Thirty-Five Years

Seven Deadly Sins and Seven Breakthroughs

Reflections on 35 Years of Change in the Field of Corrections

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Background: Mark Carey

- Treatment counselor
- Probation/parole officer
- Director of 4 county corrections agencies
- Deputy Commissioner, MN DOC
- Warden, women’s prison
- Consultant/trainer
Three Objectives

The Past: Reflect on our community corrections’ past to better understand our present and future

Breakthroughs: Examine seven breakthroughs that have defined our profession and its potential

Painful Lessons: Identify the destroyers of our potential (the seven deadly sins) that we must guard against
Reflect on our community corrections’ past to better understand our present and future
Exercise
Thirty-Five Years Ago in the News

The period was 1980-82

Do you remember that period of time? What made it eventful?

List the top five newsworthy memories you had of those years (events, movies, history, music, etc.)
Thirty Five Years and Thirty Five Pounds Ago....

We have all changed in that time.....

But what have we learned?
"IF LESSONS OF HISTORY TEACH US ANYTHING IT IS THAT NOBODY LEARNS THE LESSONS THAT HISTORY TEACHES US"

(ANON)
Our History Leading up to 1980

Penitentiary Era (1790-1825)

Mass (Congregate) Era (1825-1876)

Reformatory Era (1876-1890)

Industrial Era (1890-1935)

Punitive Era (1935-1945)

Treatment Era (1945-1967)

Community-Based Era (1967-1980)

Source: American Probation and Parole Association; History of Corrections, APPA History Task Force
Our History Leading up to 1980

**Penitentiary Era (1790-1825)**
- Creation of penitentiaries; solitary confinement

**Mass (Congregate) Era (1825-1876)**
- Inmates together in forced silence; John Augustus began supervising offenders from court

**Reformatory Era (1876-1890)**
- First formal parole in the US began; followed by probation

**Industrial Era (1890-1935)**
- Concern with discipline and security; increased prison population

**Punitive Era (1935-1945)**
- Crash of free market; prisoners owe debt to society; maximum security facilities (Alcatraz); do time

**Treatment Era (1945-1967)**
- Medical model (offenders are ill and need treatment); prisons became known as correctional institutions

**Community-Based Era (1967-1980)**
- Prisons seen as dehumanizing; emphasis on return to community; Supreme Court decisions emphasized rights

Source: American Probation and Parole Association; History of Corrections, APPA History Task Force
The Last 35 Year History

**Warehousing Era**
- **1980-1995**
  - Crime increase; concern for public safety; Nothing Works by Dr. Martinson; beginning of sentencing guidelines

**Just Desserts Era**
- **1995-2002**
  - Do the crime, do the time; increased focus on restorative and community justice; emphasis on sex offenders

**Evidence Based Practices**
- **2002- Present**
  - Emphasis on research; resurgence of rehabilitation model; growth of treatment courts
Examine the top seven (7) breakthroughs of the past 35 years that have defined our profession and our potential
Exercise
Thirty-Five Years Ago in Corrections

Looking at what has transpired since the 1980’s, list......

Up to the top ten breakthroughs in our profession
Attending to the Needs of the Victim as a Central Part of our Responsibility
Restorative and Community Justice

Dennis Maloney

Gordon Bazemore
I Learned....

I am responsible to a larger community

The victim is an equal customer, along with the law breaker and the community

The community is social fuel

Crime is a wound; justice should be about healing

There is no such thing as a victimless crime

Crime incurs an obligation to restore the victim to his/her pre-crime state whenever possible

All affected parties should have the opportunity to be part of the response
Emphasis on Victims

“”It’s not that we didn’t care about victims. It just was not our job.”  Rick Steele, JCJC

“As a probation officer in the 60’s and early 70’s, victim restoration and community protection were not on my radar screen.”  Ron Sharp, chairman of the JDPC of the PCCD

“We never stressed the moral obligations to make things right when they’ve done something wrong.”
Breakthrough

Research-Informed Practice

"It’s not necessarily the amount of time you spend at practice that counts; it’s what you put into the practice."

— Eric Lindros
What Does it Mean to be “Evidence-Based”? 

We rely on “evidence” every day. 
Do you wear a seatbelt? Do you stop at red lights? 
The evidence indicates that doing so decreases your likelihood of injury or death. 
Do you wash your hands after coming in contact with someone else’s blood? 
The evidence indicates that doing so decreases your likelihood of becoming infected by blood borne pathogens.
Knowledge Growth

Exponential growth in research studies in all areas of criminal and juvenile justice
This Knowledge Leads to Improved Outcomes

We can reduce future reoffenses by 30%

Risk matters
As risk increases the amount of programming (dosage) also needs to increase

Your mother was right after all; who you hang with matters!

Dynamic risk factors can be changed
Certain things we were doing did not improve public safety and were actually causing harm
Breakthrough

#3

Use of Actuarial Assessments

First Generation: Clinical/professional judgment (interview and use of expertise; unstructured)

Second Generation: Actuarial Analysis (isolating static variables statistically related to recidivism; structured)

Third Generation: Actuarial Analysis (adding dynamic risk factors to the assessment)

Fourth Generation: Case Plan Linkage (linking the dynamic risk factors to a case plan)
Advancement of Cognitive Behavioral Theory

Thinking about thinking
COGNITIVE STRUCTURE
(Thinking patterns/thoughts and beliefs)
Thinking-Feeling-Behavior

CBI is among the most effective interventions we have

"As a man (woman) thinketh, so he (she) is." The Bible

The difference between an optimist and a pessimist is the way one interprets the same events

Changing the way one thinks can change the way one acts

"The greatest discovery of my generation is that human beings can alter their lives by altering their attitudes of mind." William James
Balanced Officers Yield Best Results

New Jersey Parole Officer Study
Exercise

This construct was tested with New Jersey parole officers
Categorized in three typologies
Identify whether you think the particular community corrections professional typology increases or decreases the rate of technical violations and recidivism

Parolees supervised by officers with a balanced orientation were 2-3 times less likely to have their community supervision revoked during a 12-month follow-up period (19%) than those supervised by an officer who emphasized either law enforcement (59%) or social work (38%) orientation.

<table>
<thead>
<tr>
<th>Typology</th>
<th>Technical violations</th>
<th>Recidivism</th>
</tr>
</thead>
<tbody>
<tr>
<td>Social worker</td>
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<td>↑</td>
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<tr>
<td>Law enforcement</td>
<td>↑</td>
<td>↑</td>
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<tr>
<td>Balanced</td>
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</tbody>
</table>
The Balanced Officer

- Officers who utilize both accountability and behavioral change strategies are more likely to achieve reductions in recidivism compared to those who do not
  - Juvenile (intensive aftercare) Alschuler & Armstrong, 1994; Wiebush et al., 2005
Study: Wyoming Department of Corrections ISP Program

- Studied 283 offenders using an experimental and control group

- Conclusions
  - Use of BOTH sanctions and rewards led to higher success rates
  - Administering more rewards than sanctions produced the best results

Utilizing Behavioral Interventions to Improve Supervision Outcomes in Community-Based Corrections; Eric Woodahl, Brett Garland, Scott Culhane, William McCarty, Criminal Justice and Behavior, 2011 38:386, Sage Publications

See also:
Probability of ISP Success by Percent

Ratio of Rewards to Punishments

More punishers than rewards

More rewards than punishers

Wyoming DOC, 2011

Need for Continuous Quality Improvement

"Give me six hours to chop down a tree and I will spend the first four sharpening the axe."
Training Research Study

Educational study on efficacy of training showed that when the following items were covered ..... 

- Description of theoretical framework; plus
- Demonstration of desired skills; plus
- Practicing of the skills

...the percentage of the participants used the skills and used the skills correctly was ........

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Training Research Study

When peer coaching was added to the theoretical framework, demonstration of desired skills, and practicing of the skills, the percentage of the participants who used the skills and used the skills correctly was ..........

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Breakthrough #7

Professionalism is Required
What is Professionalism?

**Profession** – a calling that requires specialized knowledge and academic preparation; an occupation or career

**Professional** – a skilled practitioner or expert that requires specialized training

**Professionalism** – the conduct, aims, or qualities that characterize or mark a profession or a professional person
Larson and LaFasto

Project Teams including:
- McDonald’s Chicken McNugget Team
- IBM PC Team
- Boeing 747 Airplane Project

Hypothesis Testing Teams
- Disaster teams
- Theatre productions
- USS Kitty Hawk
- Presidential Cabinets
- GAO and Congressional investigation teams
- U.S. Navy Strike Warfare Center

8 Characteristics of High Functioning Teams

1. A Clear and Elevating Goal
2. A Results Driven Structure
3. Competent Team Members
4. Unified Commitment
5. A Collaborative Climate
6. Standards of Excellence
7. External Support and Recognition
8. Leadership

Or, in a word, “professionalism”
Identify the destroyers of our potential (the seven deadly sins) that we must guard against
Organizational Culture Misalignment with Restorative Justice

1. I don’t have time
2. Victims are unrealistic and demanding
3. Not my job
Possible Solutions

1. Hold victim focus groups to understand their perspective
2. Conduct restorative justice trainings
3. Set up a work group to brainstorm possible policy shifts
4. Involve a victim advocate in advisory role
5. Revisit the mission statement
Destroyer

#2

Rejection or Disregard for Research

1. Research is biased and contradictory
2. Researchers do not work in the real world
3. You can prove anything with statistics
4. I don’t have time to read it
Possible Solutions

1. Hold brown bag lunch sessions on a selected research study
2. Send out one page research briefs (e.g., Colorado Dept. of Public Safety)
3. Include expectation in job performance evaluations
4. Partner with local university
Misuse of Actuarial Assessments

Studies have shown that these challenges threaten the effective use of assessments, namely that probation officers:

1. Are careless in administering the instruments
2. Will manipulate the assessment to achieve the desired score
3. Will ignore assessment and rely on own judgment
4. Will allow fear of liability to trump assessment results
5. Believe that the dynamic risk factors can’t be changed anyway (or lack skills)

Possible Solutions

1. Routinely show the validated results of the assessment by measuring risk against recidivism
2. Conduct assessment and case plan audits
3. Recruit new hires with an understanding of actuarial assessments
4. Conduct routine booster sessions
Not Applying Cognitive Behavioral Theory with Fidelity

1. I am not a therapist
2. Offenders don’t think
3. What is expected of me is awkward and I don’t feel comfortable
4. I refer out for this service
5. Drugs and alcohol are the primary reasons people commit crime
Possible Solutions

1. Conduct cognitive behavioral training
2. Bring a cognitive behavioral program in-house
3. Review and change the types of community based program referrals
Allowing One-Dimensional Approach to the Work

1. I am not built that way
2. That is not why I got into this line of work
3. Punishment worked for me
4. Why should I reward someone who is doing what he/she is supposed to doing?
Possible Solutions

1. Changing performance evaluations to reflect balanced role
2. Develop a rewards and sanctions matrix and count the ratio
3. Conduct coaching sessions
4. Recruit staff who hold a balanced view of job
Disregard for Continuous Quality Improvement

1. This makes me uncomfortable

2. Data privacy does not allow me to tape my interviews (or my clients will not be forthright)

3. How could anyone tell me what is best for my client? I am the one who has been working with the client
Observation of Two Extremes

Most jurisdictions have almost no quality assurance processes which violates the “no QA, no do” maxim.

Of the few jurisdictions that do have a QA process in place most are expending all of their energy on one modality leaving little time for other processes.
Four Levels of QA/CQI

**Basic.** Everyone, absolutely everyone should have this but it is not really enough

**Standard.** Should be the common expectation for any department to strive for

**Enhanced.** For those departments really serious about QA and who can afford the investment

**Premier.** For those departments with nearly unlimited resources; rare and beautiful
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<thead>
<tr>
<th>Level</th>
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<tbody>
<tr>
<td>Basic</td>
<td>Inter-rater reliability process</td>
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<tr>
<td>Standard</td>
<td>Effective interventions (MI, one-on-one appointments, CBI facilitation)</td>
</tr>
<tr>
<td></td>
<td>Effective case planning</td>
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<tr>
<td></td>
<td>Effective behavior management (use of rewards and responses to noncompliance)</td>
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<td></td>
<td>Learning organization</td>
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<tr>
<td></td>
<td>Participant progress</td>
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<td>Supervisor reinforcement of EBPs</td>
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<tr>
<td>Enhanced</td>
<td>Quality of reports</td>
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<td></td>
<td>Case review process</td>
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<td>Communication of data</td>
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<td></td>
<td>Dosage tracking</td>
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<td>Staff mentorship</td>
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<td>Family feedback</td>
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<td></td>
<td>Stakeholder feedback</td>
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<tr>
<td></td>
<td>Fatality review process</td>
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<td></td>
<td>Vendor performance</td>
</tr>
<tr>
<td></td>
<td>Fidelity of program implementation</td>
</tr>
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<td></td>
<td>Program evaluations</td>
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Possible Solutions

1. Set up a coaching infrastructure
2. Require quarterly submission of audio tapes
3. Create learning communities
4. Change performance evaluations
Destroyer

#7

Not Holding Department to High Standards
Possible Solutions

1. Create a code of standards
2. Leadership role model the standards
3. Discuss at regularly scheduled annual all staff meetings
4. Identify elements of the organizational culture that contradict the standards and address them
5. Examine artifacts that speak to (or contradict) the expected standards
“We who work in the field of personalized justice have many responsibilities to the past and to the future. Our juvenile courts are far from perfect. They are changing as experience accumulates. New discoveries and techniques in diagnosis, prediction, and treatment will modify our practices....it is the right of the public to demand that we be willing to learn; that we constantly improve ourselves to the end that every child should gain by it. In the field of interpretation we should approach the public with pride for the past, with strength for the present, and with hope for the future.”
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