



## Course Learning Outcomes for Unit VI

Upon completion of this unit, students should be able to:

1. Analyze the probation and parole processes.
  - 1.1 Examine the process by which offenders are sentenced to or administratively sanctioned to intensive programs.
6. Analyze the impact of rehabilitation in probation and parole.
  - 6.1 Evaluate the effectiveness of various rehabilitative intensive programming in reducing recidivism.
7. Analyze the role of probation and parole officers.
  - 7.1 Evaluate the role of the probation and parole officer in referring offenders to the appropriate intensive programming and monitoring compliance.

## Reading Assignment

### Chapter 8:

Residential Community Supervision Programs

### Chapter 9:

Nonresidential Graduated Sanctions

## Unit Lesson

As the criminal justice system tries to balance between the realization that evidence-based practices need to be implemented in order to reduce offender recidivism and the reality that the system is very much geared towards the get tough on crime mentality, the advances in technology that allow probation and parole officers to more closely monitor high-risk offenders and increase public safety are fantastic. Probation and parole have the ability to adequately meet the correctional goals of punishment, incapacitation, and deterrence through methods like global positioning system (GPS) monitoring, electronic home monitoring combined with house arrest, and the Secure Continuous Remote Alcohol Monitoring (SCRAM) system, which detects alcohol consumption through the offender's skin (Alarid, 2015). Probation and parole officers have the ability to monitor their caseload's whereabouts like never before, and they can quickly act on technical violations of supervision, sometimes even before those violations become a new criminal charge for the offender. However, three main problems arise with the increased use of technological monitoring of offenders.

The first problem is that offenders monitored more closely with more precise technology, such as GPS and SCRAM, incur more technical violations of probation and parole, which can lead to revocation more than offenders not monitored with technology. The mindset is that now probation and parole officers can *catch* offenders misbehaving and build up a solid enough case to warrant revocation of the offender's probation or parole. However, this way of thinking is not in tune with the evidence-based practices aimed at rehabilitation that have been proven to reduce offender recidivism and keep offenders out of prison and jail, which is one of the goals of corrections that cannot adequately be addressed with these technological advances. Also, probation and parole officers are left with few options when an offender violates conditions of what is already an intensive, intermediate-sanction program. As previously discussed, probation and parole officers have the ability to administratively sanction an offender to participate in a program or activity as a result of a technical violation of supervision. A probation officer might sanction an offender to drug treatment if he tests positive for an illegal drug, and a parole officer might sanction a parolee to 30 days of house arrest if she misses daily call-ins too many times. What does the officer now do if the offender violates the house arrest or drug treatment program? Not many options are left except to recommend revocation. Due to the continuing issue

of prison and jail overcrowding, the criminal justice system might not be willing to revoke an offender's supervision based upon a violation of drug treatment or house arrest, so what is left is an offender realizing that he or she can bend the rules to make it through supervision and that there might not be any real consequences for not following the rules. This is counterproductive to what the system is trying to achieve. It is up to the probation or parole officer to be creative when it comes to administering sanctions, and the probation or parole officer also has to make sure that the sanction addresses the root of the technical violation. For example, in the situation involving the female parolee missing daily call-ins, if the parolee does not have regular access to a phone then she has already been set up to fail, and putting her on house arrest will likely only make the underlying problem worse. If the parole officer discovers that the parolee does not have regular access to a phone because she is not working and cannot afford her own phone, then a more appropriate sanction would be to require her to apply for a certain number of jobs per day and provide verification of applying to the parole officer.

The second problem arises when the criminal justice system, either through the front or back door (preventing someone from entering prison or releasing someone in order to reduce overcrowding), widens the net a bit too much and orders an offender to complete a program for which he or she is not appropriate. Offenders have to be properly assessed for level of risk to the community, and it does not make sense to place a low risk offender on house arrest when he or she is at a very low likelihood of recidivating. However, it was not until recently that a risk assessment summary started to be included with presentence investigation reports, so as a result, judges, prosecutors, and defense attorneys have all sentenced or agreed to sentence individuals to programs that were more intensive than what was warranted for their level of risk. The end result is that while there might be more offenders utilizing GPS monitoring or wearing alcohol detection anklets, the system is actually also setting these offenders up to fail because too much intervention from the criminal justice system is detrimentally affecting them. For example, if a low risk offender who could be seen by a parole officer once a month in the community, per the results of the risk assessment, is ordered as a condition of his release to participate in a day-reporting program, the system is actually increasing his likelihood of reoffending because it has placed him in the same space and time, on a daily basis, with offenders who are at a high risk of reoffending. The added stress of placing him in a high-risk offender program might also cause him to participate in activities in which he would normally not, or the criminal justice system could be prohibiting him from participating in prosocial activities and employment that would lower his risk of recidivating.

The last problem that occurs when too much technological monitoring is used with offenders is that through the use of technology, the root issues that led to the offender's criminal behavior are not being addressed. As previously stated, technology used in probation and parole does a great job of punishing, incapacitating, and deterring the offender (potentially), but it is not rehabilitative in nature. For example, placing an offender on active GPS monitoring for violating an order of protection against his ex-girlfriend does a great job of protecting the victim because the victim receives an alert on a special device if the offender enters any of the exclusion zones. The local police department and probation or parole officer are also notified at the same time so that whomever is closest can respond to the offender's location almost immediately to prevent any further harm to the victim. However, if the offender spends the entire year of his sentence on active GPS monitoring and does not participate in any domestic violence or anger management counseling, he may continue in the delusion that he did nothing wrong in the situation and that his girlfriend will be more than happy to reunite with him once his sentence is over. The system will then have the offender recidivating soon after the completion of his sentence because his thinking errors and maladaptive problem-solving skills have not been addressed.

This problem is also excellently illustrated in your textbook on pages 198-199 in the discussion on young Mr. John, who successfully completed a boot camp program but was killed very shortly after his graduation (Alarid, 2015). The correctional educator who tells the story describes a young man who did very well in the boot camp education program, but who was likely not receiving any cognitive-behaviorally based counseling while engaged in this program because after boot camp he immediately returned to the old friends that he had associated with prior to his incarceration, which led to him being killed by a police officer during a robbery (Alarid, 2015). Typically, many boot camp programs also did not involve any sort of aftercare component, which the system has since learned is crucial to enabling the offender to continue to practice the skills learned in the program after release, with support from a counselor, and potentially continued participation in counseling or treatment (Alarid, 2015). The system was using the technology that it had available to it and achieved its goals of incapacitation, deterrence (briefly), and punishment, but did not do much in the way of rehabilitation, and from the looks of it, nothing in the way of restitution.

Effective programming in probation and parole is not only going to keep the community safe by increasing the amount of monitoring done to high risk offenders, but it is also going to incorporate those evidence-based practices that will enable the offender to learn how to reduce his or her risk and become a better member of society. As you read this unit, keep in the back of your mind the goals of corrections, how each of these sanctions is meeting these goals, and for what types of offenders these sanctions are most appropriate. Also, if you plan on going into the criminal justice field, keep these goals in mind as you evaluate new technologies or sanctions for working with and monitoring offenders and that the quick fix to offender compliance might not always be the best one. Ultimately, while the general public and legislatures demand an increase in community safety, that safety can only be achieved by applying the correction sanctions to the correct offenders in a way that helps the offender modify his or her thinking and behavior to the expectations of society. If and when that cannot be done, the community should be protected by ensuring that the offender can be kept away from the rest of society through incarceration.

#### Reference

Alarid, L. F. (2015). *Community-based corrections* (10th ed.). Belmont, CA: Cengage Learning.

### Suggested Reading

*In order to access the resources below, you must first access the ProQuest Criminal Justice database within the CSU Online Library*

The following article outlines the prison overcrowding crisis in the United States and various ways to address it utilizing residential programs and nonresidential graduated sanctions.

James, J., Eisen, L. B., & Subramanian, R. (2012). A view from the States: Evidence-based public safety legislation. *Journal of Criminal Law & Criminology*, 102(3), 821-849.

The following article discusses the overall effectiveness of boot camp programs and how incorporating more rehabilitative programming and aftercare can improve results.

Jolliffe, D., Farrington, D. P., & Howard, P. (2013). How long did it last? A 10-year reconviction follow-up study of high intensity training for young offenders. *Journal of Experimental Criminology*, 9(4), 515-531.

The following article by the National Institute of Justice, Office of Justice Programs highlights the effectiveness of GPS monitoring with three high-risk offender populations.

National Institute of Justice. (2014). Evaluating the use of GPS technology in the community. Retrieved from <http://www.nij.gov/topics/corrections/community/monitoring-technologies/Pages/gps-community.aspx>

### Learning Activities (Non-Graded)

Click [here](#) to access the unit Flash Cards. Click [here](#) to access a PDF version of this activity.

Non-graded Learning Activities are provided to aid students in their course of study. You do not have to submit them. If you have questions, contact your instructor for further guidance and information.