

The Texas Probation Executive Development Program

Breaking Barriers: Refreshing the Reputation of Community Supervision by Introducing Defendants to an Educational Tool

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Abstract

John Augustus, acknowledged as the first American probation officer, believed he could save offenders from crime by his method of sympathetic supervision rather than cruel punishment (Chute & Bell, 1956). Barriers in community supervision, such as offenders lacking knowledge regarding the procedure of community supervision and negative offender and supervision officer relationships are regularly causes of recidivism. Research suggests a pivotal factor in influencing defendant behavior is the nature of the Community Supervision Officer (CSO) and defendant relationship (Leibrich, 1994). This paper focuses on the significance for Community Supervision and Corrections Departments to have an educational tool that informs offenders of the mission of community supervision and their expectations throughout their supervision term. CSOs receive education established on improving the supervision experience, objectively lessening recidivism but on the other end of the aspect, offenders do not. An introduction to offenders upon placement of supervision could result in the creation of a positive visualization of community supervision, motivation to seek positive offender and supervision officer relationships, and more successful supervision term completions.

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Introduction

The Correctional Management Institute of Texas (CMIT) and the Community Justice Assistance Division (CJAD) are significant training tools for community supervision officers in Texas. Through these resources, CSOs receive an abundant amount of training in dealing with offenders with substance abuse issues, mental health cases, anger management, gang-relations, and administrative training such as motivational interviewing, risk need assessments, case management and various other topics. CSOs receive training continuously throughout their service to better serve community supervision in general. On the other hand, defendants receive minimum education on improving their experience when ordered community supervision.

A sentence of probation for offenders implies two things: another chance and consequences should he fail to comply by the conditions he is ordered (Diana, 1960). The vision of probation was described as a temporary suspension of sentence by John Augustus, acknowledged as the first American probation officer (Sieh, 1993). John Augustus had time to counsel defendants, help them find a home, secure employment, and help them adjust to family difficulties (Sieh, 1993). As early as 1841, Augustus was providing sympathetic supervision (Diana, 1960). Probation should not make individuals feel “processed” and “treated without concern” (Leibrich, 1994). However, today’s society has perceptualized community supervision with a negative reputation. Field staff have argued that good defendant and probation officer relationships could be the door to positive influence (Leibrich, 1994). In a study conducted by Lewis Diana (1960), in all aspects of probation, treatment was emphasized (Diana, 1960). Nonetheless, offenders

are not educated on treatment findings, the vision of Augustus, the resources Community Supervision and Corrections Departments (CSCD) have to offer, what to expect and what is expected from them upon receiving a sentence of community supervision. In a study performed by Stevenson, B. and Roblyer (2006), technology-based methods of educating offenders improved methods of providing information in a variety of learning styles and made a positive impact on offender participation and behavior. CSCDs should provide a brief educational tool, to assist offenders to establish and create a positive visualization of community supervision. The educational tool can help motivate offenders to seek positive officer relationships, complete supervision terms, and in long-term, reduce recidivism rates.

Motivating Positive Offender- Supervision Officer Relationships

John Augustus believed he could save offenders from crime by his method rather than cruel punishment (Chute & Bell, 1956). Though, Augustus received criticism from society accusing him of being a fanatic and a fool, Augustus responded that people are too easy to identify a particular class of individuals as evil when only a few of them are heinous (Sieh, 1993). Research suggests offenders appreciate and respond more to officers who make efforts on their behalf, resulting in offenders trying harder to cooperate and abstain from future re-offending (Burnett & McNeil, 2005). In a study by Leibrich (1994), individuals that had positive experiences with probation reported that being treated as an individual was one of the most important aspects of a good supervision experience (Leibrich, 1994). On the other hand, community supervision

officers work to emphasize the keys to building good relationships with offenders by establishing a rapport relationship, adapting to the individual's need, taking risks, going the extra mile, being genuine, honest, and empowering the individual (Leibrich, 1994). Community supervision has been described as the development of a working alliance, a process of give and take among CSOs and offenders (Burnett & McNeil, 2005). The exploration of relationships between offenders and supervisions officer show to be pivotal to the success of offenders and recidivism (Chamberlain et al., 2018). Imposing positive relationships between offenders and supervision officers during intake would promote a critical component for the establishment of a connection that would open the door to the development of mutual trust and communication which consequently allows the offenders to confide and communicate treatment and service needs (Chamberlain et al., 2018).

Discovering Resources

Community supervision was conceived by Augustus around the idea of executing concrete measures aimed to avoid further trouble for the offender (Sieh, 1993). Augustus had confidence in defendants that if at the end of a probation sentence, when the defendant went back to court, if no new issues arose and the judge assessed a fine, and if the man was too poor to pay the fine, Augustus advanced a loan (Sieh, 1993). In Texas, community supervision officers are certified to use the Texas Risk Assessment System (TRAS) to interpret an offender's criminogenic needs allowing supervision officers to develop efficient case plans with the objective to reduce rates of recidivism and increase public safety (State of Texas, 2015). Furthermore, if a TRAS recommends

the need of specific services for an individual, supervision officers have the resources to make referrals for the rehabilitation of a substance dependence condition, anger management, cognitive behavioral programs, group and individual counseling and aftercare programs. The criminal justice system does not refer treatment as a punishment, but as a tool to deter drug use and crime (Taxman, 1998). However, offenders are regularly oblivious to the purpose of assessments and resources that are available to them when ordered supervision. Research concludes core skills, such as prosocial modeling and reinforcement, problem solving and cognitive techniques reduce recidivism in supervision (Trotter, 2013). Using an educational tool allowing offenders to get an insight of the resources available through community supervision would be valuable in the process of motivating offenders to cooperate with the assessment process. Additionally, offenders participating in treatment programs would potentially lessen the opportunity of recidivism.

Reducing Recidivism

Community supervision officers have a “dual role relationship” with offenders: social worker and law enforcement officer (Chamberlain et al., 2018). Negative encounters of supervision can lead to offenders comparing and drawing up collective experiences. Often these comparisons result from offenders with histories of environmental factors supportive of family/ peer drug use and/ or involvement in the criminal justice system (Sloas et al., 2020). Needless, these comparisons negatively influence the perceptions of individuals (Sloas et al., 2020). Offenders who have negative relationships with their community supervision officer show to have higher

rates of recidivism, unlike those who have positive relationships with supervision officers (Chamberlain et al., 2018). In many cases, community supervision officers experience defendants who violate a condition of probation and immediately avoid contact with their supervision officers in fear of consequences, but departments work through progressive sanction models to guide supervision officers in handling violations in a systematic approach. Through progressive sanction models, supervision officers work consequence in phases addressing behavior. Unfortunately, offenders are uninformed of the simple importance of communication and creating positive offender and officer relationships, and thus, heightening the chances of technical violations resulting in revocations. A step in moving towards a positive direction is to educate offenders and build supervision officers relationships thus permitting more offenders to be willing to confide and communicate treatment and service needs (Chamberlain et al., 2018).

Counter Arguments

Among many elements, society's perception of the criminal justice system has positive and negative approaches. In a study conducted by Leibrich (1994), individuals who defined their community supervision as negative tended to still be angry (Leibrich, 1994). In the same study, individuals reported preferring to be known as human and a person, rather than a thing a number or a product (Leibrich, 1994). An impediment to promoting positive offender and supervision officer relationships and helpful resources, is when offenders are not being open-minded or informed when ordered supervision. Advising the offender of the treatment and criminal justice experience clarifies the programmatic components of supervision (Taxman, 1998). Besides gaining clarification,

an educational tool will aid in eliminating barriers offenders may possibly have by creating positive visualizations of community supervision.

Numerous different strategies could be implemented as education tools to dispense information to offenders and improve their community supervision experience. As mentioned before, technology-based methods have created positive impacts on participation from offenders but have also improved methods of disseminating information to offenders with a variety of learning styles (Stevenson & Roblyer, 2006). Today, technology is a highly used tool for educational purposes. A PowerPoint presentation or digital video would be cost efficient for CSCDs and could be formatted to benefit numerous departments in educating their clients. Additionally, an advantage of using digital format allows the information provided to remain updated and to be available in many languages (Walker et al., 2020).

Recommendation

In conclusion, research suggests offenders value community supervision officers who trust them as an individual, genuinely care, are clear about what is required of them and are someone they could trust (Leibrich, 1994). In 1878, the first law of probation passed in the state of Massachusetts and within that same year, the Mayor of Boston was given the power to appoint probation officers (Diana, 1960). Community supervision officers are educated and knowledgeable in community supervision. On the other hand, offenders are left to produce their own assumptions regarding supervision. In Andrews County, Texas, 109th Judicial District Judge, John L. Pool, advises defendants after ordering supervision “whether it is today, tomorrow or a few years from

now, talk to your probation officer, they are there to help you” (Pool, 2021). A technology-based educational tool would be beneficial to all involved in community supervision. An educational tool such as a PowerPoint would be cost and time effective for CSCDs. The importance of educating offenders is obvious but neglected. For instance, the Federal Aviation Administration through the Advisory Circular requires flight attendants to provide travelers with information on cabin safety, what to expect before and after landing, and in case of emergency situations (Federal Aviation Administration, 2003). It is essential to provide offenders with information on the benefits of positive offender and supervision officer relationships, how the resources being recommended are researched to promote the individual and reduce recidivism. The main obstacles will likely be in altering society’s perception of the criminal justice system, but an effort should be established because research suggests a pivotal factor in influencing defendant behavior is the nature of the community supervision officer and defendant relationship (Leibrich, 1994).

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