

# Probation and Parole: Overworked, Misunderstood, and Under-Appreciated: But Why?

MARIO PAPAROZZI and MATTHEW DEMICHELE

*Mario Paparozzi is Professor, Department of Sociology and Criminal Justice, University of North Carolina at Pembroke; Matthew DeMichele is doctoral candidate, Department of Sociology, University of Kentucky and Senior Research Associate, American Probation and Parole Association, Council of State Governments*

*Abstract: Historically, the efficacy of probation and parole policies and practices have been judged by the general public, politicians, and many professional insiders by sensationalised crimes involving individuals sentenced to community supervision. The probation and parole profession has not established mechanisms to clearly articulate its public value; doing so would foster the development of policies and practices that derive more from empirical research evidence and sound theory than political faddism. The failure within the probation and parole profession to come to broad agreement regarding desired outcomes and to establish evidence-based and/or theoretically-sound professional principles has created a policy lacuna that is too often filled by elected officials who lack an understanding of the history, science, and philosophy of probation and parole. Probation and parole agencies should focus on producing publicly-valued results and disseminating easily-understood information that justifies their important niche within America's criminal justice system.*

## **Prison Populations have Burgeoned – AND – so have the Caseloads of Probation and Parole**

From 1980 to the end of 2005, there was approximately a 340% increase in America's local, state, and federal prison populations (Harrison and Beck 2006; see also, Christie 2000; Mauer 1999). This historically unique increase seems to reflect the belief that getting tough on crime by locking up more criminals and for longer periods of time is the preferred public policy for enhancing public safety and justice. However, like so many criminal justice policies, the 'lock 'em up' approach is rooted more in popular punitivism (Bottoms 1995) than in research evidence or sound psychological, criminological, or criminal justice theories. In fact, research findings reveal little, if any, correlation between crime rates and

incarceration practices (O'Brien 1987; Garland 1990; Blumstein 1998; Mauer 1999).

The rise of America's inmate population has resulted in significantly increased costs. Even a cursory review of capital construction and operating costs for corrections departments reveals the dramatic burden that taxpayers have borne as a result of America's attempt to incarcerate its way into lower crime rates (California State Senate 1994; Little Hoover Commission 1998; Richards, Austin and Jones 2004; Stephan 2004). Despite the political attractiveness and popular, albeit uninformed, support for building more prisons and jails, elected officials are increasingly hard-pressed to increase taxes and/or divert funds from other government-administered programmes in order to support escalating prison populations. In the last three decades, state corrections budgets have outpaced spending in other state-funded programmes such as education and social welfare (Legislative Analyst's Office 2002; Des Moines Register 2002; Crain 2003). Presently, California, arguably one of the most striking examples of prison growth in the nation, if not the world, spends as much to incarcerate inmates as it does to educate students in its public universities. Non-partisan legislative analysts in California predict that if current trends continue unabated, California will soon, and for the first time in its history, be spending more on its prison system than on its public higher education system (Carroll *et al.* 1995; Harris 2007).

Lost within the stunning figures related to growth in prison and jail populations are the similarly dramatic statistics reflecting burgeoning probation and parole populations during the same timeframe. In 1980, the national probation and parole caseload was 1,338,535; by the end of 2005, this number grew to 4,946,944 – an increase of approximately 270% (Glaze and Bonczar 2006). A review of pre-trial caseload growth data supports an inference that the increase would likely be closer to 300% to 350% if conditionally released pre-trial offenders were included in these numbers (Perez and Reaves 1994; Connecticut General Assembly Legislative Program Review and Investigations Committee 2000; Rainville and Reaves 2003; Newsletter of the Federal Courts 2004).

As probation and parole caseloads have become progressively more unmanageable in terms of the sheer number of offenders under supervision, there has been a steadily increasing number of high-risk violent offenders placed under supervision (Taxman, Shephardson and Byrne 2004). Traditionally, probation and parole had been reserved for non-violent and comparatively less violent offenders.

Unlike prisons and jails, funding for probation and parole supervision services has not kept pace with the dramatic increase in the number of offenders being supervised (Petersilia 1997; Camp and Camp 1998; Colorado Legislative Council 2001; Smith 2007; Dakota County Board of Commissioners 2006; Knox 2007). The funding conundrum faced by probation and parole agencies is directly related to the profession's inability to articulate the relationship between its policies, programmes and practices and positive public safety outcomes.

### **Probation and Parole: Public Safety Outcomes and Cost-benefit**

In fact, the potential for probation, parole, and community corrections programmes to enhance public safety through 10% to 50% reductions in offender recidivism has been well-documented (Ross and Gendreau 1980; Lipsey 1995, 1999; Losel 1995; Pearson and Lipton 1999; Redondo, Garrido and Sanchez-Meca 1999; Raynor and Vanstone 2001; Aos, Miller and Drake 2006; Andrews and Bonta 2006). The point to be made, however, is that not all programmes are grounded in policies and practices that militate towards reductions in offender recidivism – some have no effect and a few appear to abridge public safety by producing slightly higher recidivism rates (Petersilia, Turner and Deschenes 1992; Gendreau, Goggin and Smith 1999; Smith, Goggin and Gendreau 2002; Farrington and Welsh 2005; Paparozzi and Gendreau 2005; Andrews and Bonta 2006).

In order to achieve reductions in offender recidivism in the range of 10% to 50%, programmes implemented within probation and parole must adhere to specific principles for effective intervention. Some examples include: (i) targeting criminogenic needs; (ii) providing intensive services to high-risk rather than low-risk offenders; (iii) matching styles of service delivery to offender responsivity; (iv) assuring that programmes and services adhere to the tenets of behavioural and social learning theory; (v) emphasising positive reinforcers rather than negative or punishment-based sanctions; (vi) developing relapse-prevention strategies and offender coping skills; and (vii) employing staff, supervisors, and managers who possess values, knowledge, and skill sets supportive of offender rehabilitation (Gendreau and Andrews 2001; Paparozzi and Gendreau 2005; Andrews and Bonta 2006).

The examples of principles for effective intervention just noted derive from an extensive body of scholarly research conducted since the 1980s. Policies and practices built upon such a principled foundation would, in the contemporary argot of probation and parole practitioners, constitute 'evidence-based best practices'. Moreover, they offer the best chance to document the value of probation and parole with regard to public safety, reduced victimisation, and cost-effective alternatives to jail or prison.

The principles that apply to effective probation and parole programmes have received favourable mention in practitioner circles for the past three decades. However, their implementation has been fragmented or non-existent and subject to political sentiments driven by desires to appear tough on crime via harsh punishment and zero tolerance for behaviours that are better characterised as nuisances than as precursors of criminal acts. The result has been burgeoning and intractable rates of violations of probation and parole. Some practitioners and policy makers market increased violations as a public safety enhancement even though there is no evidence to support this belief (Clear, Harris and Beard 1992; Petersilia and Turner 1993).

Data on probation violation rates that involve sentences to jail or prison are sparse. What data are available regarding the relationship between jail

and prison admissions and probation violation indicate that approximately 15% to 20% of probation violations result in incarceration (Glaze and Bonczar 2006). In 2005, the numbers of inmates in US jails and prisons were 747,529 and 1,446,269 respectively (Glaze and Bonczar 2006). Using the 2005 data and the more conservative probation violation/incarceration estimate of 15%, approximately 329,070 of the incarcerated population are probation failures. In addition to the probation failures incarcerated in jails and prisons, approximately 10% ( $n = 416,254$ ) of probationers are on absconder status (Glaze and Bonczar 2006). The public safety and cost-savings benefits of even a 10% reduction in these probation failure rates would be significant and would have considerable public value.

Incarceration data for parole violators are more detailed. There has been a sevenfold increase in the number of parole violators in the US between 1977 and 2000. During the same timeframe, admissions to prison for a new sentence imposed by the courts increased threefold (Travis and Lawrence 2002). Travis and Lawrence report that approximately 30% to 40% of prison admissions in the US are parole violators. In California, the parole violation rate is closer to 60% to 70% (Travis and Lawrence 2002).

Applying the national percentage estimates to the 2005 prison population data reported by Glaze and Bonczar (2006) reveals that parole violators made up between 433,881 and 578,508 of the 1,446,269 inmates incarcerated in US prisons. Based on the meta-analytic research findings previously noted, if evidence-based best practices for effective intervention were implemented within probation and parole, reductions of 10% to 50% would have reduced the 2005 state inmate population in US prisons from a minimum of 43,388 fewer inmates to a potential maximum of 289,254 fewer inmates.

The most recent Bureau of Justice Statistics (BJS) estimates of average annual *per capita* costs of incarceration are for 2001. *Per capita* operating costs for US prisons in 2001 were \$22,650 (Stephan 2004). It is likely that the BJS figures under-report actual costs, since they do not include capital costs for prison construction and expansion; also, the data used to calculate costs are now six years old. Even using the conservative BJS inmate *per capita* cost estimate, the cost savings are significant. A 10% reduction in the US state prison population in 2005 would have engendered savings of \$98,273,820. A 50% reduction would have amounted to \$3,275,801,550.

These savings would be offset somewhat by costs associated with providing comprehensive evidence-based services. It is reasonable to presume, however, that the costs associated with providing state-of-the-art evidence-based services to offenders supervised under the jurisdiction of probation and parole would be less than the capital construction and operating costs associated with incarceration. Exactly how much less is unknown. Cost savings aside, the public safety benefit produced by reducing victimisations for new crimes committed by recidivous probationers and parolees cannot be over-stated.

Within the profession of probation and parole lies an untapped potential to facilitate the cost-effective delivery of public safety. Probation and parole hold great promise for ameliorating state budget crises

associated with the costs of incarceration. However, in order to participate effectively in the process, probation and parole must be perceived as credible criminal justice system components. To accomplish this, management information systems will need to be reconfigured to assure that the identified principles for effective recidivism reduction drive staff and organisational behaviour on a day-to-day basis thereby assuring a staff and organisational focus on administering evidence-based policies and practices.

Probation and parole have not realised their full community-based corrections potential because their functions and purposes within the criminal justice system are often misunderstood and under-appreciated. Much of the responsibility for the confusion that surrounds probation and parole derives from its failure to establish mechanisms that crystallise a unified sense of purpose and rational practices for doing business. Once probation and parole are clearly understood by the general public, elected officials, and practitioners, the foundation will be in place for more effective justice system resource allocation.

### **Probation and Parole: Understanding their Criminal Justice System Role**

Probation and parole play a critical and unique role within the criminal justice system. Probation and parole agencies exist for several important public safety and economic reasons; among them are: (i) many crimes and misdemeanours do not require incarceration as a means of achieving public safety; (ii) nearly 95% of all incarcerated adults are released to re-enter society (Petersilia 2003; Travis 2005); and (iii) from a public safety perspective, supervising lawbreakers who live among us is preferable to leaving them to their own devices.

Unlike prison, policing and prosecution functions, the primary purpose of probation and parole is to work with criminal offenders in community-based settings in order to resolve problems and **to keep those criminal offenders in the community**. In general, probation and parole agencies are not expected to return offenders under supervision to jail or prison at the first sign of a rule violation or non-compliance with a case supervision plan.<sup>1</sup>

The three essential prongs of probation and parole practice are treatment, surveillance, and enforcement. Treatment encompasses risk assessment, case supervision planning and service delivery; surveillance involves the rigorous monitoring of the case supervision plan; and enforcement requires coerced compliance with case supervision plans through a variety of mechanisms including return to jail or prison. The temporal ordering of **treatment + surveillance + enforcement** is important, and it distinguishes probation and parole from other criminal justice system components like prisons, policing and prosecution.

Because of their distinctive niche within America's criminal justice system, the functions of probation and parole require the assimilation of social casework and law-enforcement functions. Probation and parole officers (POs) are neither exclusively cops nor social workers – they are a

blend of both. They are a mixture of both primarily because POs work with criminal populations who, more often than not, live in high-crime areas that are inundated by poverty, inadequate access to healthcare, deficient schools, and a variety of other social deficits. Moreover, virtually all offenders under the supervision of probation and parole do not submit to supervision freely. Their personal liberty is contingent on their willing or coerced compliance with an established community supervision plan.

A fundamental problem for the profession is its continued failure to affirmatively reconcile its social casework and law-enforcement roles. For well over three decades, the probation and parole profession has struggled with the professional orientation of POs. Ohlin, Piven and Pappenfort (1956) identified punitive, protective, and welfare typologies. Glaser (1969) found that POs generally fall into one of two categories – social work or law enforcement. Fitzharris (1979) surveyed probation departments and determined that they struggle with a dichotomy of purpose with regard to rehabilitation *versus* punishment.

There is reason to believe that the professional orientation of a PO (that is, social casework, law enforcement, or a blend of both) is related to important public safety outcomes like re-arrest, technical violations of parole, and absconding from supervision. Paparozzi and Gendreau (2005) found that intensive supervision parolees who were supervised by parole officers who possessed exclusively social work or law-enforcement professional orientations had higher recidivism rates than parolees supervised by parole officers possessing a balanced (blended) professional orientation. If further studies support the notion that PO professional orientation influences recidivism outcomes, then decisions about the types of professionals who enable probation and parole to enhance public safety becomes inextricably intertwined with valued outcomes – specifically, the public's well-being. Organisational or individual inclinations that lean towards either extreme (that is, social casework or law enforcement) negate the special purpose that probation and parole are intended to serve within America's criminal justice system (see Studt 1973).

### **If Results do not Matter, then any Policies or Practices will do**

During the past three decades, there has been a sense among probation and parole administrators that the 'general public' neither understands nor appreciates probation and parole services (Dickey and Smith 1998; DiIulio *et al.* 2000). It is undisputed that only a very small number of citizens understand what POs do, why they do the things that they do, and the reasons therefor (Green and Doble 2000).

Perhaps even more serious than the confusion outside of the profession regarding probation and parole's public value is the fact that many within the profession disagree about what the mission is or should be. For example, there is still widespread professional disagreement about the outcomes for which probation and parole should be held accountable, whether or not POs should be armed and perform law-enforcement functions, whether special conditions of probation and parole should be

established by evidence-based risk assessments or by dint of judicial and paroling authority fiat, and whether there is any merit to providing services to probationers and parolees who do not want them. There are many other examples that could legitimately be listed, but suffice to say that over the last 30 years, individual professionals and the professional associations that represent them have been unable to bring closure to several important policy issues. The result has been a policy lacuna that is filled by political ideology and criminal justice faddism (Paparozzi 2003).

The failure to settle some of these 20- and 30-year debates impedes the ability of the probation and parole profession to build on proven policies and practices and to enable the profession to realise its full potential. If the medical profession, for example, proceeded in a similar fashion, blood letting through the use of leeches might still be the preferred method of fighting disease.

The attention given to the measurement of publicly-valued results within the probation and parole profession has historically been and continues to range from non-existent to minimal. Within probation and parole agencies themselves, virtually all management information systems and employee performance assessments capture data reflecting how busy an agency and its staff are rather than how effective they are. In fact, both are potentially important.

Typical data collection focuses on cataloging the numbers of contacts made (with and without the offender), number of hours spent in the office *versus* the field, number of reports submitted, number of revocations, etc. What is missing from a public-value perspective, for example, is information about how much safer the public is across time, increases/decreases in absconder rates, rates of employment for unemployed but employable individuals under supervision, rates of drug programme completion for drug addicts, and recidivism rates for probation and parole agencies when compared to the available alternatives.

In recent years, several probation and parole agencies have shifted to a performance-based model of data collection and information dissemination. These attempts to shift the focus from a management by activities to a management by objectives perspective have resulted in only minimal progress towards a true results-driven model for probation and parole. Performance-based measures have, in fact, received much attention, and they are frequently hailed as the best practice for managing probation and parole organisations. Perhaps performance-based measures have caught on so rapidly because embracing final results that are publicly valued would be a much more intimidating proposition.

Performance-based measures have value only to the extent that they are measures of activities that produce a desired result. In this regard, such intermediate performance measures would have to be empirically verifiable (that is, evidence-based) or at the very least grounded in sound psychological, criminological, and/or criminal justice theory. In short, the performance of activities that are measured under the banner of performance-based measurement must be aligned with desired outcomes.

Shoring up their measures of preferred results will enable probation and parole agencies to improve their public image. A common professional lament is that the primary means by which probation and parole agencies are judged by the general public, politicians, and many professional insiders is through occasional and sensational cases presented in the media. This type of episodic coverage fosters management by crisis and results in politically-driven ineffective 'knee-jerk' policy responses. However, because they are not positioned to articulate their public value, probation and parole agencies cannot sensibly respond to these crises with information that makes it obvious that there are more benefits than detriments produced by their everyday activities.

To clarify the crucial nature of this point, one need only consider how other professions respond to and manage sensational, but occasional, failures. Failures in medicine do not easily define the medical profession because the profession has voluminous results-driven data to support the efficacy of its professional policies and practices; the same is true of failures in aviation – plane crashes do not bring a halt to flying because it is abundantly clear to all that the incidental, albeit sensational, failure does not define the profession. Instead, it is the definitive professional principles that have been developed over many years that support the policies and practices within virtually all respectable professions.

It is a well-known fact that media coverage leans towards the sensational – not the routine. With so much sensational news available every day, the media are highly unlikely to publish the many positive stories about offenders that probation and parole agencies have managed successfully. The old media adage 'if it bleeds it leads' is not likely to abate any time soon. Therefore, the importance of being able to disseminate publicly-valued unequivocal results-driven data cannot be over-stated. Such data will enable probation and parole agencies to mitigate the negative effects and misunderstandings produced by sensational probation and parole failures (Robinson 2003).

Notwithstanding its benefits against anecdotal media accounts of failures, there is a more important justification for producing easily-understood publicly-valued data – the public deserves it, and it is perhaps the best, if not the only, way for elected officials to sensibly allocate tax dollars. The failure to articulate public value through results-driven data has serious negative fiscal consequences for probation and parole, especially as its caseloads increase in size and more violent offenders are placed under supervision.

There is a common sentiment that resources are insufficient for probation or parole agencies to accomplish their public safety mission. In this era of diminishing resources, probation and parole agencies are being asked to 'do more with less'. At some point, insufficient resources prohibit the production of a desired outcome – the end result is 'accomplishing less with less'. When outcomes are obvious, or visible, the downside of 'doing more with less' is eventually apparent. When it is not possible to see the deleterious effect on outcomes, 'doing more with less' can survive quite nicely, and this is the basis of probation and parole's longstanding fiscal resource conundrum.

If the 'doing more with less' paradigm were applied to prisons and jails, the deleterious effects would be readily apparent. Some manifestations would take the form of too many inmates in a cell or dormitory (Gillespie 2005), correctional posts going unfilled (Morgan, Van Harveren and Pearson 2002), increased inmate violence against each other and staff (Crouch and Marquart 1990), and escapes (Culp 2005). The obvious nature of the impact of fiscal resources on prisons and jails is likely the reason why that when there is a need to allocate limited correctional dollars, probation and parole almost always end up on 'the short end of the stick'.

### **Reinventing Probation and Parole**

Calls for incorporating results-driven management principles in public sector agencies increased in the early 1990s (Osborne and Gaebler 1992). Osborne and Gaebler advocated for an entrepreneurial spirit and the use of rational business principles across the spectrum of public sector services. The notion of reinventing government in order to assure public value through effective and efficient delivery of products and services spawned a national movement of sorts at the federal, state, and local government levels. The attention that the reinventing government movement received produced pockets of change in varying degrees. The rigid and resistant nature of bureaucracies and entrenched organisational cultures, especially within the public sector, prevented the adoption of rational and well-developed business principles and an entrepreneurial spirit in most government agencies. In general, probation and parole agencies have not been reinvented.

During the years 1999 and 2000, there were at least two reinvention movements within the probation and parole profession (Dickey and Smith 1998; DiIulio *et al.* 2000). There are some components of these reinvention movements that are irresolute in terms of their professional efficacy. Conversely, several issues raised by the 'reinventors' have the potential to heighten attention for producing publicly-valued results and likely lead to the ability to wage an effective fight against politically-driven onslaughts like 'doing more with less' and media depictions of the profession based solely on notorious crimes committed by a few probationers and parolees.

The overt and tacit resistance that these reinvention movements received from within the profession was significant, and in the end, like so many other attempts at bold change over the past three decades, organisational culture won the day – little changed.

### **Current Professional Trends: Compstat**

#### *Order-Maintenance Policing as a Context for Compstat*

The latest movement within the probation and parole profession is the application of Compstat principles that were 'invented' in the context of the now well-known broken windows or order-maintenance community

policing experiment begun in New York City in 1990 (Pate and Skull 1994). Before discussing why Compstat applications in probation and parole settings are not likely to foster a better understanding and appreciation of probation and parole either within or external to the profession, it is necessary to understand Compstat in the context of its original application.

Former New York Police Commissioner William Bratton, under the political leadership of then Mayor Rudolf Giuliani, implemented an aggressive and innovative policing approach that was based on comprehensive and proactive community-based problem solving and order maintenance. The purpose of the Bratton/Giuliani initiative was to prevent crime by transforming neighbourhoods that were riddled with problems associated with crime, poverty, and social decay. Through the transformation, signs of social disorder would disappear along with many other small anti-social problems that serve as breeding grounds for serious criminal activity (Wilson and Kelling 1982; Kelling and Bratton 1998). The result would be the nascence of viable – *healthy and more orderly* – communities with strong pro-social informal social controls. The New York community policing model has been hailed by many as a success (Skogan 1994; Kahan 1997; Kelling and Bratton 1998; Bratton and Knobler 1998; MacDonald 2000; Kelling and Sousa 2001; MacDonald 2007).

The Bratton/Giuliani application of order-maintenance policing presents as a no-nonsense approach to re-taking communities from the ‘bad guys’ and returning them to the ‘good guys’. Policing practices under the initiative were expansive and aggressive. Behaviours that in the past were typically viewed as nuisances (for example, panhandling, jaywalking, sleeping in public places, uninvited squeegeeing of car windshields, and other minor misdemeanours) would now elicit arrest, formal criminal justice system processing, and, in many instances, incarceration. In fact, during the implementation of order-maintenance policing practices in New York City, the number of police officers on the city’s payroll doubled, computer technology (Compstat) was used extensively to highlight pockets of crime and to hold local police strictly accountable for amelioration, and misdemeanour arrests more than doubled (Harcourt 2001).

In spite of the claims that order-maintenance policing practices enhance public safety, there is a paucity of credible research evidence establishing a causal relationship between the Bratton/Giuliani broken windows community policing model and New York City’s crime rate (Sampson and Radenbush 1999; Taqi and MacAllair 1999; Harcourt 2001; Golub, Johnson and Dunlap 2007; Corman and Mocan 2005; Dixon and Maher 2005; Vitale 2005; Harcourt and Ludwig 2006).

Broken windows or order-maintenance policing may ultimately prove to be associated with reductions in serious crime. We contend, however, that the jury is still out on this matter and that claims to the contrary should be viewed cautiously. In fact, much of the support for the model accrues from practitioners who have implemented it, scholars who have developed its theoretical foundation, and ‘think tanks’ with affiliations to those individuals responsible for the model’s scholarly and practical support. We

believe that Sparrow, Moore and Kennedy (1990) and Moore's (1995) observation in this regard has changed little in recent years. Even scholars who support the broken windows community policing paradigm because they believe that order maintenance is intrinsically beneficial to social life, static crime rates notwithstanding, readily acknowledge the difficulty of claiming causal links between the initiative and drops in major crimes (Thacher 2004).

In addition to criticisms related to the lack of a causal relationship, order-maintenance policing strategies have been criticised for their encroachment on civil liberties and negative effects on the social capital and collective efficacy of certain populations targeted by its implementation. With regard to civil liberty concerns, order-maintenance policing disproportionately affects the poor, homeless, and minorities and subjects them to aggressive policing practices like blanket stop and frisk and public housing project building sweeps (Gary 1998; Cohen 1999; Golub, Johnson and Dunlap 2007). These groups represent the disenfranchised that live among us who are the very symbols of disorder that must not be tolerated. With regard to collective efficacy, the initiative has the potential to increase social costs by criminalising the heretofore disorderly members of society thereby further disrupting and diminishing the social capital and collective capacity of families, neighbourhoods, and a host of informal social networks that are functional, all be they contradistinctive from the culture and norms of mainstream society (Stack 1983; Gabel 1992; Rose and Clear 1998; Clear and Rose 1999; Hagan and Dinovitzer 1999; Clear, Rose and Ryder 2001; Lynch *et al.* 2001; Corman and Mocan 2005; Dixon and Maher 2005).

Notwithstanding a dearth of empirical evidence supporting the Bratton/Giuliani policing initiative as a best practice for transforming neighbourhoods and reducing crime, and like so many other 'model programmes' within the criminal justice system, many major cities in the country wanted to have a programme that was believed to have done so much for the image of New York City and the elected and appointed officials believed to be responsible for it. To date, numerous mid-size and major cities in America have adopted some or most of the New York City community policing model (Weisburd *et al.* 2004; Vito, Walsh and Kunselman 2005).

A key component of the Bratton/Giuliani community policing initiative was the introduction of Compstat within the New York City Police Department (Vito, Walsh and Kunselman 2005). Compstat is a strategic management approach for accomplishing a police department's goals and objectives (Walsh and Vito 2004; Magers 2004). The Compstat programme involves the use of computer generated data to assure rigorous and continuous accountability of police officers and precincts to reach and maintain established benchmarks measuring the progress being made through community policing initiatives (Walsh and Vito 2004). The accountability that flows from Compstat takes the form of frequent face-to-face accountability meetings between precinct commanders and their superiors. As a result, precinct commanders place significant emphasis on

producing numbers that demonstrate that local activities are contributing to departmental goals and objectives.

We contend that Compstat is potentially an important component of broken windows styles of policing because it provides the capability to address the need to respond to signs of disorder quickly before problems worsen. Compstat, however, is a process; it is neither a philosophy nor is it an evidence-based set of policies and practices designed to transform unhealthy communities into beacons of stability and social and economic viability. Instead, Compstat is a process that overlays on the policies and practices *du jour*. In this regard, Compstat has the potential to make police departments, or any organisation that adapts it for its own use, more efficient (that is, doing things right) as opposed to more effective (that is, doing the right things). In short, Compstat is value neutral with regard to the policies and practices upon which it acts.

Former New York City Police Commissioner Bratton implemented Compstat after extensive consultation with management consultants regarding his desire to break a stale organisational culture and bring to life his vision for reducing crime (Weisburd *et al.* 2004). Commissioner Bratton's vision, as noted earlier, was premised on the belief that neighbourhood and community problems need to be solved and order restored. It is important to note that Commissioner Bratton espoused a broad view of problem solving. He was interested in solving problems associated with abandoned and dilapidated housing, improving parks and recreation, making public transportation more accessible, economic development, and a variety of activities not typically associated with the functions expected of a police force.

Commissioner Bratton's charismatic leadership and vision for implementation of policing practices under the aegis of broken windows presented police with a new paradigm for doing business. Compstat is an important organisational infrastructure component for operationalising a new paradigm. In the context of order-maintenance policing, however, Compstat is not used to support a new paradigm for rectifying neighbourhood-based problems associated with housing, economic development, inadequate social services, parks and recreation, and the like. Instead, Compstat is used to facilitate quick and aggressive police reactions to crime hot spots. In short, Compstat is a computer-driven management information system that quantifies information related to crime rates in precincts throughout New York City.

Typical Compstat statistics quantify crime complaints, arrests, summonses and shooting incidents (Weisburd *et al.* 2004). The following excerpt provides an opportunity to understand the 'heart and soul' of Compstat:

... electronic pin maps are generated to show how crimes and police activities cluster geographically. Hour-of-the-day analyses and 'crime spike' analyses are also carried out. (Weisburd *et al.* 2004, p.3)

There is no reason why Compstat could not be used to support a more expansive, albeit politically inglorious, approach to neighbourhood-based

problem solving and order maintenance. If this were to occur, however, a new paradigm based on harm reduction as opposed to current paradigms that favour being tough and intolerant would be needed.

In any organisation, staff will generally pay attention to the activities that are measured or counted. If tasks associated with ‘fixing broken windows’ are not a Compstat measure, then problem solving will likely fall by the wayside. Compstat is useful to the extent that it provides timely information for an organisation to react to. It is also good because it identifies problems to be addressed and gives responsibility to street-level bureaucrats to produce results, thereby removing the cloak of layers of bureaucracy that too often obscure accountability for results. We contend that Compstat-type processes are best when they support evidence-based policies and practices that are linked to desired outcomes.

*Compstat: The Siren Call of a ‘Model Programme’ for Probation and Parole*

Because of its perceived benefits with regard to a focus on public value and results, and likely due to its political allure, there have been calls to apply Compstat in probation and parole agencies (Gelb 2006). For Compstat proponents, the hope is that the programme will position probation and parole agencies better placed to fend off being judged by notorious sporadic events and to strengthen arguments for increased funding in order to accomplish a valued mission.

Compstat appears to be finding a receptive audience within probation and parole for several possible reasons. Certain probation and parole professionals want to use Compstat to prove their worth to a world which they have long felt has unfairly judged the profession poorly. Others see Compstat as a way to take advantage of a law-enforcement halo effect by aligning the profession with a popular policing programme.

If Compstat is to be implemented effectively in probation and parole settings, practitioners working within the system must first have a deep and common understanding of the philosophical underpinnings of probation and parole, the need for a professionally-balanced professional orientation, a clear understanding of its mission or purpose, and how everyday practices are tied to the production of publicly-valued outcomes. Without such a deep understanding and common sense of purpose, it is likely that Compstat will be implemented in proper form but be bankrupt in substance. If this were to occur, Compstat would become just one more superficial attempt to bring attention to publicly-valued results, but the reality would be a more fashionable repackaging of practices that derive more from personal ideologies of politicians, probation and parole policy makers, and line staff.

In order for Compstat to accomplish its results-driven goals, probation and parole professionals must first come to an agreement regarding the outcomes that it is willing to own. This is the critical starting point for implementation of any results-driven model and it crystallises the elements of a common mission. In determining what the results should be, it is necessary to understand what the community wants from its probation and

parole service – not what probation and parole agencies decide is best on behalf of the communities that they serve.

Once there is consensus on the ownership of outcomes and mission, probation and parole professionals should set about the business of identifying the cost-effective policies and practices to produce the appurtenant effect. The activities to be measured by a process like Compstat should be causally related to desired results. Ideally, they should be rooted in empirical research and be understandable in the context of credible theories related to the practice of probation and parole. If this process is side-stepped, Compstat will likely miss the public-value mark that it is intended to strike.

Compstat has the potential to remove the cloak of invisibility from outcomes produced by probation and parole agencies. To the extent that this potential is realised, it will be easier for the public and elected officials to take note of the deleterious effect of continually being asked to ‘do more with less’.

It is absolutely legitimate for elected officials to be tentative with regard to the urgency to fund probation and parole at higher levels than they are currently. Given the popularity of the ‘get tough on crime’ ideology, there is rarely a political upside for a politician to increase funding for probation and parole, especially when there are no clear data supporting an opposing point of view. There is, however, a political upside to enhancing public safety. In order to make this case, politicians need simple, powerful, and current data that definitively demonstrate public value. A well-run Compstat programme can accomplish this if it is understood as a mechanism for articulating the efficacy of professional policies and practices that produce that which the general public and politicians seem to covet most – public safety and judicious allocation of public funds.

There is nothing about Compstat that changes the fundamental mission of probation and parole. Rather, Compstat has the potential, but not the imperative, to force the profession to end years of debate about what probation and parole should own (that is, be held accountable for) and how the profession should rethink its policies and practices in order to foster effective professional development and break away from politicised policy development (Paparozzi 2003).

Compstat cannot routinise the exciting innovations that derive from topflight leadership, solid scholarly theory, and/or empirical research, unless it is programmed to do so by professionals who possess a common vision of the end result and the strategies that will produce it. Without such grounding, Compstat is likely to inappropriately skew professional orientations within probation and parole towards police-type activities and foster bureaucratic and paramilitary models of doing business.

Weisburd *et al.* (2006) observe that: ‘While Compstat promises to reinvigorate police organisations and to empower them to solve problems in American cities, it appears to be more focused on the “bureaucratic” or “paramilitary” model of police organisation’ (p.284). A Compstat programme that reinvigorates the problem-solving potential of police organisations rests on several essential elements. Two of the elements are

a clearly defined organisational mission that articulates the organisation's purpose and accountability for accomplishing results-driven goals and objectives of the organisation (Weisburd *et al.* 2006). The promise of Compstat will elude probation and parole unless these essential elements are given their due diligence.

Compstatmania has been sweeping across America for several years (Webber and Robinson 2003; Vito, Walsh and Kunselman 2005). Some cities have adopted, or are attempting to adopt, Compstat across the broad spectrum of government services provided to the public. Baltimore, for example has developed Citistat – the moniker given to the application of Compstat to virtually all city-run departments (City of Baltimore 2007). In 2004, Baltimore won the coveted Kennedy School of Government's Innovations in American Government Award for its Citistat programme. New York City won the same award in 1996 for its police department's Compstat programme (Government Innovators Network 2004; Vito, Walsh and Kunselman 2005).

The steady march of national and international policy makers and practitioners to New York City, and to cities like Baltimore, has been well underway for quite some time, and this has fueled rapid diffusion of the Compstat model both nationally and internationally. Amid the furious rush to observe and adopt the latest 'model programme' is the danger of not fully understanding the reasons why a particular programme seemed to work at a particular moment in time in a particular location. Perhaps even more troubling is the apparent disregard for consideration of solid empirical research supporting a causal chain between the 'model' and the outcomes observed.

Probation and parole have countenanced similar experiences with regard to boot camps, surveillance-oriented intensive supervision programmes, and scared straight programmes – all of which are politically seductive, notwithstanding the fact that they have consistently been found to be unassociated with offender recidivism reduction (Farrington and Welsh 2005; Paparozzi and Gendreau 2005; Greenwood 2006).

Results-driven management practices that support policies and practices underpinned by research evidence and sound theory will foster an appropriate paradigm for rehabilitating offenders and transforming neighbourhoods plagued by social and economic decay. Compstat can support such a paradigm, but it cannot create it – only committed and knowledgeable individuals can do that. The logical home for such a paradigm would be within probation and parole. Compstat used within this context will require probation and parole policy makers and practitioners to risk not being 'onside' with political trends to appear police-like as well as tough on crime and criminals.

## **Conclusion**

While some probation and parole agencies are exemplars of attempts to base their policies and practices in empirical research findings and sound theory and to punctuate their contributions to enhancing public safety and

justice through results-driven management information systems, most are not.<sup>2</sup> Probation and parole functions are viewed by many in the general public and other components of the criminal justice system as a 'slap on the wrist' as opposed to viable systems for delivering services that enhance public safety and justice for all. To make matters worse, the manner in which probation and parole agencies have historically been funded has created a self-fulfilling prophecy by forcing many jurisdictions to accept unmanageable caseloads that continue a cycle of ineffective public safety and justice practices (Nessman 1997; Petersilia 1997; DeMichele 2007). This, in turn, impedes the implementation of probation and parole services that make sense to professional insiders and external stakeholders alike.

In recent years, some probation and parole agencies have begun to discuss and implement performance measures. For the most part, these 'so-called' performance measures gauge progress concerning activities that are more important to the agency than to public constituencies. Whether the activities that are being measured are linked to publicly-valued outcomes is another matter – in too many instances, they are not.

The best way to assure professional viability is to rely on performance measures of policies and practices that derive from sound research or, in the absence of research evidence, are theoretically sound. For example, there is no research or acknowledged criminological theory that relates a particular number of home visits, collateral contacts, or face-to-face contacts with successful short-term risk management of offenders or their longer-term recidivism reduction. Yet, probation and parole agencies routinely establish such contact standards, include them in their policy manuals leading others to believe that they represent the professional state-of-the-art, and then set about measuring the performance of staff with regard to the established standard. In fact, when stated agency contact standards are not met on a case that is involved in a heinous crime, cries of negligent supervision abound. The presumption is that had the agency met its own stated contact standards (that is, standard of care) the crime committed might have been avoided. The fallacy of counting contacts has caused many good POs to lose their professional standing if not their jobs.

It is noteworthy that there is no professional agreement as to what the right numbers are with regard to contacts. Moreover, and as evidence of the lack of an empirical relationship between a particular number of contacts (a commonly used performance measure) and a useful public safety consequence, contact standards are time and again 'watered down' or 'ramped up' depending on budget conditions. The frequent modification of their own contact standards affirms that it is the activity and not the end result that matters most to probation and parole agencies and/or the elected officials who fund them.

What is needed are measures of activities that are known or seriously believed to produce valued results. The public and their elected officials are interested in bottom-line outcomes that are self-evident with regard to public safety – not how busy probation and parole agencies are.

Initiatives like Compstat will not assure the application of evidence-based best practices within probation and parole. Professional progress in this regard requires that those who make and implement correctional policies possess the credentials needed to access, understand, and apply scholarly research and theory to policies and practices in probation and parole (Gendreau, Goggin and Smith 2000; Gendreau *et al.* 2002).

Failure to adopt rational principles for producing and measuring meaningful results will keep the probation and parole profession unfocused with regard to its purpose. In this diffuse context, it will remain unlikely that much progress will be made towards ameliorating the age-old problems associated with being overworked, misunderstood, and under-appreciated.

### Notes

- 1 Some probation and parole professionals, as well as external stakeholders, have the expectation that any and all breaches of conditions of release and/or non-compliance with case supervision plans should result in reincarceration. Probation and parole's purpose derives from a philosophical foundation that advocates for keeping criminal offenders in communities, and applying reincarceration only as a supervision tool of last resort. There are instances where certain offenders under supervision must be returned to jail or prison for seemingly minor infractions early on during the term of community-based supervision. However, such instances should be the rare exception, not the norm, and they should result from a thorough assessment of the totality of circumstances surrounding a particular case.
- 2 An exemplar in this regard is The Department of Correctional Services, Sixth Judicial District, Cedar Rapids, Iowa. More information is available from Director Gary Hinzman, email: gary.hinzman@iowa.gov

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