

THE RISK-NEED-RESPONSIVITY MODEL

How Do Probation Officers Implement the Principles of Effective Intervention?

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The advancement of evidence-based practices (EBP) and the Risk-Need-Responsivity (RNR) model suggests several key practices for probation agencies, including validated risk and needs assessments and appropriate treatment matching. Despite evidence supporting use of practices aligned with the RNR model to improve offender outcomes, research identifies significant implementation challenges in probation practice. Using 1,084 hours of ethnographic data, the current study sought to examine how probation staff implemented best practices aligned with the risk, need, and responsivity principles. Analyses suggest probation staff supervision practices misaligned with research evidence on RNR and associated agency trainings. Probation officers rarely used the risk and needs assessment to inform supervision decisions, creation of case plans, and referrals to treatment programs. Findings highlight the challenges associated with moving evidence on the RNR model to routine probation practice. Implications for policy and research are discussed, including a focus on perceived liability and implementation of best practices.

Keywords: probation; risk assessment; Risk-Need-Responsivity model; evidence-based practices; organizational change

Over the last several decades, significant shifts characterized policy and practice changes throughout probation and parole work. Originally, the dominant model of probation work emphasized rehabilitation and linking probationers to resources in the community (Taxman, 2008). This trend continued until the emergence of the “get tough” movement following the publication of several reports documenting the apparent failings of probation and correctional treatment interventions (Bailey, 1966; Martinson, 1974). At this time, probation shifted toward the more punitive, control model of supervision. As a result, probation officers (PO) emphasized monitoring and enforcement in their supervision strategies (Taxman, 2008) and managing risk as opposed to attempting behavior change (Feeley & Simon, 1992).

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While this model dominated probation for several decades, increasing attention toward the ineffectiveness of punishment-oriented responses to criminal behavior (Nagin, Cullen, & Jonson, 2009; Rhine, Mawhorr, & Parks, 2006), and limited evidence traditional probation and parole models effectively reduce recidivism (Bonta, Rugge, Scott, Bourgon, & Annie, 2008; Petersilia, 1998), led to a resurgence in rehabilitative ideals. The present focus on integrating rehabilitative strategies is supported by an emphasis on using evidence-based practices (EBP), or practices that are scientifically proven to be effective in reducing recidivism (Sherman et al., 1998). In line with the EBP movement, increasingly gaining attention in the correctional field is the Risk-Need-Responsivity (RNR) model, which combines an actuarial, managerial approach with a rehabilitative, clinical model for supervision (Andrews & Bonta, 2010; Taxman, 2008). The RNR model outlines the basic principles of risk, need, and responsivity to generate effective interventions for offender populations with the ultimate goals of improving treatment for offenders and reducing recidivism (Andrews & Bonta, 2010).

RISK PRINCIPLE

The risk principle has two important components: (a) use of a reliable and validated risk assessment to predict criminal behavior and (b) appropriately matching level of service to the assessed level of risk. Research demonstrates the link between risk level and program effectiveness, with many research studies and meta-analytic reviews concluding intensive correctional programs are more effective when delivered to higher risk offenders (Andrews & Bonta, 2010; Andrews, Bonta, & Hoge, 1990; Andrews & Dowden, 1999; Bonta, Wallace-Capretta, & Rooney, 2000; Dowden & Andrews, 1999a, 1999b, 2000; Lowenkamp & Latessa, 2002). Inappropriate matching of treatment intensity with offender risk level can actually result in increased criminal behavior. For example, in a meta-analysis of 80 studies, Andrews and Bonta (2010) found programs delivered to higher risk offenders are five times more effective in reducing recidivism than programs delivered to lower risk offenders. Bonta and colleagues (2000) confirmed these findings, reporting low-risk offenders placed in minimal treatment programming had a recidivism rate of 15% while those placed in intensive treatment programming had a recidivism rate of 32%. Similarly, Lowenkamp, Holsinger, and Latessa (2005) conducted a meta-analysis reviewing the effectiveness of drug court programs, reporting a 10% reduction in recidivism in studies with high-risk samples and 5% recidivism reduction in studies with low-risk samples. Thus, the existing literature highlights the importance of targeting riskier offenders in correctional programming.

NEEDS PRINCIPLE

The needs principle suggests treatment programs should focus on criminogenic needs, or those factors directly relating to offending behavior that are amenable to change (Andrews & Bonta, 2010). The dynamic nature of criminogenic needs makes them suitable targets for treatment programs with the desired goal of recidivism reduction (Andrews & Bonta, 2010). In their seminal work on the RNR model, Andrews and Bonta (2010) identified the “Central Eight” dynamic risk factors most predictive of offending, including history of Antisocial Behavior, Antisocial Personality Pattern, Antisocial Cognition, Antisocial Associates, Family/Marital circumstances, School/Work, Leisure/Recreation, and Substance Abuse.

Andrews and Bonta (2010) suggested a number of promising targets to address criminogenic needs in treatment, such as changing antisocial attitudes and feelings, reducing antisocial peer associations, promoting familial affection and communication, and reducing chemical dependencies. In a systematic review, Smith, Gendreau, and Swartz (2009) found treatment programs targeting criminogenic needs have effect sizes ranging from 0.20 to 0.30, while treatment programs targeting noncriminogenic needs had effect sizes ranging from -0.01 to 0.04 .

RESPONSIVITY PRINCIPLE

The responsivity principle provides guidance on how to provide treatment and is broken down into two components—general responsivity and specific responsivity. General responsivity suggests providers should consider the learning style and abilities of the individual when determining the style and mode of treatment program delivery (Andrews & Bonta, 2010). This principle suggests cognitive-behavioral and social learning approaches are the most effective in producing behavior change. Specific responsivity suggests adapting interventions to the biological, social, and psychological characteristics of the individual. That is, a different intervention or mode of intervention may be needed for an individual with certain characteristics (e.g., anxiety, interpersonal sensitivity). The general responsivity principle has garnered support through meta-analyses that found use of cognitive-behavioral approaches had a significantly greater effect on recidivism reductions as opposed to nonbehavioral interventions (Andrews et al., 1990; Gendreau, Smith, & French, 2006). In a meta-analysis of 80 studies of adult and juvenile treatment interventions, Andrews and colleagues (1990) found effectiveness of cognitive-behavioral treatment interventions vary based on their adherence to the RNR principles. Those programs adhering to the model more closely resulted in greater reductions in recidivism, while programs failing to adhere or adhering less resulted in increased recidivism. More recent meta-analyses confirmed these findings (Andrews, Bonta, & Wormith, 2010; Prendergast, Pearson, Podus, Hamilton, & Greenwell, 2013).

IMPLEMENTATION CHALLENGES

While research highlights the importance of implementing the principles of the RNR model, in practice, this is challenging. In probation agencies, EBPs often require changes in core ideologies from a focus on control and authority to more therapeutic and rehabilitative philosophies. Staff continuously evaluate information and make strategic decisions about how to incorporate multiple and competing professional, political, and personal interests into their service delivery (Watkins-Hayes, 2009). For example, while research highlights the advantages structured assessments can bring over traditionally used gut-level decision making (Grove, Zald, Lebow, Snitz, & Nelson, 2000; Hanson & Morton-Bourgon, 2004), recent research found POs rarely used risk and needs assessments as designed and rely on previous experiences and risk-management strategies to guide practice (Viglione, Rudes, & Taxman, 2015). Bonta and colleagues (2008) found POs rarely relied on a probationers' risk level to inform the frequency of contact, rarely focused on criminogenic needs, and infrequently used cognitive-behavioral strategies. Additional research found POs paid little attention to needs, appropriate treatment programs, and engaging in case planning (Flores,

Travis, & Latessa, 2004), and commonly sought more restrictive options than recommended (Miller & Maloney, 2013).

In probation agencies, implementation of EBPs and the RNR model requires changes in core ideologies from a focus on punishment and control to more therapeutic and rehabilitative philosophies. Existing research highlights the challenge of such culture shifts within correctional environments characterized by punishment ideologies. The current study examines the operationalization of the risk, needs, and responsivity principles in routine probation practice. The goal of this research is to better understand the implementation processes and challenges associated with integrating research findings on RNR within correctional practice.

BACKGROUND

This research was conducted in one mid-Atlantic state in which the Department of Corrections (DOC) and its county probation offices began implementing EBPs in 2006. The DOC used a gradual implementation process, in which individual offices received training incrementally, with all probation offices trained by 2010. During this process, the state began to support the use of a validated risk and needs assessment, motivational interviewing, cognitive-based therapies such as Thinking for a Change, and problem-solving and relationship-building skills. In 2006, the agency adopted a validated, fourth-generation risk and needs assessment tool. This assessment tool generates a risk score created from a combination of static factors (criminal history and juvenile delinquency) and dynamic factors (drug involvement and criminal peers). The risk score is then calculated into three levels—low, medium, and high. This tool also assesses a number of additional dynamic risk factors individually scored on a scale of 1 to 10 (with 10 indicating highest need), including Antisocial Thinking, Antisocial Personality, Antisocial Family, Financial Problems, Leisure Time, Housing, Substance Use, and Employment/Education. Staff were trained to use the results of the risk and needs assessment tool to drive all supervision decisions. A primary focus of this reform was to shift the overall probation strategy from a contact-driven supervision style, which focused on the quantity of PO-probationer meetings and enforcement of probation conditions to a case plan-driven style. The case plan approach required PO use of risk and needs assessment information to create a case plan collaboratively with the probationer that specifies treatment and goals directly linked to criminogenic needs, which informed content and quantity of supervision meetings.

The second major focus of this change process was a shift in communication strategies. All probation staff were trained in client-centered, motivational communication skills. Motivational interviewing training was provided, with all staff receiving comprehensive initial training and regular follow-up training sessions. A major goal was to shift the role of the PO to become a change agent, incorporating positive reinforcements and cognitive-behavioral techniques, enhancing intrinsic motivation, and problem solving during interactions. The agency implemented a correctional curriculum to assist POs in translating the principles of effective interventions into practice, by focusing on how to address risk and needs, use assessments to inform case planning, and provide interventions during interactions.

The state in the current study was progressive in their approach to providing EBPs to their staff. The agency provided trainings in person and developed a system of follow-up trainings to refresh trained staff skills and ensure new staff received training. The agency

required each probation office to select internal coaches, or POs who received additional training to become in-house experts. For example, each probation site had POs who served as the office “risk and needs assessment coach” or the “MI [motivational interviewing] coach.” Coaches provided guidance to probation staff to promote knowledge and skill acquisition and support the implementation process. The agency directed each office to divide staff members into learning teams, or small groups of staff who met monthly to practice learned skills, and/or address challenges in using EBPs in practice.

METHOD

STUDY SITES

Using maximum variation sampling and consultation with DOC executive staff, 12 probation officers were selected throughout the state, taking into consideration region and office size. This sampling strategy is useful to achieve both a degree of representativeness as well as diversity across organizations (probation offices) and practitioners (POs; Palinkas et al., 2015). Maximum variation sampling allows for the consideration of variations across different conditions, including the identification of patterns across variations (Palinkas et al., 2015). As a result, the final sample represented an equal number of offices from each of the three regions across the state (Eastern, Central, Western) and represented both large and small probation offices.

DATA COLLECTION

Data collection for this project occurred from January 2012 until October 2014, including observations, interviews, and surveys of probation staff. The current research reports only on the qualitative data collected through this study, which began 6 years after the start of EBP implementation in the DOC, and 2 years after all probation offices in the state first received EBP-related training. During the course of this study, the agency provided new and follow-up trainings. Observations were conducted of daily probation work and EBP training, totaling 1,085 hours spent in the field. During this time, 200 probation staff, 23 executive staff members, and 31 nonprobation staff (e.g., treatment providers, administrative staff) were observed and interviewed. Site visits took place during the course of all work activities (e.g., court, home visits, jail), occurring Monday through Friday. Each individual site visit lasted between 4 and 10 hr, covering all operating hours.

Informal interviews occurred throughout the course of observations, which focused on the behaviors and interactions between POs, supervisors, and probationers. Time spent with each individual staff member ranged from 30 min to several hours, with observations of multiple probation staff occurring in one day and on more than one occasion. Participants were mostly female (60%), White (75%), and between 30 and 39 years old (36%; see Table 1). The use of informal interviews provided the opportunity for the introduction of new questions throughout the interview process. This is a useful strategy that allows full consideration of the stories and experiences relevant to probation staff and is consistent with an inductive fieldwork approach (Thomas, 2006). In addition to allowing for the possibility of multiple, unanticipated themes and patterns to emerge, a deductive approach was used to guide observations and interviews, given the specific focus of this study on EBP implementation. Following established practice in ethnographic research (Emerson, 2001; Emerson,

TABLE 1: Probation Officer Characteristics

Demographic variables (<i>n</i> = 200)	Percentage
Gender	
Male	40
Female	60
Race	
White	75
Black	23
Other	2
Age	
20-29	19
30-39	36
40-49	23
>50	22
Position/rank	
PO	65
Supervisor	35
Specialized Caseload	31
Tenure	
1-5 years	35
5-10 years	27
11-15 years	15
16-20 years	8
>20 years	15
Education	
Bachelor's	80
Master's	20
Clinical training	5

Note. PO = Probation Officer.

Fretz, & Shaw, 1995; Morrill, 1995), the researcher did not record field notes during observations and interviews. Rather, detailed field notes were typed as soon as possible after leaving the field. The process is critical in ensuring the comfortability of participants and encouraging them to be as forthcoming as possible, while maintaining integrity of conversation (Emerson, 2001). However, the researcher used several strategies to record field notes throughout site visits. For example, field notes were recorded during multiple breaks in the day (e.g., lunch hour) and via cell phone while in the field frequently. The combination of these methods resulted in accurate and in-depth depictions of each site visit. Upon completion, all typed field notes were linked to ATLAS.ti, a data management program used for coding and analysis of qualitative data (Muhr, 1991).

CODING AND ANALYSIS

The constant comparative method was used to guide both data collection and analysis (Glaser & Straus, 1967). As part of this method, the researcher engaged in continuous and ongoing coding, which occurred throughout the data collection process and continued after completion. This results in a rich coding process in which the researcher reflects on time spent in the field and knowledge of previous research to guide future observations and coding. The constant comparative method allowed for full consideration of the range of types

and conditions under which something occurs, aiding in theory development (Glaser & Strauss, 1967). As a result, the coding process took place in several steps.

First, to allow theoretical analyses to develop, an inductive, line-by-line coding strategy was used to link each individual line of field notes to specific codes developed from initial and continual grounded theory interpretations of these data (Charmaz, 1995). Next, the researcher conducted iterative, thematic coding in which large portions of data were recoded for attitudinal and behavioral processes and patterns. This process allowed for a deep examination of how participants both experience and define the environment in which they work (Rudes & Portillo, 2012). When this process was completed, it was clear that implementation of practices aligned with the RNR model was nuanced and complex. To better understand how POs used RNR principles in their supervision of probationers, these data were recoded a third time for all instances where interactions between POs and probationers occurred. These instances are referred to as interactional episodes (any face-to-face interaction that occurred between a PO and probationer and lasted at least 5 min). In these data, a total of 243 interactional episodes were observed. When the coding process was completed, the researcher queried these data to examine emergent patterns, of which many emerged. However, the current study examines how POs implement practices aligned with the RNR model. Findings are presented below.

RESULTS

RISK PRINCIPLE

After querying these data for emergent themes relating to implementation of the risk principle in practice, three subthemes were identified. These themes, relating to PO use of practices aligned with the RNR model, included (a) use of risk and needs assessments, (b) informal assessments of risk, and (c) use of telephone monitoring.

Risk and Needs Assessments

Of the 243 interactional episodes, 9% involved either a probation office conducting a risk and needs assessment, discussing the results of a risk and needs assessment, and/or use of risk and needs assessment information to guide supervision decisions. In those 9% of interactions, POs commonly made adaptations to the way in which they were trained to use risk and needs assessments. The most common adaptation involved overriding results to increase supervision risk level. The following representative example involves a PO trained as her office's risk assessment coach.¹

I [PO Budin²], hate the risk assessment. It provides a good baseline, but it is not the end-all. I coach staff how to actually complete the assessment, but the interpretation part is not my job. There is a lot of overriding. I override all the time.

In the below example, PO Cassidy discussed her use of the override function after just finishing a full risk and need assessment on her probationer:

The probationer scored medium with override. This means I am able to override the probationer to high supervision. I thought the probationer was going to score high risk, but she did not. I want to increase her level of supervision to make sure she complies with her case plan.

As highlighted in these examples, POs did not trust the risk assessment, which influenced their decision to override assessment results. In addition to the use of overrides, POs made adaptations to the way they were trained to implement the assessment. Risk assessment training directs probation staff to first explain the purpose of the assessment, followed by completion of the risk assessment interview-style, and then explain results. POs modified this process by conducting the assessment without providing an explanation of the purpose or results. When explanations were provided, they were often limited in scope. For example,

PO Hines told the probationer that she was now going to do his risk assessment, which was an assessment tool to help see what needs he has. She explained she would be asking him questions about things such as his substance use, criminal history, and employment. She then proceeded to read the questions to the probationer.

One particular PO, PO Dugan, spent the most time explaining the purpose of the assessment:

PO Dugan told the probationer he was going to do a risk assessment on him. He explained he had already filled in his criminal history and background information, but he was now going to ask questions to help determine what his needs were. PO Dugan explained each separate section before starting the questions. Before the substance use section, he explained this section asks questions relating to your substance abuse history.

While PO Dugan attempted to provide explanation throughout the risk assessment, he was the only PO in the sample to do so. The most common practice involved completion of the assessment, printing of the results, and placing the printout into the probationer's case file. This practice ensured the PO had evidence of completion for their case file reviews. There were several rare occasions ($n = 2$) in which POs turned their computer screen toward the probationer to show them their results. In these situations, POs attempted to link results to case planning and probationer goals. The following examples highlight this finding:

PO Dugan told the probationer he scored the highest in criminal thinking, substance abuse, and education/employment. He asked the probationer if he had any desire to finish his education. The probationer said yes. Officer Dugan commented he thought this was good and proceeded to write it in his file.

In the second instance, PO Patrick tried to provide a broader view of assessment results:

PO Patrick explained to the probationer that he scored a six out of ten on the risk assessment in anger. As a result, he needed to attend anger management. PO Patrick explained the probationer had to do it, and if he completed anger management it might help him in other areas of his risk assessment too.

POs commonly struggled with understanding the true intent of the risk assessment instrument and frequently did not attempt to articulate these to probationers. As seen in the examples above, in the few instances where POs tried to explain results, these explanations were limited in scope.

The last way POs made adaptations to agency assessment policy was observed in the method of completing the risk assessment. POs would occasionally hand the assessment to

the probationer to complete on their own, rather than conduct interview-style as training and agency policy required. The following example highlights this adaptation:

PO Zigler printed a copy of the risk assessment and handed it to the probationer. She explained there were no right or wrong answers and this was to help understand what she would need to be successful on probation. The probationer filled out the questions while PO Zigler completed paperwork on her computer.

Agency trainings on risk assessment highlight a key reason for conducting the assessment interview-style is to begin to develop rapport and a relationship with the probationer. POs were encouraged to complete the assessment using motivational interviewing skills and making eye contact with probationers. In practice, POs often conducted the assessment by solely reading the questions, and often looking primarily at their computer as they completed the assessment.

Informal Assessments of Risk

Once formal risk and needs assessments were conducted, POs often considered informal assessments of probationer risk. As part of these informal considerations, POs used two primary factors to determine whether EBP use was appropriate: (a) if probationers fulfilled a special population status (e.g., sex offender) or (b) if probationers were indifferent, resistant, or dishonest in their communications. In particular, when POs perceived probationers to be a “difficult” case, assessed through previous interactions, experiences, and/or the nature of their offense, they would revert back to a contact-driven supervision strategy as opposed to the agency’s desired case plan-driven supervision. As a result, POs focused on quantity of contacts and compliance with conditions of probation for certain probationer populations, rather than using the risk and needs assessment information to guide their approach.

This decision-making framework was especially prevalent in the supervision of special populations. POs argued it was too risky to use EBPs with certain types of probationers. Largely, these populations included sex offenders, gang members, and substance users. Across these populations, POs argued they needed to maintain “a shorter leash” to provide effective supervision and control while simultaneously protecting the safety of the community, as highlighted below:

With sex offenders, I [PO Miller] am very contact-driven. The case-plan driven strategy is only for non-sex offender populations. I can only work with sex offenders so much because they are a risk to the community and especially with sex offenders, changing the way they think is unlikely.

As illustrated, concern for community safety reinforced resistance to the evidence-based case plan-driven supervision style. The need to protect the public was also coupled with the belief that individuals who commit certain types of crime are incapable of change. The arguments associated with special populations led POs to revert to contact-driven supervision while treating certain types of probationers more punitively than others.

In addition, POs argued EBPs were inappropriate for use with probationers who would challenge them or present difficulties in their interactions. This belief was heightened when POs perceived probationers as dishonest, resistant, or indifferent. With these probationers,

officers preferred to maintain a directive and authoritarian relationship as a means of achieving control. One PO commented,

Some probationers will respond to EBPs and talk to you and others will just give you one word answers. With those people, you take a control approach. You cannot motivate them.

This decision-making framework suggests POs believed offender change was unlikely in certain situations. This strategy directly contradicted agency training, which emphasized the importance of working through resistance with challenging probationers.

Telephone Monitoring

In attempts to address the risk principle, the state adopted an intervention to move probationers assessed as low risk onto telephone supervision. The goal of this intervention was to reduce the time and resources spent supervising low-risk probationers to encourage POs to focus their efforts on medium- and high-risk probationers. While in theory, this intervention aligned with the risk principle, in its application, several unintended consequences emerged. POs became hesitant to identify probationers as low risk out of fear telephone supervision was not adequate to manage the risks they posed. As a result, POs would refrain from lowering supervision level, formally keeping low-risk probationers on a higher level of supervision. Alternatively, POs would move probationers to low supervision, but refuse to supervise them through the telephone monitoring system. Hesitancy and resistance toward use of low-level supervision and telephone monitoring was exacerbated with special populations in particular, with very few POs willing to supervise special populations (especially sex offenders) on low supervision.

Overall, POs were uncomfortable with removing themselves from the supervision process. While designed to reallocate resources to focus on riskier populations, POs were uneasy with not physically supervising an individual formally assigned to their caseload. As a result, POs commonly would refrain from assigning a probationer to low supervision until they built a relationship with them and determined whether or not they personally believed the individual could be successful on telephone supervision only. This decision-making process involved PO informal assessments of risk.

NEEDS PRINCIPLE

Despite movement toward case plan-driven supervision, POs were observed engaging in case planning with probationers in 15 of the 243 (6%) interactional episodes. Of those 15 observed instances, 93% involved POs making adaptations to the case planning process as trained by the agency. For example, in the few instances in which POs engaged in case planning, they either made the case plan without probationer input and/or they did not link the case plan to the risk and needs assessment information, a key component of the case planning process. In only one of the 243 interactional episodes did a PO take the risk and needs assessment information, collaborate with the probationer, and create a plan to specifically address the identified criminogenic needs.

In addition to limited case planning, it was uncommon for POs to prioritize discussion of treatment programs and services in their interactions. Of the 243 observed interactional episodes, only 7% involved POs making a treatment referral, going over progress in treatment,

and discussing treatment/services generally. Rather, 80% of interactions focused solely on procedural issues, emphasizing paperwork completion and data entry (e.g., updating addresses in the electronic case management system). Interactions were largely directive (74%), involving POs telling probationers what to do and asking short, closed-ended questions. The following exchange highlights this finding:

PO Porter:	Did you complete your treatment program?
Probationer:	Yes.
PO Porter:	Did you pay the money you owed to the program?
Probationer:	Yes.
PO Porter:	So they will be sending me a discharge summary?
Probationer:	Yes.
PO Porter:	I see you go back to court in 8 months. I'm stuck with you until October?
Probationer:	Yes.

In this example, PO Porter asked closed-ended questions that did not offer the probationer opportunity to provide a detailed response. The officer did not acknowledge successful completion of the treatment program but focused on fees and paperwork. It was common practice for POs to focus on collecting information to complete paperwork and data-entry tasks, which influenced the use of directive communication strategies.

Alternatively, in approximately 13% of interactional episodes, POs incorporated positive reinforcement and in 5% of interactions, they used problem-solving techniques learned in training. This was demonstrated in the following interaction:

PO Nelson brought back his probationer who was very happy. The probationer told him she was graduating from her cognitive-behavioral program in July. PO Nelson congratulated her and said she was very proud of her and that she had really made a turn around since her last slip up. PO Nelson told the probationer she would attend the graduation ceremony.

In another example, PO Hardy encouraged his probationer by focusing on the positives rather than the negatives in life:

PO Hardy's probationer walked in. He was disgruntled because he was supposed to work today at his new job, but his supervisor was not there so he lost a day of work. PO Hardy tried to put a positive spin on it, explaining to him that those things happen in life. PO Hardy went on to congratulate the probationer for getting a job.

RESPONSIVITY PRINCIPLE

Across each study site, cognitive-behavioral programming was provided. In 10 of the 12 study sites, programming was provided by in-house POs who received specialized training to deliver the program. In the other two sites, the probation office contracted with external treatment providers. Iterative thematic analysis identified three challenges associated with the provision of cognitive-behavioral therapy (CBT) programming across the study sites. First, in large probation offices, there were frequently too few available spots in cognitive-behavioral programming. Often, probationers were placed on wait-lists and would have to wait for one or two rotations of the program to finish before an opening became available, which could take 3 to 6 months. Second, determinations for placement in CBT programming were not linked to assessed criminogenic needs. In half of the study sites, POs used

CBT programming as a catch-all program, placing every probationer in the program and/or on the wait-list. In the other half, POs used CBT programming as a punishment for noncompliance. Last, for one of the two sites using an external contractor, probation staff voiced concerns that they were not “on board with EBP” and did not view the program as credible. The office continued to use this treatment provider though, as it was the only available option in their jurisdiction.

There were no formal processes in place to assess and/or address specific responsivity factors in any of the 12 probation offices. However, data presented throughout this article suggest POs were considering characteristics of individual probationers they supervise. Attention to responsivity was seen in the use of specialized caseloads for individuals with mental health issues in seven of the 12 study sites. In these offices, one PO supervised a reduced caseload of individuals (approximately 30 to 50) with a mental health condition(s). Given the limited number of spaces available on the specialized caseloads, an individual had to present severe mental health conditions to be considered for placement. As a result, it was common for POs supervising general caseloads to also supervise individuals with mental health issues. For example, PO Laches explained, “I have a general caseload, but a lot of the people I supervise have mental health problems. I was not specifically assignment mental health cases, it just happened that way.” And POs commonly perceived that the majority of individuals on their caseload presented a mental health concern, as PO Bradley commented, “right now, almost everyone on my caseload and on probation generally has a substance abuse or mental health problem.”

Across study sites, POs argued there was very little they could do for probationers with mental health issues. In particular, use of EBPs such as MI were perceived to be ineffective strategies with this population. Instead, officers argued it was best to maintain a control-oriented relationship through use of directive communication techniques to manage probationer behavior. One PO argued,

You cannot do EBP with 33% of people and it seems like my entire caseload is that 33%. It is hard to do EBP with people who have mental health issues. I have to tell them if they do not stop their behavior, there will be consequences.

Another PO discussed the challenge of using MI with individuals with serious mental health issues:

PO Seymour talked about how hard it was to use EBPs and MI for people with mental health issues or who are low functioning. They cannot process it. They have a hard enough time remembering what they did last week. For example, a woman came in yesterday talking about how her husband was Japanese (he was not) and that Al Qaeda was out to get them. She had not been complying with her mental health treatment nor had she been taking her medications. He had to violate her because there was nothing he could do with her.

Officers commonly felt there was little they could personally do with individuals presenting mental health conditions, due to both their own knowledge and skills regarding this special population but also due to a lack of resources available to them. Thus, while agencies recognized probationers with mental health issues needed specialized supervision, POs tended to consider such individual characteristics, such as mental health, as a means to support resistance to RNR and EBP reform and a return to contact-driven supervision approaches.

EXPLAINING IMPLEMENTATION CHALLENGES

Liability Concerns

Much of PO decision making in the current study was linked to liability concerns. These concerns were especially pronounced with special populations. POs were continually concerned they would personally be held liable if a probationer reoffended while on their caseload. They believed EBPs may put them at risk and that some probationers were just not “ready” and “EBPs won’t work with them,” as highlighted below:

PO Holway argued you cannot use EBPs and MI with people who have mental health issues. You need to just ask yes or no questions to get the information you need. He gave an example of his probationer he saw yesterday who rambled on. She had not been complying with her mental health treatment. PO Holway had to violate her because there was nothing he could do with her. He wrote detailed notes after this meeting to document she was not complying to cover his bases. He always tells other probation staff to “CYA” (cover your ass).

Another PO discussed the prominence of the “CYA” mentality in the department:

PO Hickson argued liability had become more of an emphasis in the department than ever before. Previously, they did not really prioritize case reviews. Now, it is all about case reviews. The department is more CYA than ever before. They want to make sure POs are doing what they are supposed to be doing. PO Hickson gave an example that if a probationer goes out and rapes someone, but the PO had done what they were supposed to and documented it, that it should not come back on that officer. But, liability is a big thing and it scares people.

PO Balken explained how often they have to do things to satisfy the community as well:

PO Balken supervises a man with mental health needs who often gets hostile as high risk. There is no reason he needs to be at a high risk level as there is nothing he can do with this probationer. But, in order to satisfy the public it must be on official records that he is supervised on high. If something were to happen and he killed his mother, the public would want to see that he was supervised on high supervision. It is basically for protection of the office. PO Balken argued if something were to happen while an individual was on low level supervision, the individual officer would not be protected because people do not trust the risk assessment.

POs in the current study often argued that the culture of the agency did not fully support the use of EBPs and best practices aligned with the RNR model. For example, supervisors continued to evaluate staff performance by reviewing probationer case files. In doing so, they checked that paperwork was complete and that boxes had been checked (e.g., to indicate risk assessment had been completed) and that the required number of contacts had been made. This resulted in POs prioritizing paperwork over other aspects of their job. Probation staff frequently commented on the contradiction between EBP and RNR-related practices implemented by the agency and the emphasis on paperwork. Staff were aware and had experienced themselves or heard through the grapevine of situations in which POs had gotten into trouble for not completing paperwork on time and/or not making an adequate number of contacts. For example,

Supervisor Baye heard several POs were walked out of probation offices across the state because they did not make their required contacts with probationers. Baye thinks something might have gone wrong with one case that sparked this. He will talk to his staff about situations like this and explain to them they [leadership] have their backs, but there is only so far they can go to protect them. Baye questioned how they are supposed to maintain a positive culture while also having to continuously check boxes. He commented that POs have to worry about liability every day.

Other probation staff reiterated the impact that one single event in a probation office can have on other probation offices across the state. This was exemplified in the following comment made by a PO supervisor:

PO Heart tells the POs she supervises anything that impacts public safety is the number one priority in their job. If something were to happen and they did not take all necessary precautions, they would all be on a platter. Any time something bad happens with an offender on probation, mandates about agency policies and processes come from headquarters very quickly.

The fear of liability was even more pronounced with special populations, such as sex offenders and gang members. In these situations, POs were more likely to treat all individuals as high risk to avoid liability concerns and public scrutiny. For example,

PO Henley said he normally gives probationers 30 days to get into compliance. He will use this policy for everyone except sex offenders. They are high risk and I don't mess around with those. I am not going to have a kid get victimized on my watch. Nobody wants that and that would come back on us.

As illustrated in the example above, POs in the current study were concerned with personal liability associated with probationers they supervised. POs did not want to feel personally responsible for a future crime occurring, and often saw use of EBPs, such as a risk assessment, as leaving them open to this possibility.

The Needs Principle and PO Perceptions

POs identified several challenges specifically linked to criminogenic needs that limited their perceived ability to implement the needs principle. POs argued some criminogenic needs were not changeable, including criminal thinking, criminal peers, and criminal family, which influenced PO perceptions regarding case planning:

PO Courtney argued she hates case planning because a lot of people come back really high on criminal thinking and criminal family. She said those aren't things that can change. She questioned if people have a criminal family and that is their only support system, what they are supposed to do. There is nothing POs can do to change a criminal family.

Even when POs believed criminogenic needs could change, they identified challenges in appropriately addressing them. After identification of needs, POs were not clear on the best way to target those needs. Officers articulated challenges associated with agency resources—both in terms of a lack of availability of resources to address each assessed need area but also a lack of knowledge of which resources were most appropriate for each criminogenic

need. Adequately achieving the responsivity principle was likely challenged due to these identified problems with the needs principle. Appropriate decision making regarding use of treatment is likely not feasible when there are questions surrounding the criminogenic needs that should drive those decisions.

DISCUSSION

The current study highlights challenges associated with moving the research evidence on the RNR model to routine probation practice. After examining practices associated with the RNR principles, findings suggest probation staff supervision practices misaligned with research evidence on RNR and agency trainings provided. In particular, POs infrequently used the risk and needs assessment to inform decision making, the creation of case plans, and for referrals to treatment programs. While the RNR model seeks to provide a framework for correctional agencies to provide appropriate treatment to offenders, the way in which probation staff implemented associated practices often aligned with a risk management strategy instead. Officers implemented the RNR principles in ways to manage risk rather than guide offender assessment and treatment. This was seen as POs rarely relied on the results of the risk and needs assessment to inform their conversations with probationers or their supervision decisions. Rather, they completed the assessment primarily as a means to comply with required paperwork. Officers often either outwardly resisted assessment results via overrides, or engaged in less obvious, informal resistance. In these situations, POs worked around formal assessment results by placing probationers on their assessed risk level but supervising them as if they were higher risk, commonly seen with special populations or resistant/difficult probationers.

A second way POs continued to manage risk was seen in their application of the needs principle. POs rarely engaged in case planning, and when they did, case plans were not linked to risk and needs assessment results. Thus, even though POs were identifying criminogenic needs, they did not then use those to inform treatment and supervision decisions. This theme was also seen in the application of the responsivity principle, with placement in CBT often used as a punishment for noncompliance and the avoidance of providing treatment to individuals with mental health issues.

The processes observed in the current study perpetuate risk management, as documented in Feeley and Simons's (1992) seminal work, *The New Penology*. In this way, POs prioritize concerns of risk and associated dangerousness, emphasizing work processes focused on paperwork, procedures, and risk profiles. Rather than responding to individual behavior based on their needs, POs focus on levels of risk to categorize individuals as a means to adequately control and manage risk (Feeley & Simon, 1992). This focus on risk management was prominent with more challenging populations (e.g., mental health). Rather than tailor treatment to an individual's unique characteristics, officers were more likely to avoid intervention altogether.

Taken together, findings from the current study suggest significant challenges to fidelity and program integrity associated with use of the RNR model in adult probation practice. This is concerning, given the important role fidelity and program integrity play in achieving recidivism reductions. For example, Lowenkamp, Latessa, and Smith (2006) found significantly greater recidivism reductions in halfway house programs that had greater adherence to the RNR model. How staff understand and implement policies associated with the RNR

principles could have significant implications for key outcomes, such as recidivism. However, a number of studies report challenges associated with implementing the RNR model in practice (Bourgon, Bonta, Rugge, Scott, & Yessine, 2009; Goggin & Gendreau, 2006). In particular, Bourgon and colleagues (2009) found programs implemented in the real world are less effective than demonstration programs due to a number of obstacles practitioners regularly face in addition to a lack of fidelity to RNR principles (Bourgon et al., 2009). This body of research often suggests an improvement in training, including the use of consistent follow-up training and emphasis on skill development as a means to combat fidelity issues (Bourgon et al., 2009). However, the agency in the current study was 8 years postimplementation of EBPs and had implemented a rigorous training regime. This suggests simply changing the structure of training (e.g., going from a one-time training to a multiday training with follow-ups) is not sufficient. Future research should further examine the relationship between the quality and content of trainings to practitioner fidelity to the RNR principles.

Many jurisdictions are using various strategies to implement and support the successful implementation of policies aligned with the RNR model. For example, a number of agencies are using correctional curriculums (including the agency in the current study) to provide a more formal, structured training process to improve adherence to the RNR model. Research on these curriculums finds POs who receive training on RNR principles specifically are more likely to adhere to the principles in practice compared with untrained POs (Bonta et al., 2008; Bourgon & Gutierrez, 2012; Labrecque & Smith, 2017; Robinson et al., 2012; Smith, Schweitzer, Labrecque, & Latessa, 2012). And some studies report such adherence resulted in better outcomes for the individuals supervised by trained POs (Bonta et al., 2008, 2011; Bourgon & Gutierrez, 2012). While this body of research finds improvements in adherence and skill development posttraining, they also report limited use of such skills. For example, Robinson and colleagues (2012) found that while trained POs exhibited greater use of RNR-related skills, they still used those skills in fewer than 50% of their interactions with probationers. This research relies on the analysis of audiotaped interactions between POs and probationers, often rated by individuals associated with the training curriculums themselves. More in-depth qualitative research given the agency in the current study implemented one of these correctional curriculums and adhered to best practices regarding comprehensive training protocols (Fixsen, Naoom, Blase, Freidman, & Wallace, 2005).

Several major factors surfaced as influential in supporting the reliance on risk management and complicated the use of RNR principles that could inform improvement of training content. In particular, PO lack of understanding surrounding the purpose and background behind the risk and needs assessment combined with a deep mistrust in the tool influenced PO tendencies to override, oversupervise, and make decisions uninformed by assessment results. This finding supports similar research conducting in probation settings finding POs rarely use risk and need assessment results to inform case management or supervision decisions (Viglione et al., 2015). However, a major factor influencing PO decision making was liability. POs were deeply concerned that use of practices aligned with RNR opened them up to both personal and professional liability. This fear of liability was deeply connected to offender risk (both perceived and formally assessed) and was even further pronounced with special populations whose crimes may be associated with greater stakes (e.g., sex offenders). The issue of liability presents important challenges for probation agencies seeking to become evidence-based. POs can be held liable for a number of different behaviors, such as if they

commit a criminal act, if they engage in criminal behavior with a probationer, and if they injure a probationer (McShane & Krause, 1993). POs can be sued for violating civil rights if they treat certain individuals more harshly than others (e.g., stricter surveillance, more drug tests) based on race, religion, or sex (McShane & Krause, 1993). In addition, POs can be held civilly liable for injuries caused to a third party by probationers they supervise if the victim can prove the injury was due to PO negligence (Morgan, Belbot, & Clark, 1997). In these instances, several factors are considered in determining negligence, including whether the PO failed to properly supervise the client (Morgan et al., 1997). It was evident that news traveled fast across the state when POs were either fired or reprimanded for their behavior. These events brought a heightened attention to liability.

Despite common liability concerns voiced by POs, this was not a topic addressed by supervisors or in trainings. This left unanswered questions regarding whether and how POs would be supported legally if they fully implemented desired practices. An additional complication surrounds the loose coupling that exists between probation and the judiciary surrounding use of EBPs, in that judges may not be supportive of a movement away from compliance-oriented community supervision (Viglione, 2017). This further leaves POs feeling vulnerable should they choose to change their work practices to support use of RNR fully. Previous research suggests POs are commonly concerned about being held accountable for offender noncompliance (Drapela & Lutze, 2009). The pressure to hold offenders accountable while implementing best practices can result in role conflict and job stress, which could impede EBP implementation efforts as well as the overall functioning of the agency (Drapela & Lutze, 2009; Slate, Vogel, & Johnson, 2002; Slate, Wells, & Johnson, 2003). This suggests a need to bring more attention to liability in the context of EBP implementation, as a means to combat this obstacle toward change. Future research should seek to better understand the relationship between perceptions of professional and personal liability and use of the practices aligned with the RNR model in community corrections agencies. There is a need to develop training and organizational supports for best practices in a way that both recognizes and addresses staff liability concerns. This line of inquiry is especially important given the emphasis on the RNR model and use of risk and needs assessment instruments to inform probation practice to reduce recidivism. Better understanding of the role actual and perceived liability plays in influencing PO decision making is critical if we are to move the field forward and overcome the ever-present challenge of change.

NOTES

1. All examples provided are representative of data collected and reported in field notes.
2. All names used are pseudonyms to protect the confidentiality of study participants.

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