* 48 (2): 203-214.

[156] Nahouli, Zacharia, Jay-Marie Mackenzie, Andreas Aresti, and Coral Dando. 2023. "Rapport Building with Offenders in Probation Supervision: The Views of English Probation Practitioners." *Probation Journal* 70 (2): 104–23. https://doi.org/10.1177/02645505221137448.

[157] American Probation and Parole Association. 2015. "Tips for Developing Positive Rapport" Accessed April 11, 2024. https://info.nicic.gov/ccar/sites/info.nicic.gov.ccar/files/tips-for-building-rapport.pdf.

outcomes, including reduced substance use, responsiveness to treatment for spousal abuse, and reduced recidivism, including less time spent in jail for violations.[158]

Standard 7.4

Agencies should have written policies, procedures, and established practices that incorporate incentives and sanctions for individuals on supervision.

Commentary: One evidence-based strategy that supervision agencies can use to enhance motivation is incentivizing positive behavior change and providing negative reinforcement for undesired behaviors. Incentives or positive reinforcements can include verbal praise, waived fines and fees, and even reductions in supervision periods. Sanctions or negative reinforcements can include verbal warnings, increased supervision visits, curfew, and even jail time. One option to give CSOs structure to implement incentives and sanctions is to provide an incentive and sanctions grid or matrix, including specific behaviors and potential incentive or sanction responses to these behaviors. Using these matrices can help agencies more effectively use their resources and is also associated with a lower rate of custodial sanctions.[159]

Supervision agencies should primarily focus on incentives over sanctions, as research demonstrates that reinforcing positive behaviors is generally more effective than punishing undesired behaviors.[160] A study from the Wyoming Department of Corrections indicated that use of both rewards and sanctions increased successful probation outcomes and reduced revocations.[161] The impact of incentives and sanctions was particularly strong when the ratio of

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[158] Epperson, Matthew W., Leon Sawh, and Sophia P. Sarantakos. 2020. "Building a Therapeutic Relationship between Probation Officers and Probationers with Serious Mental Illnesses." *CNS Spectrums* 25 (5): 723–33. https://doi.org/10.1017/S1092852919001871.

[159] Robina Institute of Criminal Law and Criminal Justice at the University of Minnesota. 2020. "Use of Structured Sanctions and Incentives in Probation and Parole Supervision." Accessed April 11, 2024. https://robinainstitute.umn.edu/sites/robinainstitute.umn.edu/files/2022-02/sanctions_and_incentives.pdf.

[160] The Pew Charitable Trusts. 2020. "Policy Reforms Can Strengthen Community Supervision." Accessed May 3, 2024. https://www.pewtrusts.org/en/research-and-analysis/reports/2020/04/policy-reforms-can-strengthen-community-supervision.

[161] Diaz, Carmen L., Staci Rising, Eric Grommon, Miriam Northcutt Bohmert, and Evan Marie Lowder. 2022. "A Rapid Review of Literature on Factors Associated with Adult Probation Revocations." *Corrections*: 1-28. https://doi.org/10.1080/23774657.2022.2136116.

rewards to sanctions was at least 4:1, if not higher. For more information on incentives and sanctions, see Standard 10 "Influencing Behavior."

Standard 7.5

Staff should use models of change to assess individuals' readiness for behavior change.

Commentary: Supervision agencies should support CSOs in using evidence-based practices to assess readiness for change and support motivation for change. One valuable tool for assessing readiness for change is the Stages of Change model, which lays out six stages of change through which an individual can progress: precontemplation, contemplation, preparation, action, maintenance, and termination.[162] Each stage of change is associated with different stage-matched interventions to support the individual on supervision moving forward towards becoming more motivated to change and implementing the steps necessary to put changes into action.

Motivational Interviewing, a framework for client conversations that focuses on resolving ambivalence about change and building and exploring an individual's internal motivations for change, is a rigorously studied practice that helps individuals on supervision to change their behavior.[163] By using Motivational Interviewing practices in their supervision contacts, CSOs can help individuals on supervision to build an internal motivation for change that lasts beyond their period of supervision. A study from New Zealand found that the use of Motivational Interviewing with a high-risk population led to an increased motivation to change, which lasted for 3-12 months after the study.[164] Supervision agencies should support the implementation of

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[162] Prochaska, James O., John C. Norcross, and Carlo C. DiClemente. 1994. *Changing for Good: The Revolutionary Program That Explains the Six Stages of Change and Teaches You How to Free Yourself from Bad Habits*. New York: William Morrow & Co.
[163] Rubak, Sune, Annelli Sandbæk, Torsten Lauritzen and Bo Christensen. 2005. "Motivational interviewing: a systematic review and meta-analysis." *British Journal of General Practice* 55: 305-312.
[164] Austin, Kevin P., Mei Wah M. Williams and Glen Kilgour. 2011. "The Effectiveness of Motivational Interviewing with Offenders: An Outcome Evaluation." *New Zealand Journal of Psychology* 40 (1): 55-67.

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Motivational Interviewing practices by offering training to CSOs and building Motivational Interviewing coaching into feedback provided by supervisors.
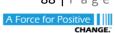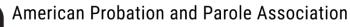
VIII. Case Planning

INTRODUCTION

Traditional community supervision techniques often focus on establishing the CSO's authority, compelling individuals on supervision to comply with their conditions of supervision and holding them accountable for noncompliance, which is often reactive instead of proactive. While an individual on supervision can be directed to follow the rules of supervision and comply with the law, this approach generally does not produce genuine enthusiasm to make positive changes in the individual's life and can instead foster frustration and resentment. Instead, CSOs should focus on developing proactive action steps through a case plan that is developed alongside the individual on supervision.

To gain buy-in from individuals on supervision, CSOs should attempt to build a working alliance, wherein both parties cooperate to find the best available solutions to address the individual's needs.[165] This approach relies on the concept of procedural justice, or the idea that people are more likely to cooperate with agents of the justice system if they feel as though their concerns have been heard and the justice system has treated them fairly. Procedural justice has been shown to be effective in many different parts of the justice system, including community supervision. As the authors of one study wrote, "findings showed that when the community supervision process was perceived as procedurally fair, individuals under community supervision demonstrated positive criminal justice outcomes, that is, less self-reported criminal behavior, fewer official arrests, and fewer technical parole violations."[166] Including individuals in the case planning process by encouraging them to state their personal goals and co-creating a plan to

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[165] Sturm, Annelies, Vivienne de Vogel, Anneke Menger and Marcus J.H. Huibers. 2021. "The Price of Mistrust: A Study Into the Working Alliance as Predictor for Recidivism." *Journal of Police and Criminal Psychology* 37: 576–586. https://doi.org/10.1007/s11896-021-09450-1.

[166] Blasko, Brandy L., and Faye S. Taxman. 2018. "Are Supervision Practices Procedurally Fair? Development and Predictive Utility of a Procedural Justice Measure for Use in Community Corrections." *Criminal Justice and Behavior* 45 (3). https://doi.org/10.1177/00938548177492.

meet those goals can help foster a sense of procedural justice, leading to increased compliance on supervision and an increased likelihood of behavioral change among those on supervision.
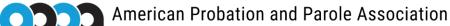
Standard 8.1

Agencies should have written policies, procedures, and established practices for creating written case plans for all persons on community supervision at the moderate, high, and intensive levels of supervision.

Commentary: Individuals on supervision often present with multiple needs, including behavioral health disorders, lack of stable housing, employment challenges, and more. The development and use of case plans enables CSOs to understand these needs and work with the person to address them through engagement in appropriate resources and interventions. Supervision agencies can support CSOs and individuals on supervision by enacting formal policies, procedures, and practices to ensure that case plans are developed consistently and effectively. Guidance on case plan development might include intensity of a reporting schedule or contact standards informed by risk and needs level. Agencies might also consider providing guidance on case plan development specific to the previous environment the person is coming from (prison, jail, prerelease center, treatment facility, or community), which may inform different kinds of recommended services and how frequently the case plan should be updated based on changing circumstances. These guidelines can also assist supervisors in monitoring line staff by providing consistent expectations for case plans according to different risk levels.

Standard 8.2

The content of the case plans should be driven by the results of the assessment, including risk factors, criminogenic needs, specific responsivity factors, strengths, and protective factors.

Commentary: When RNAs are appropriately validated and administered with fidelity, they can provide an accurate and comprehensive picture of the person's criminogenic risk factors, needs,

and responsivity factors.[167] The responsivity principle recognizes individual receptivity; how individuals will respond to certain interventions and treatment will depend largely on their unique characteristics and attributes. Therefore, interventions and treatment options should be chosen for individuals based on their responsivity factors (e.g., gender, learning style, cultural background). For additional discussion on the role of responsivity factors and how they should be tracked within a case plan, please see Standards 3.6 and 4.2. The CSO should then work with the person to develop a case plan based on their identified needs and risk level, including goals, strategies, behavioral objectives, and action steps. This detailed plan helps the officer match the person with appropriate evidence-based programs and resources.

The structure that comes with a case plan helps CSOs combine different initiatives and strategic goals within their agency into a single, functional document specific to the individual on supervision.[168] Additionally, matching persons on supervision with programming appropriate to their criminogenic needs and risk factors can improve their future outcomes.[169]

Standard 8.3

The case plan should be developed in collaboration with the person on community supervision. Individuals on supervision should be involved in the focus on criminogenic needs, development of goal statements, and determining action steps.

Commentary: Although courts, prisons, and community supervision agencies can attempt to compel people to change their behavior, the most effective and lasting changes occur when people are internally motivated to make them. According to the NIC, "When people make changes for internal reasons, they try harder, are more satisfied, and stick with the changes

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[167] Bonta, James, and D. A. Andrews. (2007). "Risk-Need-Responsivity Model for Offender Assessment and Rehabilitation." *Public Safety Canada* 6: 1-22.

[168] Carey, Mark, David Goff, Gary Hinzman, Al Neff, Brian Owens, and Larry Albert. 2000. "Field Service Case Plans: Bane or Gain?" *Perspectives* 24 (2): 30-41.

[169] Carey, Mark, and Madeline M. Carter. 2010. "Effective Case Management." Accessed May 24, 2024. https://cepp.com/wp-content/uploads/2021/04/Effective-Case-Management-2010.pdf.

longer than when they make changes for external reasons."[170] Factors that increase internal motivation include the autonomy to choose a course of action, the competence to carry out that course of action, and the people around them who support their decision.[171]

It is impossible to fully avoid coercion in the field of community supervision; court-ordered treatment programs and supervision requirements are not typically subject to the individual on supervision' approval, and CSOs should not uncritically accept the person's choices without consideration. However, when a person is given an opportunity to state their personal goals and merge them into the case plan, not only can they take ownership of the plan, but the CSO can help them recognize their own strengths, set realistic goals, and provide positive feedback as the client begins to work towards those goals. This can help bolster the person's confidence and keep them on track towards sustainable, prosocial changes.[172]

Standard 8.4

The case plan should contain behavioral objectives that focus on an individual's behavior, not CSO activities. The behavioral objectives should conform to the SMART model, be focused on two to three objectives per case plan, and each objective should be broken into action steps developed in collaboration with the person on community supervision.

Commentary: Behavioral objectives are the ways in which people on supervision are expected to undergo internal or behavioral changes as a result of successfully completing the case plan or portions thereof.[173] Behavioral objectives provide benchmarks to complete action steps and mandated supervision conditions. Case plans incorporating these objectives as part of a cognitive-behavioral framework tend to be more successful than other programs intended to

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[170] Thigpen, Morris L., Thomas J. Beauclair, George M. Keiser, and Michael Guevara. 2007. *Motivating Offenders to Change: A Guide for Probation and Parole*. Washington, D.C.: National Institute of Corrections.
[171] Thigpen, Morris L., Thomas J. Beauclair, George M. Keiser, and Michael Guevara. 2007. *Motivating Offenders to Change: A Guide for Probation and Parole*. Washington, D.C.: National Institute of Corrections.
[172] Carey, Mark, David Goff, Gary Hinzman, Al Neff, Brian Owens, and Larry Albert. 2000. "Field Service Case Plans: Bane or Gain?" *Perspectives* 24 (2): 30-41.
[173] Florida State University College of Medicine. n.d. "Behavioral Objectives and How to Write Them." Accessed April 12, 2024. https://med.fsu.edu/facultydevelopment/behavioral-objectives-and-how-write-them.

reduce recidivism, such as punishment-based approaches.[174] Because the goal of such a case plan is for individuals on supervision to realize long-lasting behavioral changes that will help them avoid future criminal behavior, the objectives in the case plan should focus on changes that the individual will make in their lives, not actions that the CSO will take to impose behavioral change.
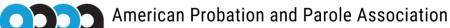
Agencies may choose to use the SMART model as guidance for CSOs when building case plans. The SMART model calls for behavioral objectives to be **S**pecific, **M**easurable, **A**chievable, **R**elevant and **T**ime-bound.[175] Specific objectives clearly state what will be done and who will do it. Measurable objectives include how the action will be measured to determine progress. Achievable objectives are realistic when they consider the realities faced in the community, which might include what resources are available to the individual on supervision. A relevant objective fits the goals of behavior change. Lastly, objectives must be time-bound with specific timelines for completion.

Individuals on supervision may present with a multitude of criminogenic needs, and it may be tempting for the CSO to address all of those needs in a single case plan, with goals and action steps for each need. However, it is usually not feasible for individuals on supervision to work towards many goals at one time; as Carey et al. write, "neither the [individual] nor the [CSO] has sufficient time to pursue a set of goals that address all possible issues and opportunities."[176] Attempting to do so will inevitably lead to the individual becoming overwhelmed and discouraged with the process. The CSO can best assist the person on supervision by helping to identify the most important and time-sensitive behavioral objectives for the person to work on, and then building the case plan around those objectives.

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[174] Carey, Mark, David Goff, Gary Hinzman, Al Neff, Brian Owens, and Larry Albert. 2000. "Field Service Case Plans: Bane or Gain?" *Perspectives* 24 (2): 30-41.

[175] Doran, G.T. 1981. "There's a S.M.A.R.T. Way to Write Management's Goals and Objectives." *Management Review* 70 (11): 35-36.

[176] Carey, Mark, David Goff, Gary Hinzman, Al Neff, Brian Owens, and Larry Albert. 2000. "Field Service Case Plans: Bane or Gain?" *Perspectives* 24 (2): 30-41.

The SMART model can serve as a litmus test when setting goals and action steps. The number of behavioral objectives must be limited to ensure that the client is not overwhelmed by the plan and supervision strategy. CSOs can further assist individuals on supervision by helping them break down the behavioral objectives into smaller, more achievable action steps. Completing these action steps can help individuals on supervision build confidence, feel a sense of accomplishment, and see markers of the progress that they are making. [177]

Standard 8.5

The case plan should be updated regularly with the person on community supervision as part of the reassessment process, including supervisor review and approval.

Commentary: Once created, case plans should not be treated as unchangeable. Individuals on supervision may complete or make meaningful progress towards goals, such as acquiring stable housing or decreasing their use of illegal drugs during their time on supervision. In those circumstances, the CSO and individual may turn their collective attention towards other behavioral objectives. Individuals on supervision may also experience setbacks, such as suddenly experiencing homelessness, or encounter unexpected barriers to achieving the goals in the case plan. [178] CSOs must be prepared both to deal with crisis situations that pull their focus away from the case plan, and to re-evaluate the strategies and action steps in the case plan with the individual to account for barriers that arise.

Standard 8.6

The outcomes of the case plan objectives should be tracked and recorded as part of an agency's performance measurement system.

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[177] Carey, Mark, David Goff, Gary Hinzman, Al Neff, Brian Owens, and Larry Albert. 2000. "Field Service Case Plans: Bane or Gain?" *Perspectives* 24 (2): 30-41.

[178] Thigpen, Morris L., Thomas J. Beauclair, George M. Keiser, and Michael Guevara. 2007. *Motivating Offenders to Change: A Guide for Probation and Parole*. Washington, D.C.: National Institute of Corrections.

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Commentary: The existence, use of, and adherence to a performance measurement system is an integral component of effective case planning. Such a system provides a layer of accountability for the CSO and the individual and enables supervision staff to recognize high-performing individuals on supervision and provide suggestions for individuals on supervision who are not meeting behavioral objectives and action steps. If used properly, a performance measurement system also provides agency leadership with a broad view of all individuals on supervision. This information can be used to identify which goals the agency is effectively helping individuals on supervision meet and where there is room for improvement or where additional resources are required. For more information on tracking performance measures, see Standard 11.

Supervisory Review

Standard 8.7

Agencies should have written policies, procedures, and established practices for supervisor review and approval of initial and subsequent assessments, case plans, and supervision strategies.

Commentary: CSOs often have high caseloads and must respond to many demands, from court testimony to field visits to administrative requirements. Even the best-intentioned and best-equipped CSOs face high caseloads, voluminous paperwork, and day-to-day crises that demand their attention. In the face of these challenges, CSOs may treat case plans as one more form to fill out rather than as a tool that guides their supervision strategy for that person. The introduction and use of case plans to an agency should not be conveyed as yet another administrative task or "box to check." Supervisors are therefore essential for gaining buy-in from CSOs, helping CSOs integrate case planning requirements into their processes, and providing oversight over the case planning process.

Supervisors can help alleviate this issue by reviewing and approving assessments and case planning documents to ensure that assessments are accurately identifying individuals on

supervision's criminogenic needs and risk factors and that case plans are prioritizing the most important goals without setting unattainable standards for the client.

The extra layer of review provided by the supervisor helps ensure that the proposed case plan meets all court-ordered or releasing authority requirements, that its objectives and action steps meet SMART criteria, and that the CSO has appropriately engaged the individual on supervision in its creation. The supervisor's involvement also helps promote accountability for both the CSO and individual on supervision, encouraging both to frequently refer to and work towards the goals in the case plan. Supervisors should use case plan submission and review as an opportunity to coach their officers to create more actionable and responsive case plans and to create learning opportunities for line staff. Similar to how officers might see their role as coaches for individuals on supervision, supervisors should see their role as coaches, where the key to effective coaching is having a relationship with their officers that is supportive and based on trust. Effective coaches engage in the teaching enterprise and use their expertise to develop officer skills that support effective supervision strategies. This might involve having CSOs observe a meeting between their supervisor and an individual on supervision to learn from the supervisor's communication style and use of effective intervention skills.

Standard 8.8

Supervisors should conduct regular case reviews with their CSOs and observe their CSOs in interactions with individuals on supervision, examining and discussing a designated number of cases in depth. These reviews should address the use of evidence-based practices, compliance with agency policy, officer skill levels, and areas in need of improvement.

Commentary: Regular supervisory reviews and approvals of case plans provide accountability for CSOs and individuals on supervision and ensure adherence to the agency's policies on case planning. However, supervisors should also set aside time for in-depth reviews of CSOs performance related to case plan development. The details of CSOs interactions with individuals on supervision and skillsets may not be readily apparent during normal reviews of case plans or

assessments. Regular observation of CSO interactions is another tool for supervisors to provide feedback to CSOs on their use of Motivational Interviewing and CCPs. Supervisors can use these observations to recognize CSO strengths, identify areas for improvement, and provide feedback. Agencies should provide coaching for officers across the spectrum of skill development to support performance improvement. These detailed examinations also allow supervisors to review and evaluate CSO skills, behavior, and use of evidence-based practices over an extended period of time. These reviews should not be conducted in an interrogational manner; the goal is not to embarrass CSOs or point out deficiencies, but to identify both strengths and weaknesses in a collegial manner to improve professional practice. The frequency of these reviews should be determined by the supervisor to officer ratio, case load sizes, and management capacity. Agencies might consider allowing these reviews to happen virtually where supervisors are not working in the same areas where their officers are primarily located.

Standard 8.9

Agencies should have policies, procedures, and established practices for the CSOs to identify needs and engage individuals in appropriate treatment, services, and resources based on severity of the assessed needs and risk classification, as part of case planning. Once needs are identified, CSOs should make appropriate connections to community partners as an individual's needs require.

Commentary: When an individual is in crisis or otherwise in urgent need of programs or services, CSOs should identify the person's needs and refer them to appropriate services. These referrals should be guided by agency policies and practices to ensure the best possible treatment for individuals on supervision, as well as ensuring that programming is delivered consistently. Agencies should have policies to ensure treatment providers are providing high-quality services and are responsive with providing feedback to the supervision agency or court where treatment is court-mandated or required per the case plan. This might involve a quality assurance process to review services that providers have delivered.

Substance use treatment referral processes should incorporate risk, need, responsivity principles and the American Society for Addiction Medicine's (ASAM) Patient Placement Criteria.[179] Once the need for treatment or other services is identified, the CSO should work with the individual and assist in scheduling initial appointments, navigating insurance, and figuring out transportation or other logistics that will increase the likelihood of consistent treatment. The CSO should then follow up with the individual and service provider to ensure that the person has engaged with and understands the expectations of the treatment providers.

Standard 8.10

Agencies should have written policies, procedures, and established practices in place to ensure that CSOs document monthly communication with treatment providers including attendance, engagement in treatment, and progress toward current treatment goals.

Commentary: Both treatment providers and CSOs are working to help individuals on supervision succeed, albeit from different perspectives. CSOs are concerned with the person's behavior on supervision and compliance with court conditions, while treatment providers focus on addressing the person's physical and behavioral health needs. Each has information about the individual that the other does not; exchange of information is necessary to provide the best possible care and supervision. The CSO should have regular communication with the treatment provider, as these collateral contacts provide the best information on behavioral health progress. Building an ongoing relationship with treatment providers will benefit both the individual in treatment and CSO; this rapport will allow the CSO to better assist other individuals in finding and completing treatment and programs. Good relationships and frequent contact to maintain those relationships will help both providers and CSOs maintain accountability. This regular communication and documentation can also support providing information to the court or other

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[179] American Society of Addiction Medicine. n.d. "About the ASAM Criteria" Accessed April 12, 2024. https://www.asam.org/asam-criteria/about-the-asam-criteria.

decision-makers in instances of violations or revocations. For more discussion of connecting with treatment providers, please see Standard 4.

Standard 8.11

Agencies should have written policies, procedures, and established practices for increasing skills of persons on community supervision and addressing factors related to their stability and behavior, as part of the case plan. These factors include education and employment, behavioral health, treatment, medical needs, financial needs, ongoing community support, and housing.

Commentary: Evidence suggests that steady employment is a key component in reducing the likelihood that people on community supervision will return to prison.[180] Housing, mental health and substance use treatment, medical issues, and income also play key roles in people succeeding or failing on supervision. For example, a person experiencing homelessness may temporarily stay with friends or family members who consume alcohol or drugs, which could result in a supervision violation and revocation after experiencing a relapse or even for living in an environment where illegal substances are present. Individuals on supervision should be engaged with programs and services designed to meet these basic and critical needs, whether those programs and services are within or outside the supervision agency.

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[180] Capece, Jesse. 2022. "Community Supervision and Employment*." The Annals of the American Academy of Political and Social Science* 701 (1). https://doi.org/10.1177/00027162221112565.

IX.   Effective Interventions

INTRODUCTION

An agency's commitment to community safety, behavior change of individuals on community supervision, and evidence-based practices requires a parallel commitment to a reframing of the role of community supervision and the CSO. Supervision practices must include systematic and comprehensive efforts to facilitate long-term, sustained behavior change. Similarly, supervision agency policies and procedures should be aligned to encourage and support CSOs' efforts to facilitate behavioral change through effective interventions that are timely, clear, and delivered in a proportional manner.

There has been strong empirical evidence reported in the literature to support the principles of effective intervention. In 1990, Andrews and colleagues analyzed 154 correctional programs and found support for the principles of risk, need, and responsivity.[181] This database has since been expanded to include 374 comparisons and the findings indicated that adherence to all three principles reduces recidivism by 26%, whereas failure to adhere to any of the treatment principles increases recidivism by 2%.[182] Collectively, there have now been more than 100 meta-analyses conducted on the correctional treatment literature, and these results have been replicated with consistency.[183]

Standard 9.1

Agencies should have written policies, procedures, training, and established practices that clearly establish the CSO's role as a combination of behavioral change agent and enforcement

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[181] Labrecque, Ryan, and Jill Viglione. 2021. "The Impact of Community Supervision Officer Training Program on Client Outcomes: A Propensity Score Modeling Analysis by Officer Training Dosage." *Criminal Justice and Behavior* 48 (3): 315-331. https://doi.org/10.1177/0093854820980788.
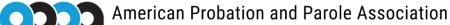
[182] Bonta, James, and D. A. Andrews. 2017. *The Psychology of Criminal Conduct. (*6th ed.). Routledge. https://doi.org/10.4324/9781315677187.

[183] Lipsey, Mark W., and Francis T. Cullen. 2007. "The effectiveness of correctional rehabilitation: A review of systematic reviews." *Annual Review of Law and Social Science* 3 (1): 297–320.

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agent, using incentives, sanctions, and other behavior responses to encourage prosocial change.

Commentary: Historically, the role of the CSO was a balance between enforcing conditions of supervision and helping individuals on supervision to change. With the demise of rehabilitation as a focus of the legal system[184] and the rise of the punitive era in the 1980s, the role of the CSO shifted to primarily, if not exclusively, monitoring and enforcement through programs such as Intensive Supervision Probation.[185] With the emergence of the "what works" research, interest in behavior change as a legitimate goal of community supervision has returned.[186] The introduction of evidence-based practices, the goal of which is behavior change, has further strengthened the dual role of the CSO. This combined role—balancing enforcement of conditions with cocreating a proactive case plan that encourages behavior-change skills—is more effective in reducing recidivism than a solely punitive approach.[187, 188] The focus on evidence-based practice to support sustainable behavior change is documented in frameworks including the "Principles of Effective Intervention."[189] One comparative study of an intensive supervision program incorporating more treatment for higher-risk individuals on parole found that if the program incorporated CSOs that were oriented towards both law enforcement *and* social work, and if the program is implemented in a supportive organizational environment, it can reduce recidivism by 10-30% compared to parole supervision models that are solely compliance-focused.[190] This

[184] Martinson, Robert. 1974. "What Works? Questions and Answers about Prison Reform." *The Public Interest* 35: 22-54. https://gwern.net/doc/sociology/1974-martinson.pdf.

[185] National Institute of Justice. 2018. "Program Profile: Intensive Supervision Program (ISP) of Adult Males (Philadelphia, PA)." Accessed April 19, 2024. https://crimesolutions.ojp.gov/ratedprograms/622.

[186] Bonta, James, and D. A. Andrews. 2017. *The Psychology of Criminal Conduct.* (6th ed.). Routledge. https://doi.org/10.4324/9781315677187.

[187] Klockars, Carl B., Jr. 1973. "A Theory of Probation Supervision." *Journal of Criminal Law and Criminology* 63 (4): 550-557. https://doi.org/10.2307/1141809.

[188] Skeem, Jennifer L., Jennifer Eno Louden, Devon Polaschek, and Jacqueline Camp. 2007. "Assessing Relationship Quality in Mandated Community Treatment: Blending Care with Control." *Psychological Assessment* 19 (4): 397–410. https://doi.org/10.1037/1040-3590.19.4.397.

[189] Bogue, Brad, Bill Woodward, Nancy M. Campbell, Elyse Clawson, and Dorothy Faust. 2004. *Implementing Evidence-Based Practice in Community Corrections: The Principles of Effective Intervention.* National Institute of Corrections. https://s3.amazonaws.com/static.nicic.gov/Library/019342.pdf.

[190] Paparozzi, Mario A., and Paul Gendreau. 2005. "An Intensive Supervision Program That Worked: Service Delivery, Professional Orientation, and Organizational Supportiveness." *The Prison Journal 85* (4): 445-466. https://doi.org/10.1177/0032885505281529.

behavior change-focused supervision model will also help CSOs establish a working alliance with individuals on supervision, in which both the CSO and the individual work towards a shared goal of behavioral change and rehabilitation, as described in Standard 7.[191]

Standard 9.2

Agencies should have written policies, procedures, training, and established practices that use behavior change strategies and programs that are evidence-based.

Commentary: It is important to set CSOs up for success when implementing an evidence-based practice model. No supervision model can be successfully implemented without organizational support for the people who must put it into practice.[192] This includes the creation of clearly written policies and practices for CSOs to refer to, as well as the demonstration of practices by supervisors and other champions of change. Agencies should clearly communicate the expectation that CSOs will be evaluated based on their adherence to these evidence-based practices. However, to ensure productive implementation, agencies should select a supervision model that provides both initial training for CSOs and refresher or booster trainings to keep their skills updated. Some of these evidence-based techniques, strategies, and programs include CCP,[193] Strategic Training Interventions for Community Supervision (STICS),[194] Effective Practices in Community Supervision (EPICS),[195] Staff Training Aimed at Reducing Rearrest (STARR),[196] the

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[191] Sturm, Annelies, Vivienne de Vogel, and Marcus J.H. Huibers. 2022. "Two sides of the working alliance: A qualitative study from the perspective of both probationers and probation officers." *European Journal of Probation* 14 (1). https://doi.org/10.1177/20662203211056486.

[192] Paparozzi, Mario A., and Paul Gendreau. 2005. "An Intensive Supervision Program That Worked: Service Delivery, Professional Orientation, and Organizational Supportiveness." *The Prison Journal 85* (4): 445-466. https://doi.org/10.1177/0032885505281529.

[193] Dowden, Craig, and D. A. Andrews. 2004. "The Importance of Staff Practice in Delivering Effective Correctional Treatment: A Meta-Analytic Review of Core Correctional Practice." *International Journal of Offender Therapy and Comparative Criminology* 48 (2): 203-14 https://doi.org/10.1177/0306624X03257765.

[194] National Institute of Justice. 2011. "Program Profile: Strategic Training Initiative in Community Supervision (STICS)." Accessed April 19, 2024. https://crimesolutions.ojp.gov/ratedprograms/47#1-0.

[195] National Institute of Justice. 2016. "Program Profile: Effective Practices in Community Supervision (EPICS)." Accessed April 19, 2024. https://crimesolutions.ojp.gov/ratedprograms/465.

[196] National Institute of Justice. 2012. "Program Profile: Staff Training Aimed at Reducing Rearrest (STARR)." Accessed May 3, 2024. https://crimesolutions.ojp.gov/ratedprograms/236.

Carey Guides, Proactive Community Supervision (PCS),[197, 198] National Curriculum and Training's Complete Behavior Change System, and group-based cognitive behavioral interventions such as Thinking for a Change, Moral Reconation Therapy, Aggression Replacement Therapy, Decision Points, and Reasoning & Rehabilitation.[199]
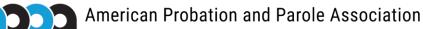
Standard 9.3

Agencies should have written policies, procedures, training, and established practices that require use of evidence-based and evidence-informed practice models by treatment and service providers with whom supervision agencies contract for referral services.

Commentary: Providing CSOs with training, policies, and organizational support during and after the adoption of a supervision model that incorporates both behavioral change and enforcement responsibilities is important to both CSOs and the individuals on their caseloads. However, this dual-supervision model and the use of evidence-based practices that is core to its success should be consistent across every service provider with whom the individual is connected. This includes the treatment and service providers that work closely with the supervision agency. If a CSO uses CCPs to supervise an individual, but the individual is then referred to a treatment provider that operates under a more punitive model, it may undermine the relationship between the CSO and the individual on supervision and jeopardize that individual's progress. Maintaining consistency among the different treatment agencies can align individuals on supervision and providers so that practices are reinforced. Where supervision agencies have processes in place to establish contracts or memoranda of understanding, the agency can outline requirements providers must follow related to evidence-based criteria. Without providing an exhaustive list, agencies can

[197] Sachwald, Judith. (2003). "Proactive Community Supervision: Opening windows to effective interventions." *Perspectives* 27 (2): 22-24.

[198] Chadwick, Nick, Angela Dewolf, and Ralph Serin. 2015. "Effectively Training Community Supervision Officers: A Meta-Analytic Review of the Impact on Offender Outcome." *Criminal Justice and Behavior* 42 (10): 977-89. https://doi.org/10.1177/0093854815595661.

[199] Milkman, Harvey, and Kenneth Wanberg. 2007. *Cognitive Behavioral Treatment: A Review and Discussion for Corrections Professionals.* Accessed April 19, 2024. https://www.ojp.gov/ncjrs/virtual-library/abstracts/cognitive-behavioral-treatment-review-and-discussion-corrections.

monitor the quality of provider services using tools including the Correctional Program Assessment Inventory (CPAI and CPAI-2000), Correctional Program Checklist (CPC), the Standardized Program Evaluation Protocol (SPEP), or a similar process that examines the use and application of principles of effective interventions within the services provided.
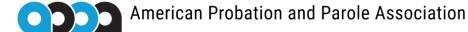
Standard 9.4

Agencies should have written policies, procedures, and established practices for systematically engaging persons on community supervision in skill training with directed practice.

Commentary: Individuals on supervision sometimes lack foundational skills such as applying for a job, searching for an apartment, or opening a bank account. CSOs can help them develop and use these skills by teaching individuals the basics of building these skills and helping them practice these skills through hypotheticals and then real-life implementation, with ample time to debrief with the CSO. Skill training must include the following elements: a goal to increase a particular skill, delivery of training or teaching by the CSO, an opportunity for the person on community supervision to practice the skill, and provision of relevant feedback to the person on community supervision after using the skill. This activity should be included in case plans, individual meetings with the CSO, behavioral interventions, and appropriate internal programming (e.g., staff-led groups or classes). Other examples of skill training include problem-solving, cognitive restructuring, time management, budgeting, and interpersonal communication.

Standard 9.5

Agencies should have written policies, procedures, and established practices for systematically engaging persons on community supervision in ongoing community support.

Commentary: To help provide individuals with the best possible chance to succeed on supervision, CSOs should help them engage with positive, prosocial people in their communities, particularly where they are able and willing to provide support for those individuals. Engagement with community support should be included in case plans and reviewed regularly at individual

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meetings. The presence of community support should also be included, when appropriate, in internal programming and behavioral interventions. This work should include addressing negative influences from individuals who are considered "support" systems but might exacerbate the risk of reoffending because of their own behavior or the dynamic with the individual.[200] CSOs should provide guidance and feedback to individuals on supervision about engagement in their communities and interactions with their support system. CSOs should work on an ongoing basis to help individuals on supervision identify and engage prosocial support systems in their natural communities or neighborhoods. Where possible, CSOs should educate individuals who are considered part of the 'support system' about what the supervisee is learning and working towards throughout the duration of their supervision term. CSOs can also learn more about the individual on supervision's goals by engaging with positive support and exploring what motivates the individual. Resources for officers to guide individuals considered part of the person's positive support system include, for example, Effective Practices in Community Supervision for Influencers.[201]

Standard 9.6

Agencies should have written policies, procedures, and established practices for the use of incentives and reinforcement in the community supervision process to support behavior change and compliance by persons on community supervision.

Commentary: Sustained behavior change can be facilitated by the use of incentives and reinforcement. These are empirically proven techniques that recognize the person on community supervision's accomplishments and provide a tangible response the person supervision will value. Positive reinforcements have gained traction as part of the evidence-based practices approach

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[200] Schaefer, Lacey, Gemma C. Williams, and Tenille Ford. 2021. "Social Supports for Community Corrections Clients: Risk Factors or Protective Factors?" *Journal of Qualitative Criminal Justice & Criminology.* https://doi.org/10.21428/88de04a1.69f6e14b.
[201] University of Cincinnati Corrections Institute. n.d. *Effective Practices in Community Supervision.* Accessed April 19, 2024. https://cech.uc.edu/content/dam/refresh/cech-62/ucci/overviews/epics-overview.pdf.

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where the use of incentives is used as a tool to garner engagement and traction in addressing community supervision goals.[202, 203]

Incentives can include verbally recognizing the appearance of persons on community supervision at an office meeting, commenting on their timeliness or preparation, or commenting on (or providing a written commendation for) various achievements across case plan tasks, such as getting/keeping a job, passing an exam, reuniting with prosocial family members, or completing a training or treatment program. These social rewards are important in the change process and support the CSO in building trust.

Where a formal incentives program exists, each person on community supervision should be advised in writing about the program. There should be early and frequent opportunities to receive incentives and they should be targeted to specific behaviors that are prosocial and avoid criminogenic risk. Individuals on community supervision should also be given an opportunity to give input on incentives. At initial supervision onboarding meetings, CSOs should discuss with individuals on supervision what incentives are impactful to them, rather than making assumptions about what might drive compliance.[204] This allows the individual to contribute to receiving positive responses when they reach benchmarks within their case plan, making it more likely they will reach those benchmarks. What one person might consider a strong reinforcement another might consider a weak reinforcement or even a punishment. The incentive recipient's perception is important and understanding that perception is critical when choosing reinforcements. Agencies should derive incentives from this input and train officers on potential

[202] Taxman, Faye S., Eric S. Shepardson, and James M. Byrne. 2004. *Tools of the Trade: A Guide to Incorporating Science into Practice*. Accessed April 19, 2024. https://www.ojp.gov/ncjrs/virtual-library/abstracts/tools-trade-guide-incorporating-science-practice.
[203] Taxman, Faye S. 2008. "No Illusions: Offender and Organizational Change in Maryland's Proactive Community Supervision Efforts." *Criminology & Public Policy* 7: 275-302. https://doi.org/10.1111/j.1745-9133.2008.00508.x.
[204] Robinson, Charles, Melanie S. Lowenkamp, Christopher T. Lowenkamp, and Mikayla N. Lowenkamp. 2015. "Towards an Empirical and Theoretical Understanding of Offender Reinforcement and Punishment." *Federal Probation* 91 (1). https://www.uscourts.gov/sites/default/files/79_1_1_0.pdf.

incentives, how to elicit feedback, and which incentives might be specifically reinforcing for the individual.

One framework for providing incentives in a community supervision context is contingency management, which focuses on reducing behaviors such as drug use by allowing individuals to earn rewards and incentives through positive behavior.[205] Building on the finding that behavior responses should be swift, certain, and proportional, contingency management holds that individuals should have a clear understanding of how incentives can be earned, and that when they have completed the requirements to gain an incentive, they should receive that incentive in a timely manner in response to the positive behavior.[206] When using contingency management, CSOs identify desired behaviors, assign values to the observed behaviors and deliver rewards when an individual achieves the desired behavior or earns a certain number of points. Contingency management innovations usually adhere to three basic principles[207]: 1) the provider creates an environment where target behaviors such as drug abstinence are quickly observed, making the behavior change easily recognized and measurable; 2) reinforcers are used to acknowledge that the person achieved the targeted behavior; and 3) if the individual does not achieve the targeted behavior, reinforcements are not provided.[208] The purpose of positive reinforcements is to help stimulate dopamine (the reward center of the brain) to restructure behavior and responses. Rewards can be delivered in the form of tangible (e.g., gift cards) or intangible (e.g., verbal praise) incentives,[209] and both are found to be equally effective.[210]

[205] Taxman, Faye S., and Danielle S. Rudes. 2013. "Implementation of contingency management in probation agencies using a case controlled longitudinal design: a PDSA study protocol." *Health & Justice* 1 (7). https://doi.org/10.1186/2194-7899-1-7.

[206] Taxman, Faye S., and Danielle S. Rudes. 2013. "Implementation of contingency management in probation agencies using a case controlled longitudinal design: a PDSA study protocol." *Health & Justice* 1 (7). https://doi.org/10.1186/2194-7899-1-7.

[207] Higgins, Stephen T., Alan J. Budney, Warren K. Bickel, Florian E. Foerg, Robert T. Donham and Gary J. Badger. 1994. "Incentives improve outcome in outpatient behavioral treatment of cocaine dependence." *Archives of General Psychiatry* 51 (7): 568-76.

[208] Petry, Nancy M. 2000. "A comprehensive guide to the application of contingency management procedures in clinical settings." *Drug and Alcohol Dependence* 58 (1-2): 9-25. https://doi.org/10.1016/S0376-8716(99)00071-X.

[209] Kirby, Kimberly C., Lois A. Benishek, Karen Leggett Dugosh, and Mary Louise E. Kerwin. 2006. "Substance abuse treatment providers' beliefs and objections regarding contingency management: Implications for dissemination." *Drug and Alcohol Dependence* 85 (1): 19-27. https://doi.org/10.1016/j.drugalcdep.2006.03.010.

[210] Rash, Carla J., Maxine Stitzer and Jeremiah Weinstock. 2017. "Contingency Management: New Directions and Remaining Challenges for An Evidence-Based Intervention." *Journal of Substance Abuse Treatment* 72: 10-18. https://doi.org/10.1016/j.jsat.2016.09.008.

Studies suggest that early contingency management rewarding strategies tended to have delayed recidivism.[211]

Research suggests CSOs should attempt to administer four positive incentives to each negative sanction.[212] Specifically, studies have shown that as the proportion of reinforcers-to-punishers widened, with more reinforcements or rewards, the odds of program success improved.[213]

Standard 9.7

Agencies should have written policies, procedures, and established practices guiding the individual meetings between individuals on community supervision and their CSOs. Meetings should have a specific goal, utilize a proactive strategy, work to advance behavioral change efforts, and enable the officer to monitor compliance with the conditions of community supervision.

Commentary: Individual meetings should have a specific purpose and work on identified action steps to achieve the goals of supervision. Sufficient time should be allotted to developing individual skills, allowing practice, and providing feedback. Examples of practices that should be used include:

- Using effective communication skills
- Using Motivational Interviewing techniques
- Providing positive reinforcement
- Engaging in prosocial role modeling

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[211] Sloas, Lincoln, Amy Murphy, Alese Wooditch, and Faye S. Taxman. 2019. "Assessing the Use and Impact of Points and Rewards across Four Federal Probation Districts: A Contingency Management Approach." *Victims & Offenders* 14 (7): 811–831. https://doi.org/10.1080/15564886.2019.1656691.

[212] Robina Institute of Criminal Law and Criminal Justice at the University of Minnesota. 2020. "Use of Structured Sanctions and Incentives in Probation and Parole Supervision." Accessed April 19, 2024. https://robinainstitute.umn.edu/sites/robinainstitute.umn.edu/files/2022-02/sanctions_and_incentives.pdf.

[213] Wodahl, E. J., Garland, B., Culhane, S. E., & McCarty, W. P. 2011. "Utilizing Behavioral Interventions to Improve Supervision Outcomes in Community-Based Corrections." *Criminal Justice and Behavior* 38 (4): 386-405. https://doi.org/10.1177/0093854810397866.

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- Challenging and redirecting antisocial attitudes/beliefs and affirming prosocial attitudes/beliefs

- Teaching concrete problem-solving skills

- Using practice sessions with feedback to enhance skill building

- Using incentives and reinforcements

- Applying effective disapproval techniques and graduated sanctions

- Outlining a relapse prevention model:[214] This includes assisting people on supervision to recognize high-risk individuals, places, and things, which might trigger negative behavior; to avoid them through avoidance strategies; to learn to cope with them if they can't be avoided; and then evaluate how the avoidance and coping strategies are working for the individual.

Research suggests that comprehensive trainings teach CSOs how to build rapport and a respectful relationship with the client, integrate cognitive-behavioral techniques to sessions, and structure their meetings with individuals on supervision to be concrete and meaningful.[215, 216]

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[214] Parks, George and G. Alan Marlatt. (2000). "Relapse Prevention Therapy: A Cognitive-Behavioral Approach." *The National Psychologist.*

[215] Bonta, James and D. A. Andrews. 2010. *The Psychology of Criminal Conduct.* (5th ed.). Anderson Publishing Co.

[216] Bourgon, Guy, James Bonta, Tanya Rugge, Terri-Lynne Scott, and Annie K. Yessine. 2010. "Program Design, Implementation, and Evaluation in "Real World" Community Supervision." *Federal Probation* 74 (1): 2-15. https://www.uscourts.gov/sites/default/files/74_1_1_0.pdf.

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# X.	Influencing Behavior

INTRODUCTION

To support the behavioral change process, community supervision agencies should use effective strategies to encourage and reward compliance and address noncompliant behavior. Holding persons on community supervision accountable for their behavior and promoting prosocial behavioral change are two of the core functions of community supervision agencies and staff. The responses to noncompliant behavior should be built into the supervision process, "noticing" noncompliance as soon as it occurs, even for minor instances of noncompliance. This can be as simple as calling the attention of the person on community supervision to the behavior and giving a verbal warning. Similarly, incremental rewards and reinforcements of positive behavior encourage consistent compliance and give the individual benchmarks to work towards to encourage change. Effective disapproval techniques work alongside positive reinforcement of prosocial behaviors to influence behavior. It is also the case that not all behavior exhibited by individuals on supervision will fall neatly into prosocial or antisocial categories. CSOs should evaluate individuals' behaviors on a continuum from prosocial to antisocial and change their responses accordingly, reserving serious responses for serious incidents of misbehavior and significant rewards for significant instances or patterns of prosocial behavior, specific to the individual's criminogenic need areas.

By setting clear boundaries with the person, being transparent about the consequences of crossing those boundaries or abiding by expectations, and using effective strategies to address behavior when it occurs, CSOs can promote behavioral change and deter antisocial behavior. While the process for CSOs using incentives and interventions should be objective in application, the CSO's response should be relevant and tailored to the individual.

These Standards address some guidance informed by current case law, with recognition that every state might have its own due process requirements related to supervision hearings

addressing violations or revocations. These Standards are based on best practices and current statutes and case law as it is being interpreted at the time of the Standards' publication. Statutory requirements and case law can change over time and these Standards do not constitute legal advice. Supervision agencies should defer to their state's law and policy.

Standard 10.1

Agencies should have written policies, procedures, and established practices that govern the responses to behavior and that ensure the principles of swiftness, certainty, fairness, transparency, and consistency are observed for all responses to behavior.

Commentary: To gain individuals' trust and compliance with supervision rules, CSOs should incorporate procedural justice principles and techniques throughout the individual's time on supervision, and not just as a response to noncompliance. Agencies can encourage their CSOs to adopt this approach by embedding the principles of procedural justice in official policies, procedures, and practices, thereby setting formal expectations for CSOs and providing resources to assist them. For more discussion of this topic, see Standard 7.2 and the Introduction to Standard 8. Agency policies, procedures, and practices should incorporate the following principles of procedural justice, including:

- **Fairness**: Individuals on supervision should be treated with respect and dignity and approached as valuable human beings.
- **Voice**: Individuals on supervision should have a voice in the decision-making process about their outcome and should be given an opportunity to share their side of the situation under review.
- **Transparency**: The disciplinary process should have consistent and clear options and responses, whether punitive or behavioral, that are accessible to the individual at the beginning of supervision.

- **Impartiality**: The disciplinary process should have a structured framework designed to minimize implicit bias on the part of the decision maker(s) so that behavioral responses are objective and neutral. [217], [218]

Research indicates that the application of procedural justice practices within the supervision context is associated with a greater "felt obligation to obey the law" and "lower odds of recidivism." [219] One way to embed procedural justice principles into behavior responses is for the agency to provide an incentive and sanctions grid or matrix, including specific behaviors and potential incentive or sanction responses to these behaviors. This tool has the potential to increase consistent behavior responses and serve as a resource officers can use to promote transparency and impartiality.

Incentives for Prosocial Behavior[220]

Standard 10.2

Agencies should have written policies, procedures, and established practices for the use of incentives and reinforcement in the community supervision process to support behavior change and compliance by persons on community supervision.

Commentary: Sustained behavior change can be facilitated by the use of incentives and reinforcement. These are empirically proven techniques which recognize the accomplishments of the person on community supervision and provide a tangible response that the person will value.

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[217] Schaefer, Lacey, Gemma C. Williams, and Emily Moir. 2022. "Opportunity-Reduction Supervision Strategies with Domestic and Family Violence Probationers and Parolees," *Frontiers in Psychology* 13. https://www.frontiersin.org/journals/psychology/articles/10.3389/fpsyg.2022.878544/full.

[218] Blasko, Brandy L. and Faye S. Taxman. 2018. "Are Supervision Practices Procedurally Fair? Development and Predictive Utility of a Procedural Justice Measure for Use in Community Corrections Settings," *Criminal Justice and Behavior* 45 (3): 402-420. https://safersocietypress.org/wp-content/uploads/2020/07/2018-CJB-AreSupPracProcFair-.pdf.

[219] Van Hall, Matthias, Thomas Baker, Anja J. E. Dirkzwager, and Paul Nieuwbeerta. 2024. "Perceptions of Probation Officer Procedural Justice and Recidivism: A Longitudinal Study in the Netherlands." *Criminal Justice and Behavior.* https://doi.org/10.1177/00938548241244502.

[220] This section, 9.2-9.4, repeats the content in the discussion about incentives within the Standard on "Effective Interventions," as incentives are both an effective intervention and should also be used to influence behavior.

Positive reinforcements have gained traction as part of the evidence-based practices approach where the use of incentives has been identified as a tool to garner engagement in addressing community supervision goals.[221, 222] The process of identifying incentives that are impactful to the individual requires a strengths-based approach to addressing criminogenic needs. Highlighting the individual's strengths will help the individual and the CSO determine which incentives are most impactful for that person.

Incentives can include verbally recognizing the appearance of persons on community supervision at an office meeting, acknowledging their timeliness or preparation, or commenting on (or providing a written commendation for) various achievements across case plan tasks, such as getting/keeping a job, passing an exam, reuniting with prosocial family members, or completing a training or treatment program. These social rewards are important in the change process and support the CSO in building trust. Research suggests that while earned compliance credits are rated most favorably, incentives including supervision fee waivers, reduced reporting requirements, and gift cards were impactful.[223]

Where a formal incentives program exists, each person on community supervision should be advised in writing about the program. There should be early and frequent opportunities to facilitate incentives and they should be targeted to specific behaviors that are prosocial and avoid criminogenic risk. Individuals on community supervision should be given an opportunity to give input on incentives. At initial supervision onboarding meetings, CSOs should discuss with individuals on supervision what incentives are impactful to the individual, rather than making assumptions about what might drive compliance.[224] This allows the individual to influence the

[221] Taxman, Faye S., Eric S. Shepardson, and James M. Byrne. 2004. *Tools of the Trade: A Guide to Incorporating Science into Practice.* Accessed April 19, 2024. https://www.ojp.gov/ncjrs/virtual-library/abstracts/tools-trade-guide-incorporating-science-practice.

[222] Taxman, Faye S. 2008. "No Illusions: Offender and Organizational Change in Maryland's Proactive Community Supervision Efforts." *Criminology & Public Policy* 7: 275-302. https://doi.org/10.1111/j.1745-9133.2008.00508.x.

[223] Wodahl, Eric S., Brett E. Garland, and Thomas J. Mower. (2017). "Understanding the Perceived Value of Incentives in Community Supervision." *Corrections* 2 (3): 165–188. https://doi.org/10.1080/23774657.2017.1291314.

[224] Robinson, Charles, Melanie S. Lowenkamp, Christopher T. Lowenkamp, and Mikayla N. Lowenkamp. 2015. "Towards an Empirical and Theoretical Understanding of Offender Reinforcement and Punishment." *Federal Probation* 91 (1). https://www.uscourts.gov/sites/default/files/79_1_1_0.pdf.

responses they will receive when they reach benchmarks within their case plan, making it more likely they will reach those benchmarks. What one person might consider a strong reinforcement another might consider a weak reinforcement or even a punishment. The recipient's perception is important and understanding that perception is critical when choosing reinforcements. Agencies should develop incentive options based on this input. They should also train officers on potential incentives, how to elicit feedback, and which incentives might be specifically reinforcing for the individual.

One framework for providing incentives in a community supervision context is contingency management, which focuses on reducing behaviors such as drug use by allowing individuals to earn rewards and incentives through positive behavior.[225] Building on the finding that behavior responses should be swift, certain, and proportional, contingency management holds that individuals should have a clear understanding of how incentives can be earned, and that when they have completed the requirements to gain an incentive, they should receive that incentive in a timely manner in response to the positive behavior.[226] When using contingency management, officers identify desired behaviors, assign values to the observed behaviors, and deliver rewards when an individual achieves the desired behavior or earns a certain number of points. Contingency management innovations usually adhere to three basic principles:[227] 1) the provider creates an environment where target behaviors such as drug abstinence are quickly observed, making the behavior change easily recognized and measurable; 2) reinforcers are used to acknowledge that the person achieved the targeted behavior; and 3) if the individual does not

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[225] Taxman, Faye S., and Danielle S. Rudes. 2013. "Implementation of contingency management in probation agencies using a case controlled longitudinal design: a PDSA study protocol." *Health & Justice* 1 (7). https://doi.org/10.1186/2194-7899-1-7.

[226] Taxman, Faye S., and Danielle S. Rudes. 2013. "Implementation of contingency management in probation agencies using a case controlled longitudinal design: a PDSA study protocol." *Health & Justice* 1 (7). https://doi.org/10.1186/2194-7899-1-7.

[227] Higgins, Stephen T., Alan J. Budney, Warren K. Bickel, Florian E. Foerg, Robert Donham and Gary J. Badger. 1994. "Incentives improve outcome in outpatient behavioral treatment of cocaine dependence." *Archives of General Psychiatry* 51: 568-576. https://doi.org/10.1001/archpsyc.1994.03950070060011.

achieve the targeted behavior, reinforcements are not provided. [228, 229] Rewards can be delivered in the form of tangible (e.g., gift cards) or intangible (e.g., verbal praise) incentives,[230] and both are found to be equally effective. [231] Studies suggest that early contingency management rewarding strategies tended to have delayed recidivism. [232]

Research suggests CSOs should attempt to administer four positive incentives to each negative sanction. [233] Specifically, studies have shown that as the proportion of reinforcers-to-punishers widened and more rewards were given, the odds of program success improved. [234]

Standard 10.3

Agencies should have written policies, procedures, and established practices for systematically engaging persons on community supervision in skill training with directed practice, including the use of incentives to reward practice and mastery.

Commentary: Some individuals on supervision lack foundational skills such as how to apply for a job, search for an apartment, or open a bank account. CSOs can help them develop and use these skills by teaching individuals the basics and helping them practice these skills through hypotheticals and then real-life implementation, with ample time to debrief with the CSO. Skill

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[228] Petry, Nancy M. 2000. "A comprehensive guide to the application of contingency management procedures in clinical settings." *Drug and Alcohol Dependence* 58 (1-2): 9-25. https://doi.org/10.1016/s0376-8716(99)00071-x.

[229] Kirby, Kimberly C., Lois A. Benishek, Karen Leggett Dugosh, and Mary Louise E. Kerwin. 2006. "Substance abuse treatment providers' beliefs and objections regarding contingency management: Implications for dissemination." *Drug and Alcohol Dependence* 85 (1): 19-27. https://doi.org/10.1016/j.drugalcdep.2006.03.010.

[230] Kirby, Kimberly C., Lois A. Benishek, Karen Leggett Dugosh, and Mary Louise E. Kerwin. 2006. "Substance abuse treatment providers' beliefs and objections regarding contingency management: Implications for dissemination." *Drug and Alcohol Dependence* 85 (1): 19-27. https://doi.org/10.1016/j.drugalcdep.2006.03.010.

[231] Rash, Carla J., Maxine Stitzer and Jeremiah Weinstock. 2017. "Contingency Management: New Directions and Remaining Challenges for An Evidence-Based Intervention." *Journal of Substance Abuse Treatment* 72: 10-18. https://doi.org/10.1016/j.jsat.2016.09.008.

[232] Sloas, Lincoln, Amy Murphy, Alese Wooditch, and Faye S. Taxman. 2019. "Assessing the Use and Impact of Points and Rewards across Four Federal Probation Districts: A Contingency Management Approach." *Victims & Offenders* 14 (7): 811–831. https://doi.org/10.1080/15564886.2019.1656691.

[233] Robina Institute of Criminal Law and Criminal Justice at the University of Minnesota. 2020. *Use of Structured Sanctions and Incentives in Probation and Parole Supervision.* Accessed April 11, 2024. https://robinainstitute.umn.edu/sites/robinainstitute.umn.edu/files/2022-02/sanctions_and_incentives.pdf.

[234] Wodahl, Eric J., Brett Garland, Scott E. Culhane, and William P. McCarty. 2011. "Utilizing Behavioral Interventions to Improve Supervision Outcomes in Community-Based Corrections." *Criminal Justice and Behavior* 38 (4): 386-405. https://doi.org/10.1177/0093854810397866.

training must include a goal to increase a particular skill, delivery of training by the CSO, an opportunity for the person on community supervision to practice the skill, and provision of relevant feedback to the person on community supervision on the use of the skill. This activity should be included at a minimum in case plans, individual meetings with the CSO, behavioral interventions, and in appropriate internal programming (e.g., staff-led groups or classes). Other examples of skill training include problem-solving, cognitive restructuring, time management, budgeting, and interpersonal communication. It is important to note that even when people master a given skill, such as applying and interviewing for jobs or interpersonal communication, they may not see immediate benefits from their effort. Even the best-prepared individual may struggle to obtain employment or secure stable and affordable housing through no fault of their own. Because of this, it is important for CSOs to provide incentives and rewards, such as verbal praise, recognition in front of others, and/or tangible benefits such as the ability to conduct check-ins virtually, for individuals who are making genuine efforts at self-improvement. Encouragement and support can help prevent people from becoming discouraged and slipping back into bad habits.

Additionally, officers themselves should engage in skill training and directed practice by practicing the activity of rewarding incentives and building this practice into case planning. For example, where action steps and a goal in the case plan are accomplished, officers should document this progress and respond by awarding incentives the individual identified as impactful.

Standard 10.4

Agencies should have written policies, procedures, and established practices for systematically engaging persons on community supervision in ongoing community support.

Commentary: To help provide individuals with the best possible chance to succeed on supervision, CSOs should also help individuals engage with positive, prosocial people in their communities. Engagement with community support should be included in case plans and reviewed regularly at individual meetings. The presence of community support should also be

included, when appropriate, in internal programming and behavioral interventions. This work should include addressing negative influences from individuals who are considered "support" systems but might exacerbate the risk of reoffending because of their own behavior or the dynamic with the individual.[235] CSOs should provide guidance and feedback to individuals on supervision regarding engagement in their communities and interactions with their support system. CSOs should work on an ongoing basis to help individuals on supervision identify and engage prosocial support systems in their natural communities or neighborhoods. Where possible, CSOs should educate individuals who are considered part of the 'support system' about what the individual is learning and working towards throughout the duration of their supervision term. CSOs can also learn more about the individual on supervision's goals by engaging with positive support and exploring what motivates the individual.

Supervision agencies should acknowledge that the process of an individual abandoning prior social bonds–even unhealthy, negative, or antisocial ones–is a difficult task and becomes more difficult when the individual is returning to the same community they lived in before their arrest. Even individuals with good intentions may lose resolve over time and slip back into old patterns, especially if they are having a difficult time forming or strengthening new prosocial connections. The CSO should actively assist individuals by offering verbal recognition and other incentives for instances of positive behavior, as well as the individual's efforts to avoid former antisocial ties. Assistance and incentives, particularly in the period immediately after the individual returns to the community, can help that individual form new bonds and develop sustainable, prosocial relationships.

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[235] Schaefer, Lacey, Gemma C. Williams, and Tenille Ford. 2021. "Social Supports for Community Corrections Clients: Risk Factors or Protective Factors?" *Journal of Qualitative Criminal Justice & Criminology.* https://doi.org/10.21428/88de04a1.69f6e14b.

Sanctions for Noncompliance

Standard 10.5

Agency policy should incorporate structured mechanisms for determining responses that are proportional to the seriousness and history of the noncompliant behavior and the risk level of the person on community supervision.

Commentary: Policy-based grids or matrices, which prescribe responses to noncompliance based on the individual's risk level and the seriousness of the behavior, are an effective way to address the challenge of ensuring consistency and fairness of responses across CSOs. Such mechanisms should utilize a structured, research-informed decision-making process that is driven by risk levels, criminogenic needs, specific responsivity factors, severity of behavior, history of behavior, and the CSO's professional judgment. While matrices are intended to provide structure and consistency across CSO responses, they do not mandate that CSOs respond identically in every instance; CSOs should balance the guidelines laid out in their agency's matrix with their knowledge of the individuals on their caseload and make appropriate adjustments.

The creation, implementation, and use of a graduated sanctions grid to supplement and guide CSOs' professional judgment can help CSOs supervise individuals more effectively. While the use of graduated sanctions themselves has not been shown to reduce recidivism,[236] CSOs can use them to adopt a problem-solving focus with individuals on supervision, working with those individuals to find the right responses to address the underlying issues that are leading to noncompliance. The more recent terminology involves "effective responses to noncompliance"– suggesting that if a previous response was ineffective in positively shaping behavior, perhaps a

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[236] Carter, Madeline M. 2015. "Behavior Management of Justice-Involved Individuals: Contemporary Research and State-of-the-Art Policy and Practice." Center for Effective Public Policy. Accessed April 26, 2024. https://cepp.com/wp-content/uploads/2021/04/Behavior-Management-of-Justice-Involved-Individuals-Contemporary-Research-and-State-of-the-Art-Policy-and-Practice-2015.pdf.

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different approach (rather than a more severe one) is called for.[237] This focus on effective responses is a reminder that even where there is a structured tool providing guidance to CSOs, the response should still consider the individual's circumstances at the time of the noncompliance.

Standard 10.6

Agency policy for responding to noncompliant behavior should include options such as administrative conferences with supervisory or management staff, the person on community supervision, and the CSO. Where the court or parole board is amenable, these administrative conferences might involve the court.

Commentary: Administrative conferences can be a useful tool at the early stages of noncompliance. Typically, during an administrative conference, the person on community supervision, the CSO, and a member of an agency's management staff meet to discuss the individual's behavior. Such a conference is not a violation hearing or a fact-finding session. Instead, it is designed to clarify expectations, explore options, and motivate the person on community supervision to fully comply with the conditions of supervision and work on the case plan objectives. Additionally, where the court is open to this practice, supervision agencies might explore providing updates to the court where the individual engages in noncompliance that does not rise to the level of a formal violation. This report to the court or parole board would serve as an opportunity to address the noncompliance before it develops into more serious behavior and to outline the potential repercussions if noncompliance continues. This might also serve as an opportunity to address conditions of supervision that are no longer applicable or are posing barriers to the individual on supervision, where these conditions are related to noncompliance.

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[237] Carter, Madeline M. 2015. "Behavior Management of Justice-Involved Individuals: Contemporary Research and State-of-the-Art Policy and Practice." Center for Effective Public Policy. Accessed April 26, 2024. https://cepp.com/wp-content/uploads/2021/04/Behavior-Management-of-Justice-Involved-Individuals-Contemporary-Research-and-State-of-the-Art-Policy-and-Practice-2015.pdf.

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Violation of Conditions

Standard 10.7

In accordance with law and with authorization of the applicable court or paroling authority, agency policy should prescribe what types of violations must be reported to the court or paroling authority and what types may be resolved internally. All noncompliance and alleged violations of supervision conditions should be investigated by the supervising CSO and the results documented in the case record.

Commentary: Agencies should have clear policies and formal channels of communication for reporting violations to a court or paroling authority. Comprehensive documentation of violation or alleged violation of conditions will help CSOs both hold individuals accountable for noncompliant behavior and help both parties identify the roots of that noncompliant behavior to form a basis for problem solving. Depending on the supervisor-to-CSO ratio and other demands on supervisors' time, supervision agencies may prescribe varying policies for supervisory review of substantiated violations. Some agencies may prefer supervisors to review every substantiated violation, while others may prefer to prescribe supervisory review only for violations that result in revocation. Supervisors should also be available to provide guidance for instances when there is ambiguity about whether or not a violation should result in a report to the sentencing authority or parole board.

Due Process of Law

Standard 10.8

When the noncompliance with conditions rises to the level of filing a violation of probation or parole with the court or releasing authority, agencies should ensure that policy and procedure conform with the requirements set forth by the United States Supreme Court in *Morrissey v.*

Brewer (408 U.S. 471, 1972) for parole and *Gagnon v. Scarpelli* (411 U.S. 778, 1973) for probation.

Commentary: Agencies should ensure that policy and procedure conform to all relevant federal and state court rulings as well as court rule and administrative law requirements. These requirements include rights such as:

- Written notice of the alleged violations

- Disclosure of evidence to the individual

- An opportunity to be heard in person and to present witnesses and documentary evidence

- The right to confront and cross-examine adverse witnesses (unless the hearing officer specifically finds good cause for not allowing confrontation)

- A neutral and detached hearing body such as a judge or traditional parole board, members of which need not be judicial officers or lawyers

- A written statement by the fact finders as to the evidence relied on and reasons for revoking probation or parole.

According to the Supreme Court, when a person is released onto probation or parole, they are considered to be at liberty to remain in the community as long as they "substantially abide" by their conditions of supervision.[238] This means that any legal proceeding that deprives individuals of their liberty must conform to due process requirements for such a hearing.[239] These requirements include notice of the hearing, disclosure of evidence, and the other stipulations included above.[240] Supervision agencies should ensure that their policies, practices, and procedures conform to the Supreme Court's requirements for probation and parole hearings,

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[238] *Morrissey v. Brewer*, 408 U.S. 471 (1972): 479.
[239] *Morrissey v. Brewer*, 408 U.S. 471 (1972).
[240] *Gagnon v. Scarpelli*, 411 U.S. 778 (1973).

erring on the side of robust due process requirements when conflicts arise between federal and state law.

Right to Counsel

Standard 10.9

Agencies should ensure that individuals on supervision in probation or parole revocation proceedings are represented by counsel. If the individual is indigent, counsel should be appointed.

Commentary: Recognizing that supervision agencies' primary role is not to advocate for certain legislation or policies that impact court practitioners, assignment of legal counsel in revocation hearings is a critical topic that agencies should discuss with stakeholders. In *Mempa v. Rhay* (389 U.S. 128, 1967), the United States Supreme Court held that persons on probation for a felony are entitled to counsel at their revocation hearing where the imposition of deferred sentencing is possible. The Court found that the time of sentencing and revocation hearing is a critical stage in a criminal case, and counsel's presence is necessary to ensure that:

- The conviction and sentence are not based on misinformation or misreading of court records.[241, 242]
- Certain rights, such as that of appeal, are reasonably asserted; and,
- The defendant is provided with substantial assistance marshaling facts in connection with violations.[243]

In the case of individuals on probation, the Supreme Court determined that counsel should be provided. While *Morrissey v. Brewer* did not go as far as to declare a right to counsel for individuals under parole supervision during these hearings, the finding in *Mempa* is applicable, in

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[241] *Townsend v. Burke*, 334 U.S. 736 (1948).
[242] *Gideon v. Wainwright*, 372 U.S. 335 (1963)
[243] *Mempa v. Rhay*, 389 U.S. 128 (1967).

spirit, to the parole revocation context. Given that individuals on parole face a higher likelihood of being incarcerated for revocation of parole, counsel should, at the very least, be required to be provided during parole revocation hearings. A growing number of states have awarded the right to counsel in the parole context through legislative mandate.[244] The right to counsel is supported by the American Bar Association (ABA).[245] and by the National Legal Aid and Defender Association (NLADA).[246] in their professional standards. Supervision agencies can work with their local ABA and NLADA chapters to determine what role they can play in ensuring individuals on supervision are properly represented at revocation hearings.

Warrants for Arrest/Detention

Standard 10.10

Warrants for the arrest and detention of a person on community supervision should only be requested upon consideration of variables including: adequate evidence of serious and/or repetitive violation of assigned conditions, commission of a new offense, or risk to public safety posed by the individual's continued presence in the community.

Commentary: Agencies should outline criteria for circumstances justifying arrest and detention of the individual on supervision. Agencies should review any jurisdiction-specific standards of proof and might consider arrest warrants in cases where there are adequate evidence of serious and/or repetitive violation of assigned conditions, commission of a new offense, or risk to public safety posed by the individual's continued presence in the community. For some supervising agencies, decisions about which officers can effectuate arrests will depend on whether the supervision officers are sworn or not. Some agencies might collaborate with local police or sheriff

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[244] New Jersey Pub. L. No. S3772. https://www.njleg.state.nj.us/bill-search/2022/S3772.
[245] American Bar Association. 2017. "Standard 4-2.1–Duty to Make Qualified Defense Representation Available." *The Criminal Justice Standards for the Defense Function. (*4th ed.).
https://www.americanbar.org/groups/criminal_justice/standards/DefenseFunctionFourthEdition/.
[246] National Legal Aid and Defender Association. n.d. "Guideline 1.1 Role of Defense Counsel." *Performance Guidelines for Criminal Defense Representation (Black Letter).* Accessed April 26, 2024.
https://www.nlada.org/defender-standards/performance-guidelines/black-letter.

departments to effectuate arrest warrants, which requires clear policy across both supervision agencies and local law enforcement. Supervision agencies should discuss and coordinate with courts in circumstances where a court date for a violation of probation hearing is set and the individual misses the court hearing to determine when an arrest warrant for failure to appear is appropriate.

Notification of Probable Cause Hearing

Standard 10.11

The person on community supervision should be notified in writing of the probable cause hearing at least three days in advance. The notice should include the time and place of the hearing and information on the person's rights (in probation cases) outlined in *Gagnon v. Scarpelli*[247] and *Mempa v. Rhay,*[248] including the right to:

- **Disclosure of evidence;**
- **Present evidence and favorable witnesses;**
- **Confront adverse witnesses;**
- **Receive effective assistance of counsel, with counsel appointed if the individual is indigent; and,**
- **Request postponement of the hearing.**

Commentary: A probable cause hearing will take place due to any motion to revoke or violation of supervision hearing. Regardless of whether the individual on supervision is out in the community or in custody, notice of a probable cause hearing to determine whether a violation of supervision is required as a necessary component of due process. This hearing will determine whether there is probable cause to demonstrate a violation of supervision has occurred. While some states do not guarantee the right to counsel at probable cause hearings, best practice

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[247] *Gagnon v. Scarpelli*, 411 U.S. 778 (1973).
[248] *Mempa v. Rhay*, 389 U.S. 128 (1967).

involves counsel at any supervision-related hearing. Even in jurisdictions where the right to counsel is not guaranteed for the initial probable cause hearings, CSOs can have conversations about the presence of an attorney with the individual on supervision. The individual can also waive the initial probable cause hearing.

Conducting Probable Cause Hearing

Standard 10.12

Administrative staff or a field officer may, at the request of the court or releasing authority, conduct a probable cause hearing and make findings as to the probable cause for revocation.

Commentary: A preliminary inquiry is required to determine whether there is probable cause to believe that the person on probation violated the conditions of his or her probation. This can be conducted by supervision agency staff at the court's request. At these hearings, the individual must be given notice of the alleged probation violations, an opportunity to appear and speak on their own behalf and to bring in relevant information, an opportunity to question individuals giving adverse information, and written findings by the hearing officer, who must be "someone not directly involved in the case."[249] If probable cause is found, the individual is entitled to a formal revocation hearing, with more procedure than the preliminary inquiry and the same right as guaranteed in *Gagnon*,[250] before a "neutral and detached" hearing body.[251]

To ensure compliance with the "neutral and detached" hearing body requirement, this hearing cannot be conducted by the supervising CSO who has filed the violation report at issue or recommended revocation in the revocation hearing.

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[249] *Morrissey v. Brewer*, 408 U.S. 471 (1972).
[250] *Gagnon v. Scarpelli*, 411 U.S. 778 (1973): 786.
[251] *Morrissey v. Brewer*, 408 U.S. 471 (1972): 489.

Alternatives to Revocation/Incarceration

Standard 10.13

When violations have been sustained, alternatives to revocation and incarceration should be considered and utilized to the extent that public safety allows.

Commentary: Agencies have developed behavior matrices meant to provide officers with sanction options, apart from revocation. Some jurisdictions have facilities, including prerelease or sanction centers with available cognitive or substance use treatment, where people can be sent to serve a time-limited term (e.g., Montana and Utah). Depending on location and availability, agencies may also make referrals to problem-solving court tracks, detox/inpatient treatment programs, and sometimes faith-based community programs. Alternative responses can also include:

- Meetings between CSO, treatment provider, and supervisee
- Day reporting to supervision agency or treatment provider
- House arrest
- Electronic monitoring
- Jail sanction
- Recovery homes
- Faith-based reentry programming

CSOs should examine the types of violations to determine whether interventions and responses have addressed the underlying need leading to repeated violations. A record of these alternatives to revocation is critical if a revocation hearing is ultimately required, to show that multiple action steps were taken by the CSO to address noncompliance before a motion to revoke.

Framing and the language used by CSOs to describe these alternatives to incarceration or revocation are also critical. Opportunities to be connected to treatment where substance use

violations are prevalent should not be discussed as a sanction; a decision to refer to programming should not be viewed as a punishment but a needs-based intervention that provides additional structure and resources to benefit the individual on supervision.

Some states also have alternative facilities to address noncompliance without requiring full revocation of supervision. For example, New York has a Probation Violation Reduction Center (PVRC), a residential program (up to 90 days) for individuals on supervision with behavioral health problems who are at high risk of violation, or who have been violated and face incarceration. In Mississippi, Technical Violation Centers offer alternatives to revocations that would return people to state prison and focus on program plan development, personal motivation, and alcohol and drug programming. In Texas, there are Intermediate Sanction facilities that provide 45-90 day cognitive and/or substance use treatment as an alternative to revocation. Some states have also developed collaborative multiagency initiatives that provide responses to violation behavior related to substance use, including transitional sober living environments for individuals coming from carceral settings who are also navigating their substance use and/or mental health issues, such as Nebraska's Project Integrate Transitional Living.[252]

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[252] State of Nebraska Judicial Branch, Administrative Office of the Courts and Probation. n.d. "Transitional Living." Accessed April 26, 2024. https://transitionalliving.nebraska.gov/.

XI. Performance Measurement

INTRODUCTION

Performance measurement in community corrections has historically focused on recidivism. While this is a critical outcome, there is a great deal of additional activity and work that goes into reducing recidivism that should be measured and tracked. This work, broadly classified as evidence-based practices, must be monitored, measured, and managed if the potential for recidivism reduction is to be realized. Performance measurement can include both process and outcome measures and focuses on fidelity to a given policy, training, or practice. Process measures determine whether supervision activities have been implemented as intended and how well different measures are being used; for example, agencies might track the percentage of individuals who receive an RNA where written policies require an assessment to inform case planning. Outcome measures track supervision effects in the supervision population by assessing the progress in the outcomes or outcome objectives that supervision agency aims to achieve. Many outcome measures demonstrate accountability, sustainable behavior change, and positive progress while under community supervision. The community supervision field has increasingly embraced a focus on measuring desistance, or the reduction in criminal behavior, with an emphasis on positive progress even in the face of relapse or contact with the legal system. Measures should take multiple perspectives (short, intermediate, and long term) and have multiple foci, including the person on community supervision, staff, and the agency.

Standard 11.1

Agencies should develop and implement a comprehensive performance measurement system which should include process measures of supervision activities consistent with risk-need-responsivity theory, as well as performance outcomes for agencies and individuals on supervision.

Commentary: As agencies consider what metrics to track at an agency, officer, and case level, the Justice Counts Initiative has outlined descriptive data metrics for policymakers and practitioners to consider including: Capacity & Costs of the supervision agency (funding, expenses, staffing, and caseload, distribution) Population Movements (new cases, daily population and discharges, Operations & Dynamics (violation and revocations), Public Safety (reconvictions), Equity (daily population by race, and ethnicity) and Fairness (whether supervision responses to behavior are consistent across people with similar risk and needs levels).[253] Agencies can use these data categories to organize performance indicators for each category. For example, when looking at data related to number of staff, one performance measure would be the frequency of staff using RNR practices within case management.

While measures such as capacity, costs, population, operations, and public safety may be more easily defined, measurements for assessing equity and fairness in practice would need to be defined by agencies. Equity might be defined as all individuals on supervision being treated similarly for similar behavior; fairness would be defined by agencies using procedures equally. Each agency should determine how equity and fairness are demonstrated in their organization and should have input from staff at every level. These conversations might include consideration of factors such as whether people with similar risk and need levels are being supervised in a comparable way or whether similar violation behavior is being addressed in a consistent manner.

Related to supervision activities consistent with RNR model, practitioners and researchers frequently observe that officers fail to use RNA results in case plans. Researchers have identified measures to assess whether CSOs properly incorporate RNR into case planning.[254] The four measures are: 1) whether a person has a criminogenic or responsivity need in a particular area, 2) the consistency between the risk subscale criminogenic/responsivity need areas and special

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[253] Council of State Governments. n.d. "Justice Counts Metrics." Accessed May 3, 2024. https://justicecounts.csgjusticecenter.org/metrics/justice-counts-metrics/#:~:text=The%20Justice%20Counts%20metrics%20provide,previously%20been%20unable%20to%20access.

[254] Thurman, Teneshia, Sharmistha Chowdhury and Faye S. Taxman. 2021. "Fidelity Measures for Risk-Need Assessment (RNA) Tools Usage in Case Plans." *Corrections* 6 (5): 383-399. https://doi.org/10.1080/23774657.2019.1696252.

conditions, 3) whether the officer incorporated the need areas into a case plan, and, 4) the degree to which the special conditions are reflected in the case plan. Measuring whether need areas are adequately incorporated into case plans prevents discrepancies between the RNA results and case plans; tracking whether needs have been addressed also reduces a common tendency to emphasize special conditions ordered by the court over criminogenic needs.

Additionally, agency policy should outline how the agency will track outcomes around staff adherence to procedure, successful as opposed to unsuccessful discharge rates, and outcomes specific to the individual's supervision progress.

Standard 11.2

Process measures should track compliance with policies and procedures by staff at all levels, ensuring fidelity to the risk-need-responsivity theory model.

Commentary: Process measures are meant to assess whether agency policies and practices are followed. This is critical because even the best evidence-based practices are meaningless unless they are implemented with fidelity. These process measures might differ between line officers and supervisors. For example, a supervisor's process might be reviewed to determine their use of coaching skills with the CSOs that report to them or adherence to any agency policies that outline when and how to "staff" a case with a supervisor. Process measures for CSOs might include appropriate utilization of the information gleaned from an assessment and incorporation of assessment results into a case plan. Process measures allow an agency to evaluate a CSO and course-correct where adherence to policies is lacking. A performance evaluation may include a plan for follow-up action for staff (e.g., performance improvement plan, remedial training, or retraining).

Process measures for supervision staff require tracking domains such as RNR, motivation and engagement, case planning, monitoring and compliance, and desistance.[255]

Measures to include when tracking fidelity to RNR:

- RNA
- Supervision level assigned
- Risk and supervision level match
- Total number of reassessments/percentage of reassessments completed on time
- Total contacts during supervision period/percentage of contacts required during a given timeframe
- Rate of contact (monthly) on supervision
- Rate of identified needs to treatment placement
- Reduction in criminogenic needs

Measures to include when tracking motivation and engagement:

- Average number of days between referral and start of treatment
- Initial treatment started less than 14 days from referral date
- Number of days between first and third treatment sessions

Measures to include when tracking case planning process:

- Number of days between intake and assessment
- Frequency of case plan updates and review with individual on supervision
- Percent of action steps completed within case plan

Measures to include when tracking monitoring and compliance:

- Revocations or court procedures to review progress on supervision
- Special conditions given
- Number of special conditions given
- Sanctions and incentives

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[255] Blasko, Brandy L., Karen A. Souza, Brittney Via, Sara Del Principe and Faye S. Taxman. 2016. "Performance Measures in Community Corrections: Measuring Effective Supervision Practices with Existing Agency Data." *Federal Probation* 80 (3): 26-32. https://www.uscourts.gov/sites/default/files/80_3_3_0.pdf.

Measures to include when tracking desistance:

- Successfully completed supervision
- Percent of negative drug tests out of all tests administered
- Percent of supervision population employed during supervision

Standard 11.3

Outcome measures should assess the impact or results of staff activities.

Commentary: In addition to assessing process measures, outcome measurement is a fundamental element of good management practices. It is critical to examine, on a routine basis, the results of agency activity. Agencies are accountable to their funding and authorizing bodies and need to be able to document the results of their work. At the individual case level, outcomes might include whether a case plan was developed with the individual, what action steps have been outlined and completed, whether a timeline was developed, whether a schedule/budget was drafted, whether appropriate referrals were made and the individual actually connected with the provider to whom they were referred, and whether there is compliance with conditions. At the agency level, outcome measures might include the aggregate number of cases terminated successfully or unsuccessfully, the percent of individuals processed for any kind of early discharge, and percent of people on supervision connected to supportive resources (e.g., housing, employment, treatment).

Agencies should also work with research partners to measure the impact of training, and specifically training dosage. Despite their potential, research has shown standard training regiments alone are not sufficient in making all participants proficient users of skills. There is a need to determine what intensity of training produces the best results. One study assessed the impact of federal probation officer training dosage in the Staff Training Aimed at Reducing Re-

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arrest (STARR) program on the outcomes of their clients.[256] The results indicated clients of STARR-trained officers had fewer probation revocations and new arrests but more technical violations and positive drug tests. This study also found clients supervised by officers with more exposure to the STARR model and practice of STARR skills had better outcomes than officers with less exposure and practice.

Agencies should look not only to training dosage but also use of skills taught within the training to determine whether the training skills are happening consistently enough to qualify the interaction as a productive intervention. One mechanism to measure performance is to review audio tape recordings between the CSO and individual on supervision. Some measures to analyze whether the officer effectively structures their meetings include inquiring about any crisis, reviewing the last meeting, and assigning any relevant homework or tasks to work on. Indicators of relationship-building strategies include the CSO's use of role clarification, active listening, and mutual agreement of goals. Agencies should assess the use of bridging skills (e.g., the effective use of reinforcement, disapproval, authority, and punishment) and cognitive-behavioral intervention techniques (e.g., cognitive restructuring, skill building, problem-solving, and role-playing) in their one-on-one interactions with individuals on supervision.[257, 258, 259, 260]

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[256] Labrecque, Ryan and Jill Viglione. 2021. "The Impact of Community Supervision Officer Training Program on Client Outcomes: A Propensity Score Modeling Analysis by Officer Training Dosage." *Criminal Justice and Behavior* 48 (3): 315–331. https://doi.org/10.1177/0093854820980788.

[257] Bonta, James, Guy Bourgon, Tanya Rugge, Terri-Lynne Scott, Annie K. Yessine, Leticia Gutierrez, and Jobina Li. 2011. "An Experimental Demonstration of Training Probation Officers in Evidence-Based Community Supervision." *Criminal Justice and Behavior* 38 (11): 1127-1148. https://doi.org/10.1177/0093854811420678.

[258] Labrecque, Ryan M., Myrinda Schweitzer and Paula Smith. 2013. "Probation and parole officer adherence to the core correctional practices: An evaluation of 755 offender-officer interactions." *Advancing Practices* 3: 20–23.

[259] Latessa, Edward J., Paula Smith, Myrinda Schweitzer and Ryan M. Labrecque. 2013. "EVALUATION OF THE EFFECTIVE PRACTICES IN COMMUNITY SUPERVISION MODEL (EPICS) IN OHIO." https://doi.org/10.13140/RG.2.1.2115.7362.

[260] Robinson, Charles R., Scott VanBenschoten, Melissa Alexander and Christopher T. Lowenkamp. 2011. "A random (almost) study of staff training aimed at reducing re-arrest (STARR): Reducing recidivism through intentional design." F*ederal Probation* 75 (2): 57–63. https://www.uscourts.gov/sites/default/files/75_2_10_0.pdf.

Standard 11.4

Outcome measures should assess the impact or results for individuals on supervision. Agencies should collect and report on outcome measures related to recidivism reduction, accountability, and other socially valued outcomes.

Commentary: Outcome measures for people on supervision generally correspond to the measures that assess officer and agency processes. Outcomes might include skill acquisition (e.g., time management, identifying triggers, use of coping mechanisms) updates to employment status, compliance with substance use programming, milestones in education, housing security (obtaining and maintaining housing), reduction in RNA level after participation in cognitive programming, payments towards financial obligations, or the completion of case plan action steps. It is important for supervision agencies to track these measurements; this informs whether individuals are achieving their goals and meeting or ameliorating their criminogenic needs, providing a more nuanced picture of the agency's efforts towards long-term behavior change.

The National Academy of the Sciences 2022 Report on recidivism rates notes that these measures fail to capture indicators of progress toward the cessation of criminal activity, such as reductions in the seriousness of criminal activity or increases in time between release and a criminal event, and that they also reflect decisions made by the relevant criminal justice agency or agencies.[261] Recidivism can still be a useful measure or evaluating the needs of individuals on supervision, but to gain a fuller picture of the performance of their supervision population, agencies should supplement recidivism rates with these measures that track reduction antisocial attitudes and criminal behavior. These measures might include documented connections to positive and prosocial activities and networks.

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[261] Committee on Evaluating Success Among People Released from Prison, Committee on Law and Justice, Division of Behavioral and Social Sciences and Education, and National Academies of Sciences, Engineering, and Medicine. 2022. *The Limits of Recidivism: Measuring Success After Prison*. Edited by Richard Rosenfeld and Amanda Grigg. Washington, D.C.: National Academies Press. https://doi.org/10.17226/26459.

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Other potential measures include:

- Percent obtaining employment, including full- and part-time employment rates and jobs secured by unemployed individuals

- Substance use, including both illegal substances and legal substances used despite prohibited use (e.g., alcohol)

- Education and/or training engaged in or completed

- Percent in need of housing who obtained it

- Treatment engagement, compliance, and outcomes

- RNA score movement (up/down)

- Completion of case plan objectives

- Financial collections

- Community service hours completed and monetary value of hours completed

While not as readily accessible as quantitative data from case management systems, experts in the field indicate that measures of success for this population would be better-informed and more effective if official sources of recidivism were supplemented by the point of view of the individuals themselves and the way they view success.[262] Therefore, where possible, feedback mechanisms including supervisee surveys and during the supervision period tracking areas of increasing strength and stability should be facilitated.

Standard 11.5

A standard definition of recidivism should be developed and utilized across an agency. Using this definition, agencies should measure and report on recidivism of the community supervision population. This definition should clearly distinguish new criminal activity from

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[262] Committee on Evaluating Success Among People Released from Prison, Committee on Law and Justice, Division of Behavioral and Social Sciences and Education, and National Academies of Sciences, Engineering, and Medicine. 2022. *The Limits of Recidivism: Measuring Success After Prison*. Edited by Richard Rosenfeld and Amanda Grigg. Washington, D.C.: National Academies Press. https://doi.org/10.17226/26459.

technical violations (failure to comply with the conditions of community supervision) and determine what behavior counts towards recidivism.

Commentary: By developing and promulgating a standard definition of recidivism within their agency, supervision agencies can better collect accurate data on recidivism. Agencies should also work with other criminal justice stakeholders to align their respective definitions of recidivism.

The standard definition of recidivism should include the level of law violation (felony, misdemeanor, ordinance, traffic) and the processing criteria that counts towards recidivism (arrest, finding of probable cause by a judicial officer, conviction). The agency should clearly define the timeframe during which they are measuring recidivism (e.g., while on supervision, after discharge from supervision), including the length of time that recidivism among individuals is tracked after they are discharged from supervision. All individuals who are involved in data collection and analysis should be aware of this definition and be able to refer to it when questions arise.

Standard 11.6

Agencies should report recidivism data by risk level, offense type, time on community supervision, gender, race/ethnicity, geographic region, and other relevant criteria.

Commentary: Agencies should develop quality control procedures to ensure that CSOs are correctly entering the aforementioned data points, as well as other data points deemed significant by that jurisdiction. Agencies may choose to record this demographic data upon intake. Agencies should also develop and maintain the ability to conduct data analysis of their supervision population, including but not limited to these descriptive statistics and create regular reports that are accessible to the public, as well as to lawmakers and other local justice system stakeholders. Creating and maintaining this robust data entry and analysis process will supplement the agency's other efforts to build trust with the public, educate members of the public on supervision processes and practices, and substantiate budget requests.

Standard 11.7

Agencies should collect and report data on the discharge status of persons completing community supervision, including those with successful discharge, early discharge for good performance, revocation, incarceration, and death.

Commentary: Discharge data will allow agencies to track how different populations across supervision are performing, whether by the type of supervision they are on, their risk level, programs they have participated in, or other factors. It will also allow agencies to monitor their own performance and make adjustments based on trends in the data. Review of discharge status patterns allows agencies to identify where individuals might be facing the most challenges on supervision. For instance, where certain populations are being revoked at higher rates close to the start of supervision, this trend might inform the agency how to develop more resource-intensive supervision interventions at the start of supervision. Additionally, regular review of discharge status might flag trends connected to processing individuals eligible for early discharge where there may be delays between early termination eligibility and actual discharge from supervision.

Standard 11.8

Agencies should have written policies, procedures, and established practices to systematically measure the progress of persons on community supervision and provide feedback.

Commentary: The presence of established policies, practices, and procedures to facilitate information gathering and the giving of feedback to persons on supervision can serve three basic purposes: it provides guidance and skill development opportunities for CSOs, it can serve as a standard or accountability mechanism for supervisors to assess CSOs' performance against, and it helps ensure that individuals will receive consistent and reliable feedback throughout their time on supervision. Feedback should be given to the individual in order to build accountability, enhance skill development, and increase motivation for change. Feedback should be given once

assessments are completed, as action steps are completed, at the time of level or status change, and throughout the course of supervision.

Standard 11.9

Agencies should support and engage in internal research relevant to their programs as well as research conducted by outside professionals.

Commentary: The data-gathering, analysis, and reporting processes described in this Standard are likely to require the creation of a quality assurance department, either within the community supervision agency or elsewhere in the agency's parent organization. In addition to compiling and reporting accurate statistics, agency leaders should empower staff and fund the quality assurance department to engage in internal research projects. Building up the agency's ability to research trends within the community supervision population will enable the agency to adjust its policies, practices and procedures to deliver better and more effective supervision. It will also enable the agency to work with external researchers, such as university partners, which can benefit agencies through the introduction of outside perspectives, resources, and expertise. Agency engagement in this data tracking and research will help fill in research gaps and will provide more diverse data points across differently funded supervision agencies.

Glossary of Terms

Agency: The department or division of a department or branch of government (judiciary) that is responsible for the delivery of community supervision services.

Community Supervision Officer (CSO): This incorporates those with the titles of probation officer, parole officer, parole agent, probation and parole officer, and any other applicable staff who carry out community supervision under the auspices of an agency.

Community Supervision: Probation, parole, and post-incarceration supervision.

Person on supervision: The individual on probation, parole or post-incarceration supervision, also referred to as the client.

Releasing Authority: All agencies with discretionary release authority, including parole boards, commissions and paroling authorities

Supervisor: Staff who are responsible for oversight and management of a group of CSOs, commonly referred to as a "first line supervisor."

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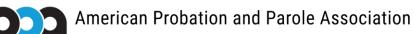
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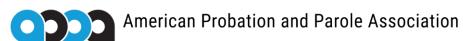
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