

Testimony of Thomas J. Beauclair
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Mr. Chairman and members of the Commission:

Thank you for the opportunity to speak to you today about the critical roles of community corrections in addressing sexual violence against offenders and the responsibilities of the community corrections sector with regard to the purposes of the Prison Rape Elimination Act. Let me say first that the National Institute of Corrections is committed to assisting in any way we can to support the PREA Commission's efforts. I have the honor of speaking to you from more than thirty years' experience in corrections, half of which was spent in community corrections in a rural state system.

I think it is important to provide a framework for this discussion by first attempting to define community corrections. Simply put, the function of community corrections refers to a wide array of non-prison sanctions imposed by a trial court or state paroling authority. These *sanctions* may be employed with offenders at the pretrial, diversion or deferred prosecution, post conviction or post incarceration stages. Community corrections programs are usually run by probation and parole agencies; however, the actual authority or structure under which they operate comes in many different forms.

Probation and parole may operate as a single state agency under the umbrella of a state corrections system; or as separate agencies of state probation and/or state parole. Felony and misdemeanor crimes often are supervised under different systems. Community corrections programs also are operated by the judicial branch and by county sheriffs. In one state, part of the system is under the county and another part is managed by the state corrections system. In another state, probation supervision is under the state courts, parole is a state department of corrections' responsibility, and community corrections act programs are operated by the county executive branch with funds awarded by the state. Just as the structure or authority may be very different, the programs themselves take on significant differences and purposes. Programs may be operated by the public agencies themselves or contracted out to private vendors. In addition to a wide range of probation and parole supervision strategies, programs may include halfway houses, halfway back treatment facilities, therapeutic community treatment centers, jail work release programs, day reporting centers, furloughs, hardship release, community work centers, work camps, and drug/mental health courts.

Prison systems have a similar government structure as state executive branch agencies; however, as you can see, community correction supervision and services have a wide variety of structures. This possibly is the greatest barrier to ponder when it comes to promoting consistent standards in the community corrections field. In many cases information systems do not talk to each other (either among state agencies or across state and local boundaries); and multiple jurisdictions and different lines of authority may cross and require cooperation.

A significant challenge also will be the culture of each individual agency. Historically probation and parole systems have managed offender risk in the community by monitoring compliance with court conditions and controlling offender behavior; they apply additional sanctions for violations of those conditions which involve further loss of privileges. This approach creates an enforcement mentality and a perception that the authority figure's only function is one of "I gottcha".

With the interest in improving risk reduction outcomes using evidence based interventions, many agencies have moved to a more multi-dimensional approach to managing offender risk. They have adopted strategies such as proper risk and need assessment, case management, and targeted interventions. They are employing motivational interviewing techniques to build offender engagement and interest in positive change. These same agencies are finding that the dual roles of monitoring/control and intervention/treatment can blur responsibilities for staff and offenders. Both can feel more vulnerable. Staff, accustomed to keeping offenders at arms length in an enforcement role, now understands the importance of a more personable helping relationship, but this can put both offender and staff member in vulnerable positions unless staff is properly trained.

Community corrections workers generally work autonomously and have large caseloads. Much of their work allows significant discretion and is done outside normal office parameters and away from supervisors and peers. A significant part of their work includes visits to the offender's residence. Once again, by the very nature of the work, staff and offenders can be put into difficult situations.

In conclusion, to effectively address the role of community corrections in responding to PREA, some important conditions must be met: reasonable caseloads sizes, appropriate training, the ability to provide proper investigations, adequate supervision of staff at all levels, a zero tolerance policy for sexual misconduct, written policy and procedure for all public and private staff that have contact with offenders, offender orientation/handbook, a culture that promotes professionalism, integrity and a proactive approach to the prevention of sexual misconduct and the detection and proper sanctioning of offender and staff sexual misconduct.