PROBATION AND PAROLE DIVISION

TOOLS OF THE TRADE
Managing Offenders through a Balanced Approach to Supervision:
A Skills and Information Guide
NOTE from the DIRECTOR

Charlene Knipfing

I would like to welcome you to the Probation and Parole Division, and thank you for your interest in serving your community in this vital role as a Probation and Parole Officer. You provide a significant public safety service to your community. Your work will be challenging and I hope rewarding.

As a Probation and Parole Officer you will be asked to take a balanced approach towards offenders’ supervision. You will be asked to wear many hats as you meet your day-to-day work schedules, i.e. Social Worker, Case Manager, Data Entry Clerk, Quasi-Counselor, Resource Manager, Law Enforcement Officer, Investigator, Court Reporter, Role Model, Coach, and so on. You will be challenged daily as you make decisions pertaining to Parole Board-ordered and/or court-ordered conditions, the needs of offenders in their transition back to the community, and of course, the safety of the public. Please refer to your supervisor, senior staff and NMCD Policies and Procedures in making these decisions.

You will be assigned to diverse work environments, i.e. office, courtroom, community sites, offender home and employer sites, various committee meeting settings, and classroom/gym settings. You will make contact with a variety of community representatives, i.e. treatment providers, advocates, law enforcement, judges, prosecutors, public defenders, attorneys, educators, other state agency staff, family members, and criminal offenders. You are the Division’s spokesperson in the community, and as such it is imperative that you present yourself as a positive role model and a professional at all times.

The Division’s Goal is to provide opportunities for change, to assist offenders in meeting ordered conditions, and to provide referrals to needed services in order to provide some stability for offenders in the community-at-large while enhancing public safety. As a public servant, “you can make a difference in people’s lives.”

Having said that, public safety is always the priority. Although efforts are made to assist offenders in their transition back to communities and law-abiding lives, inevitably you will be required to re-arrest and re-incarcerate offenders due to non-compliance and commission of a new crime. These can be stressful choices and it is important that you maintain your physical health/conditioning and mental well-being as well.

If you face all of your challenges and roles with a professional demeanor as a representative of the Division and as a public servant you will be successful. I hope that you experience many years of job satisfaction, and that as a Division we can meet your personal need for professional growth and career development.

Again, thank you for your commitment, your future efforts, and your devotion to public safety.
Probation-Parole Division
Mission Statement

To provide for public safety through a balance of supervision, enforcement, and the provision of program services to increase the probability of offenders become law-abiding citizens.
Table of Contents

Included in *Tools of the Trade* you will find:

Introduction to *Tools of the Trade*

Proactive Community Supervision

Initial Meeting with an Offender

Rewards and Sanctions

Stages of Change

Motivational Interviewing

Overcoming Verbal Roadblocks

Working with Community Providers

Glossary of Concepts

Probation-Parole General Glossary

Glossary of Additional Terms

Organizational Chart

Statewide Regional Map
Offenders... and the paths they can take.

The following poem by Portia Nelson, called *Autobiography in Five Short Chapters*, seems to capture the paths some of our offenders take: Getting in trouble, blaming other people, not taking responsibility, and making the same mistakes over and over. Some offenders progress no further than this point. But the poem also captures a “moment of clarity” or self-realization, where an offender assesses his or her behavior and begins to take responsibility for the outcomes.

You, as a Probation and Parole Officer, can be an agent of change for your offenders, helping them identify what needs to change and providing some guidance on how to do it. If you look at the poem as a continuum from failure to success, where do your offenders fit in? Can you help them identify where they are on the continuum? What can you do to prompt them to move to the next stage?

The skills approached in the attached guide, *Tools of the Trade*, should serve as a resource for managing offender behavior before imposing formal sanctions, such as incarceration. Approach the guide with an open mind and see if a particular technique can be useful. You are ultimately protecting the community: The more tools you have, the more effective you can be as an officer overall.

**AUTOBIOGRAPHY IN FIVE SHORT CHAPTERS**

by Portia Nelson

I

I walk down the street.  
There is a deep hole in the sidewalk  
I fall in.  
I am lost ... I am helpless.  
It isn't my fault.  
It takes me forever to find a way out.

II

I walk down the same street.  
There is a deep hole in the sidewalk.  
I pretend I don't see it.  
I fall in again.  
I can't believe I am in the same place but, it isn't my fault.  
It still takes a long time to get out.

III

I walk down the same street.  
There is a deep hole in the sidewalk.  
I see it is there.  
I still fall in ... it's a habit.  
my eyes are open  
I know where I am.  
It is my fault.  
I get out immediately.

IV

I walk down the same street.  
There is a deep hole in the sidewalk.  
I walk around it.

V

I walk down another street.

(Nelson, Portia; There’s a Hole in My Sidewalk, 1993.)
Welcome to **TOOLS OF THE TRADE** – a guide to managing offenders through a balanced approach to supervision.

**Why provide TOOLS OF THE TRADE?**

The purpose of this reference guide is to provide officers an overview of several useful interpersonal intervention strategies that can help them better manage their contacts with offenders. Improved communication with offenders can reduce defensiveness, engage offenders in their rehabilitation, and promote positive responses to role modeling. In addition, the more tools an officer can utilize in interacting with offenders, the more effective he or she can be in responding to supervision situations that present themselves. Ultimately, the more effective an officer can be, the more impact he or she can have on community safety.

**What’s in TOOLS OF THE TRADE?**

TOOLS OF THE TRADE contains useful introductory information on Proactive Community Supervision, Stages of Change, Motivational Interviewing, officer intervention strategies, and guidelines on working with community providers. A comprehensive glossary of terms – both for this guide and for officer general reference – is provided.

**What can the officer expect to learn?**

Officers can expect to learn the principles of Proactive Community Supervision and Motivational Interviewing, setting up reasonable goals and objectives with offenders, the importance of setting a proper “tone” to an offender contact, as well as some thought-provoking ideas on dealing with offenders in the long run.
Proactive Community Supervision (PCS):
What is it?
Why do we need it?

Community supervision traditionally involves a reactive style of case management, for example, “I tell you what you can and cannot do, and then I react to your compliance or non-compliance” (Hershey & Blanchard, 1998.) This style does not work for all offenders and especially may not be effective on offenders with substance abuse problems.

Recent declines in the overall success rate of probation and parole have challenged the “reactive control” focus of many supervision agencies. Policy makers and state/local directors have been searching for a new approach to an old problem: What works? If the traditional approach is not proving effective, how do we then motivate offenders to change their behavior?

Advocates of Proactive Community Supervision (PCS) argue that there is a need to fundamentally restructure supervision practices in order to reach the goal of community protection. To successfully attain this goal the agent must develop strategies aimed at addressing the offender’s behavioral control problems before utilizing formal system sanctions. An officer utilizing PCS works to empower the offender to change attitudes and values, and the professional relationship that develops between officer and offender has significant bearing on the outcomes that are sought.
Proactive Community Supervision (PCS): How Does it Work?

How do we communicate to and work with the offender to make the desire for change a reality? The PCS strategy uses motivational interviewing techniques that educate and empower the offender to make positive decisions about problem behaviors, such as drug use, alcohol problems, and aggressive behavior, before they require more formalized sanctioning. Motivational Interviewing (MI) is a proven technique supported by strong scientific evidence. The officer taps the offender’s motivation by addressing ambivalence and resistance to change. The officer then guides the offender through the change process.

The resulting professional relationship between the officer and offender supports the development of pro-social values and norms. How the officer communicates with the offender is just as important as what is said. To quote the well known communications theorist Marshall McLuhan, “The medium is the message” (McLuhan, 1964). That is, for our purposes, that the context in which a discussion or directive takes place affects, if not determines, its overall impact.

Stated simply, the officer becomes a positive role model for an offender, offering an alternative to negative adult role models the offender may have seen every day at home and on the street. Cognitive restructuring and positive role model identification are essential to promoting offender change.

PROACTIVE COMMUNITY leads to GOOD OFFICER/ OFFENDER relationship leads to CHANGE
SUPERVISION
The Nuts and Bolts of Proactive Community Supervision – Part 1

The offender often finds the task of breaking the cycle of drugs and crime insurmountable. They often hold a core belief (although it’s a distortion) that just because something hasn’t happened in their lives then it cannot happen. For example, they may believe that because they have not sustained a long period of being clean and sober then they cannot do such a thing. Some more examples include the belief that “because their lives have been miserable so far then that’s all they can be” as well as “because they have not succeeded on supervision before then they cannot succeed.” It would be too ambitious to embark on a course in cognitive restructuring or cognitive dissonance here, but suffice it to say that many offenders suffer from a common problem: self-fulfilling prophecies – beliefs about one’s self that tend to come true just because the individual believes it.

One of the jobs of the Probation-Parole officer is to challenge the offender to take a look at the self-limiting beliefs they hold about their lives and their ability to succeed. This is best achieved in the context of a good working professional relationship. Moreover, research has shown that behavior change is possible when the agent-offender relationship is viewed in a positive manner by the offender.

But “positive manner” does not necessarily mean that the offender likes everything the officer says; rather it means that the environment the officer creates is one where a positive exchange can occur.

Another important thing to remember about offenders is that the vast majority of them grew up without clear, healthy boundaries. In fact, some of them probably made it to adulthood with essentially no boundaries at all. One of the most effective things an officer can model for an offender is a healthy boundary. Structure supports their overall rehabilitation and (believe it or not) they often appreciate it when someone says, “No.”
Nuts and Bolts – Part 2

The primary goal of PCS is to impress upon the offender the importance of self: self-assessment, self-monitoring, and self-control. This strategy educates the offender to identify problem(s) and actively engage in the problem-solving process. It is the responsibility of the officers to guide the offender to accept individual responsibility. This assistance will ideally serve as a guide for the offender to achieve a crime and drug-free lifestyle where decisions can be made independently. The following is a suggested intervention approach in seven steps, consistent with PCS.

Step 1: Identify the problem/issue.
Utilizing a knowledge of the particular offender and Motivational Interviewing techniques, the officer will assist the offender in realizing (1) that there is a problem, such as substance abuse, (2) that it will not “go away” without attention, and (3) that addressing this behavior will have a significantly positive impact on the offender’s quality of life.

Step 2: Evaluate the current situation.
The offender’s current situation is assessed by reviewing individual, family, employment, and health indicators. The officer’s role at this stage is to encourage the offender to consider how the problem(s) produce negative consequences, such as poor relationships with family and employers.

Step 3: Identify possible solutions.
The officer identifies a variety of possible strategies that can address the issue.
Step 4: Select a strategy.
The officer considers the advantages and disadvantages of different strategies and acts as a guide and resource person for the offender. The temptation to tell the offender what to do should be avoided and instead the officer should encourage the offender to become proactive and problem-oriented. The decision to change **must** be made by the offender. The officer and the offender can then work within the context of the offender’s lifestyle to identify acceptable solutions. When a strategy is decided upon the offender must commit to it as a plan of action. NOTE: The approach you use will depend on your assessment of the situation/offender.

Step 5: Develop an Action Plan
The officer and offender develop a plan with specific behavioral goals and identified consequences for non-compliance. This is much like your Supervision Plan: the goals must be measurable (for example, something you can demonstrate that the offender did or did not do) and the offender should be aware that failure to comply will result in a sanction.

Step 6: Implement the Strategy
The officer makes appropriate referrals and assesses the progress of the offender in adhering to the agreed upon action plan.

Step 7: Refine the Strategy
When it is clear that a strategy is not appropriate it is the responsibility of the officer to amend it. Information must be continuously gathered through drug testing, the use of treatment services, and monitoring sanctions imposed to ensure the offender is compliant.
First Meeting and Assessment

Community supervision begins with an assessment of the offender’s risk of recidivism and need for treatment. The purpose of conducting a risk assessment is to determine if a threat to the community exists and to identify a subgroup of offenders that require immediate attention to prevent criminal behavior. *The officer’s attitude and demeanor while conducting the first interview (or risk assessment) will establish the form and content of subsequent meetings. It is just as important as the offender’s attitude and demeanor.*

In the first face-to-face interview the officer performs the initial risk assessment and “gets to know” the offender. The officer must remember that both parties are providing cues and information, both verbal and non-verbal, that express much about who they are and what they value. These “cues,” as it were, will determine how supervision will proceed. It is not surprising that the power differential during these interactions often causes the offender to be apprehensive and guarded in responding to the officer. Should the offender attempt to mislead or misrepresent facts to the officer, the relationship may be interpreted as hostile or suspicious.

During this initial meeting the officer explains the risk assessment and supervision plan and their importance to furthering the offender’s overall success. Rather than focusing solely on the “control” aspects of the assessment/supervision plan, the officer should be sure to highlight the link between assessment, compliance, responsibility, and success.

The officer should strive to build a trusting relationship with the offender, that is, the offender begins to trust the officer. A sense of respect and dignity can be communicated through eye contact (as appropriate,) non-verbal communication, and observing social graces such as shaking hands. Attitudinally the officer should strive overall to be firm, fair, and consistent.
Rewards and Sanctions

The use of rewards and sanctions is an integral part of Proactive Community Supervision. Three things are known about assisting the offender with behavior modification and compliance: 1. People respond better to positive reinforcement (rewards) than to negative reinforcement (sanctions.) 2. Timely and consistent responses are the key to helping the offender make the change to positive and acceptable behaviors. 3. By designating clear expectations and establishing definite boundaries the offender can be guided toward a behavioral goal.

When the offender displays a learned pro-social value, the officer must recognize it and be quick to reward the behavior. An attempt at change must be considered by the officer as a positive step and can be reinforced using something as simple as verbal praise. (A little praise can go a long way.) Positive reinforcement will also encourage the offender to repeat the desired, pro-social behavior. If the offender displays non-compliant behavior sanctioning should be swiftly enforced. A majority of offenders, as stated before, grew up with poor boundaries at best, and many, in fact, with no appreciable or pro-social boundaries at all. If you set a boundary for an offender – and even just saying “no” is setting a boundary – you’re modeling something good. Offenders will tend to appreciate it in the long run because no one may have ever set a healthy boundary for them before.

By creating a balance between positive and negative, the officer can help the offender realize which behaviors are beneficial. The officer should emphasize the benefits of continued pro-social behavior and the offender’s opportunity to succeed by permanently adhering to those everyday norms and values of the non-offending population.
Stages of Change

The “Stages of Change” developed by Prochaska and DiClemente (1996) serves as a model for identifying the process of changing behavior. There are six distinct stages and offender behaviors are associated with each.

1. Pre-Contemplation
The offender does not believe that a problem exists and does not see a need for change. Example: “I don’t think I have a problem with heroin, I use it occasionally; it’s my children that think I have a problem.”

2. Contemplation
The offender realizes that a problem does exist, but is ambivalent toward the behaviors that contribute to it. Example: “I know I use cocaine a little too much, but there’s no way I’m addicted.”

3. Determination/Preparation
The offender recognizes the problem behavior and wants to make a change. However, the commitment has not yet been made. Example: “I’m going to quit using, but I need to take care of a few things first.” It is important to remember that individuals can express a desire to change but still be ambivalent about actually doing it – even if the consequences of not changing can affect their health, livelihood or freedom.

4. Action
The offender defines a strategy to change and is actively involved in making the change to a drug-free lifestyle. Example: “I haven’t used heroin in two weeks and I’ve never felt this good.”

5. Maintenance
The offender has passed key milestones and is attending treatment or AA/NA. Example: “These past few months of being clean and sober have been great; I can’t wait for the next few.”

**AT THIS POINT THE OFFENDER CAN MAKE A PERMANENT EXIT FROM THE CYCLE OF ADDICTION OR RELAPSE.**

6. Relapse
The offender slips. Example: I thought I could use just once more and I’d be fine, but I’m back on heroin again.” Now the offender must return to Stage 4.

While the process of change can flow from stage to stage in order as detailed above, not every offender will go from Pre-Contemplation to Contemplation to Preparation, and so on. In many cases the offender will go back and forth between stages. Some will relapse
before making it to a “Maintenance” stage, but equally not every offender will relapse or necessarily continue to relapse.

It may improve your supervision of the offender to try to ascertain which stage he or she is in. Explore the offender’s attitude toward change, determine the offender’s future intent to change, and identify the success of any previous attempts to change. You may need to make adjustments to your supervision style or rewards/ sanctions depending on what stage the offender is in.
Motivational Interviewing

Motivational Interviewing refers to a counseling approach initially developed by clinical psychologists William R. Miller, Ph.D. and Stephen Rollnick, Ph.D. It recognizes and accepts the fact that clients – or in our case, offenders - who need to make changes in their lives approach the need to change behavior at different levels of readiness. They may never have thought of changing the behavior in question. Some may have thought about it but not taken steps to change it. Others may be actively trying to change their behavior and may have been doing so unsuccessfully for years.

Motivational interviewing is non-judgmental, non-confrontational and non-adversarial. The approach attempts to increase clients’ awareness of the potential problems caused, consequences experienced, and risks faced as a result of the behavior in question. Furthermore, counselors help clients envision a better future, and become increasingly motivated to achieve it. Either way, the strategy seeks to help them think differently about their behavior and ultimately to consider what might be gained through change.

Motivational interviewing is considered to be both client-centered and semi-directive. It departs from traditional client-centered therapy through its use of direction, in which counselors attempt to influence clients to consider making changes, rather than non-directively explore themselves. Motivational interviewing is based upon four principles:

1. **Express empathy** – this principle guides counselors to share with clients their understanding of the clients' perspective.
2. **Develop discrepancy** – this principle guides counselors to help clients appreciate the value of change by exploring the discrepancy between how clients want their lives to be vs. how they currently are (or between their deeply-held values and their day-to-day behavior).
3. **Roll with resistance** – this principle guides counselors to accept client reluctance to change as natural rather than pathological.
4. **Support self-efficacy** – this principle guides counselors to explicitly embrace client autonomy (even when clients choose to not change) and help clients move toward change successfully and with confidence.

Adapted from http://en.wikipedia.org/wiki/Motivational_interviewing 4-30-08

The principles of Motivational Interviewing are not restricted to counseling settings. Probation-Parole Officers can integrate Motivational Interviewing into their ongoing communication with offenders as a tool that, when used tactfully and skillfully, creates an atmosphere where the offender can consider the pros and cons of learning and practicing new behaviors along with the consequences of making no change at all. The Probation-Parole Division encourages the use of Motivational Interviewing as an effective form of interaction with offenders.
Here is an example of the use of Motivational Interviewing in a Probation-Parole setting. The great majority of our offenders abuse drugs and/or alcohol. Abuse and addiction are quite regularly described in pre-sentence reports, treatment information, and offenders’ own self-admissions. Some offenders may never have considered stopping drug and alcohol abuse. Others may have thought about it but not made any efforts to change. Still others may have made some attempts to change but not have gotten very far.

One thing a Probation-Parole Officer can do is challenge an offender to take a serious look at whether change may hold some benefits. The “challenge” does not have to take place in the context of a threat of incarceration – the Probation-Parole Officer always has that option available. Rather the challenge can take place in the course of a discussion where the Probation-Parole Officer gets the offender talking about what he or she has experienced as a result of drug and alcohol abuse: Has their work life suffered? Has there been a financial impact? What has happened in their personal or family relationships? Just the fact that the offender starts thinking about these things can be a big change in and of itself.

Next, the Probation-Parole Officer can ask the offender how he/ she feels about making a change. What about making a small change? How does the offender feel about his/ her ability to do anything different at all? In the course of your conversation try to seize on something that does not match between what an offender says and what he/ she does. For example, the offender may say that change is not possible for them... but they did show up at the Probation-Parole Office when they could have chosen not to. Leave the offender to reflect on that or suggest that he/ she talk about it in counseling.

You can’t hand someone a good life but you can help create the room for him or her to think about the steps necessary to move towards one.
Overcoming Verbal Roadblocks

Thomas Gordon, author of “Leadership Effectiveness Training” mapped out 12 problems of communication. These “roadblocks” are listener responses that tend to halt existing communications with the offender. These “roadblocks” are also things often said in conversation that tend to cause a lapse in communication and prevent effective conversation between the officer and offender. Effective communication is extremely important and there is no way to reach the root of the offender’s problem without it. Two goals of communication are to convince the offender to accept responsibility for his/ her actions and to strategize about how to change the behavior that causes those problems. The following examples illustrate “roadblocks” and propose alternatives to those negative statements. The goal is to put responsibility for change on the offender.

<table>
<thead>
<tr>
<th>Roadblock</th>
<th>What Not to Say</th>
<th>What to Say Instead</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ordering/ Directing</td>
<td>“Stop making excuses and find a job.”</td>
<td>“Have you had any luck finding a job?”</td>
</tr>
<tr>
<td>Warning/ Threatening</td>
<td>“If you do this again I’ll violate your parole.”</td>
<td>“According to your Parole Cert that you signed, if this happens again it will lead to a violation.”</td>
</tr>
<tr>
<td>Giving advice/ Providing solutions</td>
<td>“You should stay away from your friends because they’re a bad influence.”</td>
<td>“It seems like you face a lot of temptation when you hang out with your old friends.”</td>
</tr>
<tr>
<td>Persuading with logic/ Arguing/ Lecturing</td>
<td>“Using drugs is no good for you and you continue to use. Why”</td>
<td>“What do you think the pros and cons of using drugs are?”</td>
</tr>
<tr>
<td>Moralizing/ Preaching</td>
<td>“You really ought to start focusing on your family because they are there for you.”</td>
<td>“Do you think that your drug use affects anyone else than you?”</td>
</tr>
<tr>
<td>Judging/ Criticizing/ Blaming</td>
<td>“You know all of this is your fault; if you would just stop using, none of this would happen.”</td>
<td>“You are in a bad situation right now, which has to be tough, but what do you think you can do to make it better?”</td>
</tr>
<tr>
<td>Agreeing/ Approving/ Praising</td>
<td>“You are a good person, you’ll be able to beat this thing no problem.”</td>
<td>“You are taking steps toward sobriety, but it’s not going to be easy. You are going to need support.”</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>--------------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Shaming/ Ridiculing/ Name-calling</td>
<td>“What were you thinking going out with your friends? I feel like I have to watch you like a child.”</td>
<td>“You have said that you feel pressure when you are around your friends. How do you think you can avoid this pressure?”</td>
</tr>
<tr>
<td>Interpreting/ Analyzing</td>
<td>“You are having a tough time stopping because you don’t want to stop.”</td>
<td>“Stopping drugs must be difficult and it sounds like you’re having difficulty.”</td>
</tr>
<tr>
<td>Sympathizing/ Reasoning</td>
<td>“I know exactly how you feel.”</td>
<td>“That can’t be easy on anyone.”</td>
</tr>
<tr>
<td>Questioning/ Probing</td>
<td>“Why did you hang out with your friends when you knew full well that they were going to be doing drugs?”</td>
<td>“It sounds like your friends seem to give you an opportunity to use.”</td>
</tr>
<tr>
<td>Withdrawing/ Distracting/ Humoring/ Changing the subject</td>
<td>“You say that you are having a problem finding a job, but for right now let’s focus on your continued positive UA’s.”</td>
<td>“You say that you’re having trouble finding a job, do you think there is anything you can do to increase your chances of finding work?”</td>
</tr>
</tbody>
</table>
Working with Community Providers

Access and referral to resources in the community are an essential part of any offender supervision plan. Community resources, including contracted providers and other agencies, deliver a variety of services to our offenders. These include substance abuse, anger management, domestic violence, sex offender, and mental health counseling as well as parenting, social skills, cognitive thinking, job readiness, and life skills training. Each of these may be part of an offender's supervision requirements.

Community resources/providers can also be a valuable asset in helping offenders link up with resources such as housing, transportation, education, employment, TANF/AFDC, medical services, and Veteran’s Benefits, among others. Similarly, faith-based services connect offenders to churches and mentorship that can often be strong motivators towards positive action and positive decision making.

The PPD Regional Transition Coordinators maintain a current resource directory for their respective PPD regions that lists resources by type of service and that provides contact information. Additionally, Regional Transition Coordinators visit resource/provider sites to develop working relationships and to evaluate provider willingness not only to work with the offender population but also willingness to work with PPD as part of a treatment team concept.

Crafting an effective supervision plan may require consultation with treatment or other service providers in the community. While specific court and/ or Parole Board orders must be made part of the supervision plan, the court and/ or Parole Board may give you (as an officer) discretion to add specific or additional orders to an offender’s treatment or counseling regimen, as you deem appropriate. In either case a positive working relationship with your community providers will help you tailor services that promote successful integration/ reintegration.

Each District Office may also have special contracts with community providers requiring provision of service to the referred offenders and the delivery of required documentation to the assigned PPO as follows:

- Assessment Summary
- Treatment Plan
- Monthly Attendance/Progress Report
- Violation Reports
- Discharge Recommendations/Plan

The expectation is that PPD will provide a referral to the contracted provider with a recommendation for specific services to be delivered. The treatment service must be
available within the NMCD contract for it to be reimbursed. These recommendations reflect Parole Board and/or court-ordered treatment and additional needs as determined by the PPO.

The provider, while completing the clinical assessment, may also identify additional need areas. The provider should share these findings with the assigned PPO. Any additional needs assessed beyond those ordered or recommended should be staffed in the context of the offender’s overarching supervision plan and the PPO’s own observations. The goal is to effectively incorporate needed treatment services within the supervision plan while taking into account other offender obligations and the level of critical/immediate need for the additional service. The result of the team staffing should equate to what is in the “best interest” of the offender’s progress at the time and what is realistically achievable.

The PPO should be encouraged to advocate for treatment and supervision decisions that best promote public safety. We do want to ensure that offenders receive quality services as needed to support stability in the community and that PPO input is valued. As officers, your day-to-day contact with offenders and their families is very valuable in completing the overall picture of how an offender is progressing. If a consensus cannot be reached during the team staffing as to a treatment approach to meeting the critical/immediate needs of the offender, the PPO should be mindful to avoid the appearance of making any clinical decisions. This is a give and take process and tact and negotiation may be required.

If there is a concern as to provider performance or willingness to collaboratively participate in a treatment team approach, those concerns should be forwarded to the Administrative Office of Community Corrections through the chain of command.

Here are some general rules of thumb to follow regardless of whether the relationship with a community provider is contracted or independent:

- Establish and maintain an open dialogue with community providers delivering services to your offenders.
- Particularly in the case of treatment providers, clarify a primary contact and aim to establish and maintain an open dialogue with that individual.
- Offenders often behave differently when dealing with you vs. dealing with a counselor (or even job supervisor); keep in mind that you both have valuable information about the offender.
- While you can point out to an offender that you see a problem area and intend to speak to the counselor, areas of concern should be addressed between the PPO and the treatment provider before the offender is advised of any decisions.
- Be careful not to let offenders “triangulate” you and the counselor/provider. (They often like to do this.) Do not take sides with the offender and even if you disagree with a counselor’s recommendation, clarify the issue with the counselor
first. Make sure you speak about counseling staff in a respectful manner when communicating decisions to the offender.

- If you experience problems with a provider, they can be addressed with your supervisor or Region Manager; provider problems or your reactions to them should not be shared with the offender.

- “Best practices” in current research suggest that a team approach to offender supervision is very effective in producing favorable outcomes. A team approach can include you sharing information with other officers, treatment providers, law enforcement, etc. to help you make the most informed decisions possible regarding your offenders.

- We expect providers to extend to you the same professional courtesy as described above. If problems or issues arise, talk to your supervisor or Region Manager.
GLOSSARY OF CONCEPTS USED IN TOOLS OF THE TRADE

**Ambivalence**: The display of simultaneous and conflicting attitudes of the individual toward change, for example, “I want to change my behavior but I have a difficult time not using.”

**Cognitive Restructuring**: The process of assisting the offender in changing thought patterns that produce problem behaviors.

**Motivational Interviewing**: The officer uses a broad collection of communication techniques and expectations designed to benefit offender self-awareness and overall supervision success. Some of the components of MI are active listening, empathy, open questioning, tone of voice, reflection, affirmation, and summarization. When used, MI techniques can persuade the offender to recognize the current situation and face the ambivalence he/she has about changes that need to be made in order to succeed.

**Pro-Social Values and Behaviors**: The beliefs, attitudes, values, and actions that conform to social norms and the expectations of society. The officer must reinforce those values and behaviors that are often lacking in the general offender population and encourage mutual respect, punctuality, honesty, and self-respect.

**Reflections**: A facet of Motivational Interviewing where the officer reiterates the words of the offender in order to clarify the intent behind the offender’s statement.

“**Roadblocks to Effective Communication**”: Roadblocks are typically methods of communication that hinder dialog. The officer should avoid styles of communication that might threaten dialog and discourage the offender’s willingness to participate in an active conversation.

**Self-Efficacy**: Belief in one’s own capability to carry out an effective course of action.

**Stages of Change**: The six stages of change are Pre-Contemplation, Contemplation, Preparation, Action, Maintenance, and Relapse.

**Supervision Plan**: The specific supervision tool developed by the officer who guides the use of supervision and intervention necessary for the offender.
PROBATION-PAROLE GENERAL GLOSSARY

Absconder – Any probationer or parolee who, while under the supervision of the Probation-Parole Division, changes residence or leaves the jurisdiction without permission and/ or ceases reporting or is otherwise not available for supervision.

Arrest & Hold (or Arrest Order) – a legal document executed by the Probation-Parole Division that authorizes the arrest and detention of a probationer or parolee within the State of New Mexico until a court or the Parole Board can issue a formal warrant.

Bench Warrant or Warrant – A legal document signed by a judge ordering the arrest and detention of an individual. The judge may set a bond or order the individual held without bond.

Bond – the monetary sum required, in whole or in part, for a defendant to be released from jail pending further court action.

Community Corrections (also CCU) – an enhanced supervision program within the Probation-Parole Division that oversees offenders who have high needs or a combination of high needs with a high level of risk for reoffending. Community Corrections provides comprehensive support and treatment services including drug/ alcohol counseling, anger management, domestic violence treatment, mental health care linkage, housing assistance, and transportation services, among others, along with close officer oversight. Offenders sign a treatment contract in order to participate. The program serves offenders whose Risk Assessment score can be medium, high or extreme but who have multiple barriers to success in the community. Barriers can include lack of community support, lack of access to community resources, chronic mental health problems, chronic homelessness, severe substance abuse, and ongoing severe medical problems. All CCU offenders are assessed as “Extreme Special Programs” on the Risk Assessment Instrument – see Supervision Level. Offenders are reviewed for participation in Community Corrections by a Local Selection Panel (LSP) that ideally consists of community members, representatives of the judiciary, representatives of the District Attorney and Public defender, NMCD staff, local law enforcement, and community providers. The LSP determines whether an offender is appropriate for Community Corrections services.

Conditional Discharge – generally given to first-time offenders, a Conditional Discharge is a type of sentence whereby in exchange for a guilty plea, the defendant is placed under the supervision of the Probation-Parole Division without a finding of guilt. If the defendant successfully completes the period of supervision, he/ she is not considered convicted of a criminal act.
Conditions of Release – A set of orders imposed by a judge on a criminal defendant upon release from jail, but generally prior to conviction. If a convicted offender is held in jail with or without bond, a judge can still set Conditions of Release to allow him/her to get out of jail.

Deferred Sentence – a type of sentence (much more serious than a Conditional Discharge) whereby a defendant is considered a convicted felon (unless it was a misdemeanor conviction) for the period of supervision and for the purpose of certain civil rights limitations. A Deferred Sentence for a felony conviction can be counted as a prior felony conviction if the defendant is convicted of another felony criminal matter in the future. It can be used by the District Attorney as grounds for seeking a Habitual Offender Enhancement.

Dual Supervision – a scenario where an offender is simultaneously on parole and probation on a particular criminal case. The offender has done prison time and has been released on parole, yet the sentencing judge has also ordered a period of probation after release from prison. In this case the offender is under the jurisdiction of the Parole Board and the sentencing judge at the same time.

Diversion – a decision by the local District Attorney to place a criminal defendant on supervision in lieu of formal prosecution. If the defendant violates the terms of supervision, traditional prosecution may proceed.

Drug Court Program – Drug Court supervises drug and alcohol-addicted individuals in a program that combines close supervision, intensive treatment, and court oversight. The Drug Court judge monitors individual progress and assesses sanctions based on program violations. Generally participants are first-time non-violent offenders with substance abuse issues or related crimes.

Early Release (Early Termination of Probation Supervision) – Early termination of a probation case may be sought when the following conditions have been met: 1) the probationer has served at least one year under supervision; 2) the probationer is on minimum supervision; 3) all restitution and fines have been paid and Probation-Parole costs are current; 4) no conditions of probation or parole have been violated during the six months prior to the request for early termination; and 5) the PPO is satisfied that the offender can be released from supervision without endangering the community.

Electronic Monitoring – a mechanical means of ascertaining if an offender is at home (or another set location) at a time determined by the Probation-Parole officer. Electronic monitoring relies on an ankle bracelet worn by the offender and a base unit (plugged into the phone line at the offender’s home) that verifies if the offender is within range of the device at a specified time. See also GPS.

Emergency Financial Assistance – a funding source that can be accessed to purchase basic needs supplies or services for offenders who have little or no other means of support.
This can include bus passes, food vouchers, clothing, and rental assistance, among other items.

**Good Time on Parole** – An incentive for certain parolees to be compliant with the terms of their supervision by making available the possibility of being awarded up to thirty (30) days reduction in time per month that will allow them to discharge from parole prior to their original expiration date. In order to receive good time on parole an offender must have the recommendation of his/her Probation-Parole Officer. NMCD policy prohibits sex offenders from being considered for good time on parole and recommends against consideration for violent and DWI offenders unless considerable mitigating factors exist.

**GPS - Global Positioning System** – an electronic (mechanical) means of ascertaining an offender’s whereabouts and adherence to zone restrictions as set by the Probation-Parole officer. GPS relies on an ankle bracelet and transmitter worn by the offender simultaneously and that are tracked by a satellite. A base unit, usually at the offender’s residence, transmits data on his/her movements, whereabouts, etc. to a centralized database that the PPO can access online. More advanced than electronic monitoring, GPS not only provides data on curfew compliance, but also tracks where an offender traveled (i.e. within the city) on a given day and at a given time. Passive GPS units give an officer offender information on the following day, while active GPS units can transmit the same info while it is actually happening.

**Guilty Plea** – an admission of guilt by a defendant in a criminal matter.

**Intensive Supervision** – (also ISP/Intensive Supervision Program and ISU/Intensive Supervision Unit) – an enhanced supervision program in Albuquerque. ISP provides very close supervision to probationers and parolees who present a high risk to the community. It is divided into three (3) phases and is characterized by frequent office visits, frequent field calls, and, in some cases electronic monitoring/GPS. Examples of offenders supervised on ISP include those with a substantial history of violence or gang activity, among others. All intensive supervision offenders are assessed as “Extreme Special Programs” on the Risk Assessment Instrument – see Supervision Level.

**J&S or Judgment & Sentence** – the legal document signed by a judge placing an offender in jail, prison, and/or on supervised or unsupervised probation.

**Local Selection Panel (LSP)** – a local panel ideally comprised of community members, representatives of the judiciary, representatives of the District Attorney and Public Defender, NMCD staff, local law enforcement, and community providers. The LSP determines whether an offender is appropriate for Community Corrections services. Each Community corrections program statewide has its own Local Selection Panel.

**Parole** – a period of supervision that follows incarceration in a prison facility and that requires compliance with a set of conditions established by the Parole Board. In New
Mexico, parole terms are either one (1) year or two (2) years in length, depending on the particular offense. However, there are still some old-time offenders on indeterminate parole periods, and these offenders’ parole expiration is at the discretion of the Parole Board.

**Parole Board** – a committee appointed by the governor that both grants release from prison as well as decides on offenders’ return to prison if they are found to be in violation of the conditions of their parole. The Parole Board sets the terms and conditions of parole.

**Parole Certificate** (also called “Cert”) – the legal document signed by the Parole Board that authorizes an inmate’s release from prison and establishes a set of conditions that must be followed upon return to the community.

**Parolee** – an individual who has been released from a prison facility by the Parole Board on supervision and who is ordered by the Parole Board to comply with a set of conditions.

**Partially Suspended Sentence** – a sentence where part is served in jail or prison and part is served on probation. The period of incarceration will usually come first.

**P&D or Plea and Disposition Agreement** – the legal document signed by the judge, district attorney, defense counsel, and defendant that formalizes an agreement between the prosecution and defense pertaining to sentencing. In the agreement there are generally certain limits placed on prosecution and/ or punishment in exchange for the defendant’s guilty or no contest plea.

**PSR or Pre-Sentence Report (also sometimes called Pre-Sentence Investigation)** - an in-depth investigative report on the defendant’s social, educational, behavioral, and criminal history that is prepared by the Probation-Parole Division. A Pre-Sentence Report is ordered by a judge in advance of sentencing and provides the judge comprehensive background information about the defendant.

**Probation** – The situation under which a defendant, found guilty of a crime upon verdict or plea, is placed by the court under supervision of the Division regarding a suspended, deferred, or conditional discharge sentence and subject to conditions. Probation is a period of supervision ordered by a court in lieu of prison time. In some situations probation follows jail or prison incarceration. But a court can also order unsupervised probation wherein a defendant must follow conditions set by the court but not enforced by the Division. Unsupervised probation has nothing to do with the Division.

**Probationer** – an individual who has been found guilty of a crime upon verdict or plea, and is placed by the court to be under the supervision of the Division under a suspended, deferred or conditional discharge sentence and subject to conditions.
**Regional Transition Coordinator (PPO)** – Probation-Parole staff assigned to each of PPD’s supervision regions to facilitate the implementation of the Progress Report/Reentry Plan and to serve as a resource manager in their respective regions.

**Reentry Coordinator (IPPO)**- Probation-Parole staff assigned to the institution to facilitate discharge planning and monitor the referral process within the institution.

**Retake Warrant** – a warrant issued by the Director or his/her designee wherein a parolee is taken back to prison for violating parole conditions. A retake warrant is usually issued after probable cause is found at a preliminary parole revocation hearing by a Hearing Officer, or after a parolee absconds from supervision.

**Revoke/Revocation** – the process by which an offender (probationer or parolee) is found by the court or Parole Board to be in violation of the terms of his/her supervision.

**Risk Assessment Instrument** – A screening tool developed by the Division to ascertain the level of risk an offender presents to the community and thereby establish reporting and field call requirements.

**Sanctioned Parole Violator Program (SPVP)** – A special program designated for parole violators that have been sanctioned by the Adult Parole Board to serve up to ninety (90) days of incarceration.

**Sex Offender Unit** – An intensive supervision program in Albuquerque that supervises offenders convicted of sex crimes but that can also supervise offenders whose crimes were of a sexual nature, even if the crime of conviction was not a sex offense. Offenders are required to participate in counseling and are placed on GPS upon entry into the program. Offenders are required to sign a contract that adds special conditions in addition to those already imposed by the court and/or Parole Board.

**Special Programs Referral** – a word-merge document on CMIS that must be completed by the PPO and signed by the offender and that initiates the process of review for participation in Community Corrections or residential programming.

**Special Programs Referral Packet** – a compilation of supporting information on an offender who is being referred to Community Corrections or a residential program. The packet will consist of the Special Programs Referral, Pre-/Post-Sentence Report, signed Release of Information, DNA verification, prison progress/reentry report and supporting documents, FBI Rap Sheet/Criminal History, photograph, Judgment & Sentence, Parole Certificate (if applicable), Order of Probation (if applicable), violation reports (if applicable) and proof of a physical exam/medical records if the referral is to a residential program. Referral packets to the New Mexico Women’s Recovery Academy will also need to contain a mental health assessment.
Supervision Level – the reporting requirements for offenders and field call requirements for officers based on the findings of the Risk Assessment Instrument. An offender on Minimum Supervision is required to report in person every third month and call in during the two (2) interim months. An offender on Medium Supervision must report to the PPO in person a minimum of one (1) time per month. An offender on High Supervision must report to the PPO in person a minimum of two (2) times per month and the PPO must complete a minimum of one (1) field call per month. An offender on Extreme Supervision must report to the PPO in person a minimum of two (2) times per month and the PPO must complete a minimum of two (2) field calls per month. An offender on Extreme Special Programs Supervision is subject to the contractual and reporting requirements of the particular special program he/she is in. These generally exceed the requirements for Extreme Supervision but may decrease gradually as the offender advances through the program. Field call requirements also exceed those of Extreme Supervision cases and are program-specific.

Suspended Sentence – a sentence where the offender is placed on probation in lieu of jail or prison time. A suspended sentence in a felony matter is considered a felony conviction.

TRC (Transitional Reporting Center) also referred to as Intake – a specialized site located in three (3) regions statewide (Region I Espanola, Region II Albuquerque, and Region III Las Cruces.) The TRC is a one-stop center where offenders coming out of prison or newly placed on probation are processed into the Probation-Parole system. The intake process includes orientation to conditions of supervision, Probation-Parole rules, fingerprinting, urinalysis, and prompt linkage with a primary Probation-Parole officer. New parolees and probationers are also promptly linked with counseling and community support services through PPD TRC staff and/or a specialized contracted treatment provider for that purpose.

TRC Transitional Coordinator (PPO) - Probation-Parole staff assigned to the Transitional Reporting Center who are responsible for processing intakes on new offenders (both probationers and parolees), making initial treatment and community resource referrals, and assembling the offender file. Tasks typically include interview, orientation to conditions of supervision, fingerprinting, initial UA, and treatment referral, among others
**PROBATION-PAROLE GLOSSARY**  
**ADDITIONAL TERMS**

*Alford Plea* – a plea entered by a defendant in a criminal matter that, while not admitting guilt, does acknowledge that there is enough evidence for a conviction. Some sources suggest a slight difference between an *Alford Plea* and a plea of *Nolo Contendere (No Contest)* wherein an Alford Plea borders more on an admission of guilt than a No Contest plea and allows the case to count as a prior conviction if subsequent criminal matters occur. In practice PPO’s will encounter both terms in legal documents and the matter should be regarded as a criminal conviction.

*CCP* (also *Community Custody Program*) – a supervision program administered by the county jail that places convicted offenders in the community in lieu of keeping them in jail. They are supervised by *trackers*, who are jail staff assigned to monitor their compliance. CCP is not run by the Probation-Parole Division. Offenders on CCP are considered to be in full jail custody even though they reside in the community. In some cases an offender can be on CCP and Probation-Parole supervision at the same time.

*Detainer* – a legal document that authorizes a jurisdiction to keep an individual in custody until another jurisdiction can assume custody of him/her. For example, if an inmate in the New Mexico system has a “Colorado detainer,” it means he/she has an open criminal matter in Colorado and that Colorado authorities must come to pick him/her up when, generally, the New Mexico criminal matter is finished. Detainers can also exist between counties within the same state.

*Exposure* – the maximum penalty a defendant faces per statute for a particular crime. For example, a 2nd Degree Felony carries a maximum *exposure* of nine (9) years, even though an offender may not be placed in jail, prison, and/or probation for that entire period. (See *Tail*.)

*Habitual Offender* – an offender who receives additional prison time on his current felony conviction due to prior felony convictions.

*Habitual Offender Enhancement* – the amount of additional prison time added to a criminal conviction due to prior felony convictions. The Habitual Offender Enhancement needs to be pursued by the District Attorney as part of the punishment sought in order for it to be made part of a particular sentence.

*I.C.E.* – Immigration and Customs Enforcement – an agency within the Department of Homeland Security that oversees illegal immigration and deportation matters. It was formerly called INS – Immigration and Naturalization Service – before becoming part of Homeland Security.
**I.C.E. Detainer** – a legal document that authorizes a jurisdiction to detain an individual in order for him/her to be turned over to the custody of I.C.E. An I.C.E. detainer also serves to advise a jurisdiction, such as the New Mexico Corrections Department, that an inmate must be turned over to I.C.E. upon completion of his/her sentence.

**No Contest or Nolo Contendere** – a plea entered by a defendant in a criminal matter that, while not admitting guilt, does acknowledge that there is enough evidence for a conviction. Notwithstanding, if the court accepts a No Contest/ Nolo Contendere plea, the matter is considered to be a criminal conviction.

**No Contest or Nolo Contendere pursuant to Alford v. North Carolina** – see Alford Plea.

**Tail** – the period of time that exists between the period of punishment ordered and the maximum penalty for a given crime. For example, if a defendant is convicted of a 2nd Degree Felony that carries a maximum of nine (9) years imprisonment, but instead of going to prison the defendant is placed on five (5) years probation, the tail is the four (4) years remaining between the end of probation (at the 5-year point) and the maximum punishment possible (9 years) for that particular criminal offense. Technically, if the offender commits a crime during the period of time called the tail, he/she could be sent to prison for the remainder of the exposure. Historically this has not been a common circumstance or practice. But if the offender violates his/her probation and it is revoked, the offender could be sentenced to prison for the remaining probation time plus the tail. This is up to the sentencing judge.

**Tracker** – see CCP/ Community Custody Program.
New Mexico Corrections Department
Adult Probation and Parole

Region Office Locations:
Region I - Santa Fe
Region II & V - Albuquerque
Region III - Las Cruces
Region IV - Roswell

* The Fort Stanton Men’s Residential Program, although located within Region III, is under the supervision of Region IV and although Moriarty is located in Region II it is under the supervision of Region III

* Probation and Parole District Offices = 35
* Probation and Parole Sub-Offices = 7