Assuring Public Safety through Effective Management of Community Based Offenders

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The business of managing community-based offenders is a critical social service and an important feature of the criminal justice system. The overarching, driving factor and quality assurance indicator of corrections organisations around the world is the desire and need of the organisation to assure public safety. It is the “yardstick” by which many correctional business units and service providers measure their effectiveness, is a fundamental driving goal in delivering services, and is the basis on which future services are planned. Public perception of a correctional system’s effectiveness and the manner in which it assures public safety is directly linked to political mechanisms of the jurisdiction that regulates the service and so there is a political imperative to assure public safety (Moore, Gray, Roberts, Taylor & Merrington, 2006).

This paper is concerned with the way in which public safety is assured through the management of community-based offenders. It will focus on prolific and priority offenders, as this is the cohort that generates the most fear in the public (Millie & Erol, 2006). This paper will identify three key issues namely the clarification of how the public is assured of its safety, fractured service delivery and cost issues. It will then look at current international and national trends in this pursuit. There will also be recommendations made regarding how to improve the ability of community corrections to deliver this fundamental assurance. The details and information included in this paper were generated by an all topic electronic review of the literature encompassing criminology, psychology, sociology and education data bases. It was also reliant on the documents provided by the Australian Correctional Leadership Program (ACLP) and inter-jurisdictional consultation. The methodology of the paper was mainly reliant on a basic summary of the literature and consultative information generated.

When considering correctional programs, one must first understand how these programs assure public safety. Perceived safety can be identified in many ways including the knowledge that offenders are monitored, listing offenders on a registry, or by statistical data such as order completion rates or rates of re-offending. Public fear may be based on uninformed views as evidenced in the Examining the National Opinion on Crime and Justice Survey (NOCJS: Haghighi and Sorensen, as cited in Dowler, 2003). The results of this survey indicated that local media attention to crime was significantly related to the public’s fear of many crimes including sexual assault, muggings, physical assault and home invasions. Conversely, recent research shows this fear is disproportionate to the reality of crime statistics. For example, break-in victimisation prevalence rates for Australia decreased from 4.7% to 3.3% from 2002 to 2005 (Australian Bureau of Statistics, 2005).

In many cases, offenders exiting the prison system experience a fractured approach to transitional needs such as housing, employment and program support. That is, they are not subject to whole of sentence management, planning and integrative services. Conversely it has been found that offenders are more likely to be
successful in their reintegration if they are subjected to the seamless application of services across the corrective services environment, with multi agency involvement (Taxman, 1998).

It is well documented that the cost of imprisonment far exceeds that of a community-based sentence. For example, in 2008/09 it cost $273.17 per day to keep a person in custody and $31.73 per day to manage a community-based offender in Western Australia (Department of Corrective Services Western Australia, 2009a). This is not the only cost to be considered as there are intangible effects e.g., family disruption, reduced employment prospects and housing options. These intangible influences in turn increase the demand on public services post release thereby driving up costs.

Many jurisdictions worldwide have introduced stringent compliance models. Such models have been trailed since the 1970’s (Taxman, 2008), with data suggesting they increase the likelihood of offenders being breached on violations of orders and thus increasing their likelihood of returning to custody. This can be shown in research by Petersilia & Turner (as cited in Taxman, 2008) which found 70% of offenders on intensive supervision orders had detectable violations compared to 40% of offenders who were not under this type of order. This in return lead to a re-incarceration rate of 27% amongst intensively supervised offenders compared to 19% of those not subject to such an order.

The level of public assurance generated from this form of strict adherence to orders can be misleading, as a report of a breach may be perceived by the public as a re-offence rather than a non-offence specific compliance breach. For example, the US state of Wisconsin enacted a notification regime for sex offenders in the community (Zevits & Farkas, 2000). Essentially this involved a process of public notification of high risk sex offenders, called the Special Bulletin Notifications (SBN). Although this resulted in less recidivism compared to those who were not subject to SBN, they discovered that it required a high level of human and financial resources.

The United States and the United Kingdom have introduced sex offender registry laws, following the high profile killings of young girls by paedophiles. Megan’s Law in the US and Sarah’s Law in the UK seek to assure public safety through members of the public having access to a database of offender details (Dugan, 2001). The level of detail varies across most jurisdictions; however all contain a strict compliance model.

A number of agencies have adopted a combined through care/multiagency approach to the management of offenders. In the UK, the Multi-Agency Public Protection Arrangement (MAPPA) is an example of how a narrow range of offenders, in this case sex offenders, are managed in the community to reduce the risk of reoffending. Multi-Agency Public Protection Arrangement teams, introduced in 2001, are made up of police, prison, probation and other relevant agencies with the aim of working together and improving communication to effectively manage risk to the public.

Another example of this approach for a broader range of offenders is The National Institute of Corrections in Washington DC which has developed a model for improved offender transitioning from custody to community-based supervision called the Transition from Prison to Community Initiative (TPCI: Parent & Barnett, No date; Parent & Barnet, 2004). The model includes components of risk assessment (dynamic and static risk) behaviour and programming, release preparation, planned violation responses, supervision and human service delivery, discharge and aftercare.
Table 1

A Comparative Assessment of Current Practice over Three Australian Jurisdictions

<table>
<thead>
<tr>
<th>Strategy</th>
<th>NSW</th>
<th>WA</th>
<th>Vic</th>
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<tbody>
<tr>
<td>1. Electronic Monitoring</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>2. Extended Supervision Order</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>3. Home Detention</td>
<td>Yes</td>
<td>No (bail option Only)</td>
<td>Yes</td>
</tr>
<tr>
<td>4. Drug Court</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
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<tr>
<td>5. Sex Offender Registry (not public)</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>6. Residential post-release accommodation</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>7. Extended detention order</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
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Table 1 gives a summary of strategies used in each jurisdiction for community corrections management. In consulting with community corrections experts from each of the three jurisdictions, a common recognition for greater cross agency cooperation and a through care approach to offender management, initiated at the beginning of a person’s sentence, has also emerged as a key issue and desired outcome. However, this is difficult to define through comparison. Western Australia has recently introduced an Inter-agency Public Protection Strategy which aims to formalise and streamline the relationship between human service agencies to offer a seamless transition from custody to the community (Department of Corrective Services Western Australia, 2008). In contrast, New South Wales provides some level of support via Community Offender Support Programs, in conjunction with residential post release accommodation for those offenders identified as at risk of homelessness. These programs are offered to offenders who are completing their sentences in the community, but for whom there is limited housing available (Corrective Services New South Wales, 2009).

In Victoria, a strengthened focus on community corrections was introduced in 2008/09. This encompasses many aspects including improvements in case management, better access to offence specific programs and the delivery of targeted transitional support (Corrective Services Administrators Council, 2010). From an increased compliance perspective, a specialist offender management model was introduced in Victoria in 2008 which encompasses intensive supervision and case management of high priority sex offenders (Corrective Services Administrators Council, 2010). NSW operates the Community Compliance Group for high and medium risk offenders which encompass constant electronic monitoring, intelligence and unannounced home visits (Corrective Services New South Wales, 2009). While in WA, an enforcement policy was implemented in 2009 (Department of Corrective Services Western Australia,
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2009 b) which requires prompt action for an offender’s failure to attend community work obligations, with offenders removed from work projects after two omissions.

Overtly engaging with the community has the ability to make a significant difference to the level of public assurance with regard to management of community-based offenders. Dowler (2003) found the way the public views crime, perpetrators, victims and justice officials is largely influenced by the way they are shown on our television and cinema screens. News media also plays a large role. “Research indicates that the majority of public knowledge about crime and justice is derived from the media”. (Roberts & Doob, 1990; Surette, 1998). Researchers have shown that an increase in news about crime leads to more punitive responses to crime (Surette, as cited in Dowler, 2003)

Therefore, to assure public safety, the community must be effectively engaged in education campaigns and strategies so the common response of a call for punitive action is decreased and the public understands the benefits of managing offenders in a community setting. Additionally, by engaging with a community, its members are given an opportunity to take part ownership of the problem and become a part of the solution. By allowing the opportunity for such involvement, the community trusts the solutions it collectively contributed to and therefore is more convinced that the solution is appropriate and effective. An example of such an outcome is the establishment of the Regional Youth Justice Services in WA. A government commitment was made to build two regional juvenile remand centres so young people remanded to custody could be detained closer to home. The WA Department of Corrective services initiated extensive community consultation and, as a result, the community requested that the remand centre idea be abolished and instead a range of services aimed at diverting young people from the criminal justice system be implemented. This has resulted in highly successful outcomes for young people, their families and the community as a whole. Ongoing and increased community engagement, including media engagement, will lead to a better assured public through increased knowledge about the functions and limitations of community corrections.

Wilkinson (2003) states that preparing for an offender’s release from the beginning of their sentence, rather than the traditional practice of starting this preparation in the last few months of incarceration, leads to a “seamless transition of accountability and resources at the outset of one’s entry into the system through to the completion of any post-release supervision and beyond“ (p. 1). To ensure seamless integration into the community, jurisdictions could benefit from focusing on the creation of long term case management plans, developed on the commencement of sentencing, that follow the offender through the system and onto release using the Risk Needs Responsivity (RNR) model, the three key principles which underpin the effective assessment and treatment of offenders (Andrews & Bonta, 2006).

An integrated offender case management model, involving practiced and competent practitioners (custodial and clinical) and multiple agencies combined with the use of the RNR model has shown the ability to reduce recidivism in a correctional and community environment by 17% and 35 % respectively. (Andrews & Bonta, 2006). While all Australian jurisdictions use the RNR model and variants of the LS-CMI (Level of Service Case Management Inventory (Andrews, Bonta & Wormith, 2004) assessment tool within a correctional setting, there still
remains a bias towards a compliance-based approach when offenders move to community based orders.

Community perceptions and public safety are a complex and dynamic relationship that will continue to challenge the justice system. The recommendations contained here will require a balanced approach of evidence-based methods and greater public engagement. This will provide a better informed public which will have a more realistic and assured view of its safety with regard to offenders on community-based orders. Coupled with a through care, multiagency approach applying the RNR model, a real reduction in recidivism will support this increased understanding with continual improvements in rates of reoffending. Implementation of these recommendations would initially occur cost however as a long term strategy of assuring public safety one could potential expect a reduction in prison based cost that may be diverted into strengthening community services.

References


Corrective Services Western Australia. (2009a) Department of Corrective Services Annual Report. Perth: Author:


