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# To Be or Not To Be—a Profession—That Is the Question for Corrections

Mario Paparozzi and Christopher Lowenkamp

*During the past two decades, much has been learned about how to effectively administer a broad range of correctional programs. While much of what has been learned in this regard has found its way into policy and practice, much has not. In this article, the importance of professional knowledge, skills, and values of policy makers (e.g., judges, parole board members, corrections administrators) and producing publicly relevant outcomes is examined. By examining rational practices used in other highly regarded businesses and professions, the case is made that corrections as a profession must launch a major effort to rigorously adhere to results-driven business practices.*

*Key words: corrections, judges, parole, policy, probation, profession, results*

## Understanding the Importance of Policy Making and Policy Makers

The development of correctional policies and the administration of correctional programs encompass a broad range of criminal justice functions. In general, these functions include judicial sentencing, jail and prison administration, probation, parole, and numerous other entities charged with a variety of tasks that are of great importance to the public. Among these publicly relevant tasks are enforcement of the law, punishment of criminals, justice for victims and communities, incapacitation of criminals, short-term risk management in the community, and long-term public safety through offender rehabilitation and prevention. Each of the tasks just noted requires special knowledge, skills, and value sets on the part of those charged with their performance.

How then should we view the criminal justice system from a management perspective? We find it particularly illuminating to adopt public health- and business-oriented perspectives on the matter.

Like other serious public health problems, crime causes varying degrees of physical and emotional harm to individual victims, the primary groups to which they belong, and the communities where crime occurs. As is the case with medical illnesses, the treatment of crime should include efforts at primary prevention as well as secondary and tertiary strategies. In addition, like the medical field, careful attention must be devoted to the results emanating from clinical trials and the validated policies and practices of practitioners at all levels of the profes-

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sion.<sup>1</sup> Among the most important considerations for effective service delivery is the depth of knowledge, skills, and commitment of its professionals.

Here is—as we see it—the major problem that should concern our field. When credibility is given to unqualified and uncommitted individuals performing the critical tasks of their profession solely by virtue of their designated titles, there are profoundly negative implications for day-to-day practice. To illustrate this point, we present eight common examples from probation and parole:

1. using static factor risk assessments rather than dynamic factor assessments, thus ignoring case management planning based on an offender's criminogenic needs
2. requiring drug counseling for an offender who is a dealer rather than a user
3. testing the urine of drug abusers using technology that provides test results in two to five weeks as opposed to instant results
4. prohibiting probation and parole officers from field work
5. providing zero tolerance for a drug abuser's occasional relapses while under probation or parole supervision
6. relying on the military program components of boot camps to achieve long-term behavioral reform of offenders
7. waiting for a new arrest to occur before violation warrants filed against absconders are enforced
8. permitting offenders to commit repeated technical violations by not holding them strictly accountable for their behavior

Components of the American correctional system have frequently been subjected—although with some very notable exceptions<sup>2</sup>—to professional leaders who assume the cloak of the profession almost as if by political decree with little consideration for professional credentials.<sup>3</sup> Our contention is that it would be difficult, if not impossible, to find other highly regarded professional or business organizations that disregard skills, knowledge, and values of employees to the same degree as is done in a variety of corrections program areas. Even more troubling is the fact that many individuals occupying leadership positions serve as exemplars of the irrational nature of staffing correctional programs that are highly specialized and charged with delivering complex ser-

vices vital to justice and public safety. If specious credentials are acceptable at the top, then why not throughout the entire organization? Extensive surveys of correctional program practices have found that too many line staff and program directors do not have the proper qualifications or training to perform their assigned job duties.<sup>4</sup>

Notwithstanding our impression that the above problems are far-reaching, we admit it is difficult to specify the exact percentage of criminal justice professionals who fall into this defective category. Our arguments, however, do not lose potency even if we make a conservative estimate of 20 percent or 30 percent in this regard. Indeed, based on our combined 40 years of clinical and administrative experience either working as corrections practitioners or as consultants in the field, we believe that our estimate might be a bit on the low side. What respectable profession or business could thrive for long with even one-fifth to one-third of its leaders and line workers deficient in knowledge, skills, and values essential to the production of desired outcomes?

### **Accurate Definition of the Problem Will Lead to Effective Solutions**

The best correctional programs—and there have been many that have been identified in the literature over the years—are those that are run by committed professionals who are well-trained with regard to the specific functions that they are expected to perform.<sup>5</sup> These professionals create favorable organizational climates for the pursuit of excellence in the areas of innovation and service delivery to stakeholders. Again, all of this is not surprising; all successful professions and businesses provide ample evidence.<sup>6</sup>

Why correctional systems in general and their programs in particular have not developed in this manner consistently over the years is unclear. Perhaps it is due to the fact that criminal justice is a soft-science as well as an eclectic discipline. For example, criminal justice has borrowed from a variety of disciplines such as public administration, economics, sociology, psychology, political science, and demography. Multidisciplinary approaches to crime can assist policy makers to the extent that a consensus is reached regarding integration of these disciplines into a sensible overall program. All too often, in our experience, the end result is a fragmented, inconsis-

tent hodgepodge of theories, "facts," and policy recommendations.<sup>7</sup>

In the end, politics, personal ideology, and preconceived, but often erroneous, common sense notions predominate. Respect for evidence is secondary.<sup>8</sup>

In addition to the failure of criminal justice to systematically provide practical guidance to practitioners through evidence-based approaches to corrections, there has been a lack of standardization of approaches, procedures, and practice across the discipline. In stark contrast to criminal justice, the fields of medicine and clinical psychology, for example, require professionals to be licensed in accordance with standards that have been, and continue to be, subject to rigorous testing. In addition, and perhaps even more importantly, before policies and procedures are adopted, they are subject to review and approval by the appropriate licensing bodies. Admittedly, these professions' attempts at quality control are not perfect, but at least they are a start to achieving a rational, cost-effective system. If correctional policies were subject to the same rigor with regard to testing and approval, it is likely that numerous policies would be called into question. In the absence of such a process, corrections operates in non-systematic ways and sometimes represents something akin to a free for all in terms of policy development. This kind of process makes a profession vulnerable to "panaceaphilia."<sup>7</sup>

In summary, the constant search for panaceas in correctional policy, coupled with weak, nonexistent, or inappropriate standardization of professional credentials, policies, and practices, establishes a fertile environment for acceptance of the notion that virtually anyone can lead and do the work of corrections in publicly relevant ways. Because such individuals do not have the necessary training, and are bound by few legal and virtually no professional boundaries, they are ill prepared to sensibly defend or advocate for policies and practices that are tied to the results desired. More often than not, these kinds of leaders are led by, rather than providing leadership to, political processes.

By way of further clarifying the nexus between the need for adopting rational approaches to solve pressing problems, the following medical example is illustrative. This example is excerpted from a speech given by Dr. Paul Gendreau at the 24th Annual Institute of the American Probation and Parole Associa-

tion in New York City.

A few years ago, I had a serious endocrinal problem, partially genetic in nature. Actually, it was a useful disease to have; I could be perfectly miserable to people (particularly ones I disliked) and they had no recourse but to grudgingly excuse my behavior. In any case, I had to seek out treatment. I went to a hospital. I was treated by an endocrinologist. All the "policies" centering about my health over a two-year period were generated and monitored by medically qualified people.

Now, if my medical problem was treated in the way we are all too often accustomed to doing things in the criminal justice system, I would likely have been referred to a university sociology department, assessed and treated by people of vague, uncertain, or no relevant qualifications such as an organic chemist, pediatrician or someone with just plain old common sense. Would that be acceptable to anyone? I hope not; it is quackery.

Theories and research are important because they provide a reference point for policy development and program implementation. Therefore, it is detrimental when correctional leaders and staff do not understand or even have an a priori awareness of the theoretical model(s) and research-based evidence that they operate from. The problems are compounded when entire programs are established or abolished based on personal preference or political fad rather than the depth of theoretical logic or sound evaluation research, as has been the case with parole at the federal level and in several states.<sup>9</sup>

Nevertheless, it is fairly common to find research and evaluation funds either cut or eliminated in order to fund what were deemed to be more pressing administrative and operational functions. In addition, we frequently have come across individuals in leadership positions who, even when funding is substantial, choose to ignore research and evaluation—it simply is not valued. This kind of leadership failure is one more example of how irrational the practice of corrections can become when personal values and perceptions are incongruent with state-of-the-art knowledge. Moreover, scenarios such as these will have to be reversed if the corrections profession is to gain increased viability in the eyes of the public.

The "softness" of the social scientific enterprise, coupled with the confusion that has resulted from several academic disciplines fighting for their turf in establishing overriding paradigms for doing business, certainly has caused problems for the administration

and operations of corrections. While these problems are significant, their successful resolution will not necessarily ameliorate the political and organizational chaos that often governs program policy and practices.

### **From Irrationality to Rationality: Learning from the World of Business**

In order for corrections to increase the public relevance of its outputs, more attention has to be paid to results-driven management practices.<sup>10</sup> Such practices will assure that there is a rational or logical relationship between policies and practices and the services that are delivered. Rigorous adherence to results will force the development and maintenance of rational practices. Some examples of the rational practices that likely will emerge are as follows:

- identification of what the customer wants
- development of best practices (i.e., practices that are effective and efficient with regard to outcomes)
- hiring of leaders and line staff who possess appropriate values, knowledge, and skills
- ongoing research and development
- development of management information systems that track final results as well as intermediate performance measures

Rational practices like those just noted are fairly common in the business world; they generally define the phrase "good business principles." A good business principle is a principle that is related logically and demonstrably to the production of profit. In the free marketplace, profit-making companies either employ good business principles or they cease to exist. No such controlling free market equivalent operates in the world of corrections, at least in the public sector domain. Therefore, adherence to results in the public sector is a matter of the self-imposed will to act as if the viability of the correctional enterprise will

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be catastrophically undermined if rigorous adherence to maximizing the production of its equivalents to profit is not maintained. Some examples of profit equivalents for corrections are:

- offender accountability
- justice for victims and communities through retribution and restoration
- short-term risk management of offenders under supervision
- long-term public safety, which includes reforming today's offenders and stopping the development of new offenders through prevention

In determining the business niche for the corrections system, as with any rational business enterprise, there is a critical need to target required results and then to back into strategies that will produce these results in an effective and efficient manner. This process is no different than the process used by such notable business leaders as Henry Ford.

Ford began with the desired end result in mind. In brief, his goal was for every family to own a Ford motor car. To do this, Ford needed to develop strategies for producing good cars cheaply. Thus, the assembly line was born. In addition, Ford assured that staff were trained extensively at their various jobs throughout production so that the final product was the best that it could be. Finally, there is virtually no argument that Ford himself was extremely committed to his product and that he was one of the most knowledgeable individuals of his time regarding his business—again, all qualities that have been associated with leaders who administer effective correctional programming.

In short, in order for the car manufacturing process to be designed effectively and efficiently, the designer needed to have extensive knowledge in car manufacturing and organizational management. Indeed, many businesses operate in this manner more or less—at least the successful ones do.

How then is the Ford example best understood in relation to the administration of a publicly relevant corrections system? The answer is that corrections should adhere to the business (rational or logical) principles that governed the successful business of Henry Ford, or for that matter, those that currently govern any other successful business enterprises.

If the Ford Motor Company did not care about its mission to manufacture cars that were affordable to most families, it could have engaged in any number

of irrational business practices. It could have done so, however, only until free market forces eliminated the company. For example, the company might have: ignored research on internal combustion and the mechanics of the automotive industry; hired individuals to serve as executives and line staff who were not committed to the company, did not possess requisite skills for the functions they would perform on the job, or perhaps who did not believe in the value of cars; or provided staff training on an ad hoc basis. Obviously, in the profit-making business world, these types of activities would be viewed as preposterous.

Similarly, the lack of adherence for producing results that matter to the corrections profession—the equivalent to profit—permits a wide variety of irrational practices to ensue in policy and day-to-day practice. Yet, even when practitioners know that certain activities are irrelevant, if not irrational, little is done to change the way that business is done.

### **Examining the Profiles of Corrections Professionals: Preliminary Findings**

One does not have to be an accomplished capitalist like Ford to conclude that not just anybody can run any business. When it comes to criminal justice and corrections, however, the reality is quite the contrary. The first author recently conducted two exploratory surveys in order to shed light on the professional profiles of parole board members and judges who serve as chief executive officers (CEOs) of probation departments. The findings from the survey revealed that very often the relationship between an individual's previous work experience, educational background, and position occupied is best characterized as a non sequitor. The work experience and educational credentials of the individuals holding these key positions often is irrelevant to the tasks they are charged to perform and ultimately achieve the results expected.

In the case of parole board members, for example, a random survey of 20 states that have parole revealed that 20 percent ( $n = 4$ ) had some very general guidelines for educational requirements and that 45 percent ( $n = 9$ ) had a requirement for some type of work experience loosely related to law enforcement, law, and criminal justice (vaguely defined). Of the sample, six of the chairs of the parole boards had

prior work experience serving as CEOs of other organizations, 14 did not. Of the 20 states surveyed, board members were selected through a political process and they served at the pleasure of the governor.

Given that the primary function of parole is to enhance public safety by making demands on inmates that they participate in rehabilitative programming and demonstrate prosocial behavior while incarcerated, one must wonder why knowledge and commitment to risk prediction and risk management are not fundamental prerequisites to becoming a parole board member.

The varied background of judges also has been well documented and the literature again supports the notion that there is a disconnect between public expectations regarding sentencing outcomes and the actual practice of judges.<sup>11</sup> Consistent with this literature, our exploratory survey findings revealed the following: all had law degrees; none had degrees in a social, behavioral, or public administration discipline; all were chosen for their positions through a political process; 12 were elected and 13 were appointed by governors; 13 had no criminal justice-related legal experience prior to becoming a judge (their backgrounds included corporate, civil, and insurance law); nine were former prosecuting attorneys (and were selected for those positions through the electoral process or gubernatorial appointment); three were former elected legislators at the state or local level; and none had experience serving as the CEO of an organization. The survey just noted involved 25 judges and the information was gathered from 1997–1999.

With regard to sentencing practices, a strong case can be made that the genesis for judicial sentencing guidelines is the result of the disparate sentencing decisions made by judges with expansive variability in their personal values about criminals and victims, differences in work experience, and their own educational backgrounds. Sentencing guidelines, however, are a poor substitute for well-used discretion, especially when discretion is in the capable hands of highly qualified individuals. Viewed in this context, it is fair to reason that sentencing guidelines are more like a Band-Aid approach in as much as they address the symptom of a more profound underlying problem—the need to address matching qualified individuals to the jobs they must perform.

Judges very often serve as actual or de facto CEOs

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of probation departments. Yet the requirement to occupy such an important policy position generally is solely a law degree. As any lawyer knows, the myriad of choices in practicing different areas of law frequently provide legal work experience that has nothing to do with the administration of justice or public safety in the near and long term, let alone the requisite skills to administer a probation department.

In addition to the importance of parole and judicial decision making regarding risk prediction and risk management, in their policy-making functions, parole boards and judges establish the requirements for everyday practice for parole and probation officers. The lament of parole and probation officers regarding the irrational practices flowing down from the top is commonplace and, more often than not, legitimate. For example, on numerous occasions, parole and probation officers have stated that their CEOs do not believe that parole and probation can manage short-term offender risk or accomplish long-term behavioral reform effectively. In addition, those talking to us frequently pointed out that staff training and research are not valued and that they are left in a professional lacuna.

## **Conclusion**

This article has focused intentionally on what is wrong with the corrections profession. We could have chosen to point out the many examples of good programs and professionals, however, our intent is to generate interest in an honest introspective examination of some very sensitive concerns.

We do not deny that government is extremely complex at both the political and organizational levels. Nor do we contend that there is a malicious plan by some insiders to thwart professional progress. We do believe, however, that the present state of affairs has

cast a long shadow over the 50–70 percent (using our earlier estimate) of the highly committed and competent professionals who strive daily to cast off negative public perceptions.

The rational approach to corrections set forth herein calls for a foundational paradigm shift in some critical areas: decisions related to staffing; focus on results; and commitment to policy development grounded in sound research. Without such a shift, training efforts and other forms of short-term technical assistance will at best offer a quick fix that cannot be sustained. For example, it is relatively easy for corrections practitioners to grasp the details of what is referred to commonly as the “what works” literature. In general, what is elusive to audiences is how to effectively implement what they have learned in environments that are highly politicized and often led by individuals who perhaps do not understand—or worse, will not try to understand—the public health implications of their failure to implement such practices.

As aptly stated by Peter Kinziger, Executive Director of the International Community Corrections Association (ICCA), at an ICCA research conference:

...knowledge about the criminal justice system today is much more extensive than it was some 30 years ago. In this regard, it is reasonable to contend that criminal justice is much more like a science today than it has ever been.<sup>12</sup>

Therefore, while it is true that the “art” of the administration of justice still has some relevance, it is no longer appropriate to assume that anyone with any skills and credentials can do this job. No other business or profession would consider doing business in this way and neither should criminal justice in general and corrections in particular.

The American Probation and Parole Association, The American Correctional Association, and the International Community Corrections Association have devoted considerable time and resources over the years to advancing the corrections profession. The gains made have not been—in our opinion—commensurate with the amount of effort put forth. This is so because a significant portion of the field processes these efforts through the filters of politics and onerous bureaucratic organizations. In some instances, such processes result in the piecemeal adoption of policies and practices that are designed to be considered in their entirety. Examples of this process

are fairly common; four are cited below.

Many applications of community policing/probation programs, restitution programs, community service, and the conflation of performance with results measures are excellent illustrations of the piecemeal adoption of programs that are most effective when their conceptual frameworks are not weakened by fragmented implementation. In each of the following examples, the three largest professional associations associated with corrections routinely devote considerable time and effort through conferences, technical assistance, and training in order to enhance the public safety value of each of the programs. One can only imagine how the efforts of these professional associations to reduce piecemeal and misguided program implementation would be jettisoned forward if they were met by professionals, especially those occupying key policy-making positions, who all had the knowledge, skills, and values to understand and embrace them. In our view, even a small percentage of contrary policy makers can create dramatic impediments to professional progress for the field—it is, after all, a small world for the profession.

### **1. Community policing**

Community policing was and is intended to be a robust effort to promote overall community wellness, to prevent crime, and to develop expansive informal social controls. In many instances, it has become a probation officer riding along with a police officer to conduct what amounts to bed checks. While bed checks are certainly important in the overall scheme of probation supervision, they fall far short of the conceptual intent of a community policing/probation program.

### **2. Restitution**

As initially conceived, restitution was intended to be a mechanism for repairing harm caused to victims of crime. Restitution funds paid are a symbolic representation of reparation. In addition, well-run restitution programs incorporate services like victim offender mediation, anger management, and programs designed to enhance the sense of empathy that offenders have for their victims as well as potential future victims. This last point is particularly important because low levels of empathy constitute a criminogenic need that is associated with reoffending

Notwithstanding the conceptual intent for restitution, it has gotten coopted inappropriately into the punishment paradigm. In practice, many parole and probation officers administer restitution no differently than court-imposed fines or, for that matter, any other of a number of revenue categories available to the courts and parole boards. Simply put, the offender reports, pays a sum of money, is issued a receipt, and is given a next reporting date. When administered in this way, the potential public safety benefits of a comprehensively administered restitution program are lost.

### **3. Community service**

Ideally, community service is intended to do for the community what restitution does for individual victims. It can provide opportunities to teach offenders how, and possibly why, they offended their community and it can foster empathy and a sense of connectedness to prosocial activities. Like restitution, however, many community service programs have lost their ability to fulfill their potential as anything more than an intermediate punishment designed to cost-effectively manage burgeoning jail and prison populations. By failing to understand the relevance of community service as a long-term public safety strategy, it becomes solely a proportionate punishment. The fact of the matter is that we can have it both ways. Community service, like restitution, can serve as a proportionate punishment and at the same time be effectively integrated into an overall offender reform and community/victim restoration program. The major obstacle preventing such an application very often is leadership's will and commitment to do it.

### **4. Performance/results measures**

The understanding of performance measures has been bastardized from its original intent, which was to promote the production of publicly relevant services. In short, they were intended to speak to results, not measures of performance or activities unrelated to results. Often, such things as numbers of probation, numbers of parole/probation officer contacts, referrals to treatment services, and violation reviews with supervisors are counted as measures of performance. We contend that these items are measures of activities, and they do not provide a clear nexus to desired outcomes. Better examples of results-

oriented performance measures include measuring the quality and quantity of services provided to offenders and communities, accounting for the amount of time that drug-abusing offenders are engaged actively in appropriate treatment programs, and case management reviews with supervisors. At least in theory, the latter activities represent measures of performance with regard to controlling and reforming offenders—both of which are valued highly outcomes.

In closing, we offer the following 10 recommendations for the development and maintenance of an ideal criminal justice system:

1. Avoid content-free managers by adopting certification procedures.
2. Identify potentially strong leaders and professional staff early on and avoid moving them capriciously.
3. Ensure that CEOs possess managerial skills as well as demonstrated competency in the profession.
4. Minimize turnover of administrators.
5. Provide ongoing briefing and professional staff development programs for line, supervisory, and management staff that includes politicians and judges (or their representatives).
6. Ensure that chief political aides overseeing correctional programming have a good knowledge of government and have certain qualifications and skills relevant to the field.
7. Implement career planning and staff development programs.
8. Establish a center for management development.
9. Provide specific performance feedback to all professional staff.
10. Establish a results-oriented management information system that tracks final results as well as intermediate performance measures that are related theoretically and/or empirically to desired outcomes.

It is likely that as we begin this millennium, there will be increased efforts to comprehensively examine the relationship between the types of individuals who administer justice and the results achieved. Indeed, such quantitative studies will add greatly to our understanding of the pervasiveness of the problem. Until these quantitative studies are done, we will need to rely on our professional intuition and qualitative examples as we have done in this article.

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