

BEST PRACTICES RECOMMENDATIONS FOR SUPERVISING NON-VIOLENT OFFENDERS WITH  
SUBSTANCE ABUSE CONCERNS AND THE EFFECTIVENESS OF COMMUNITY-BASED TREATMENT  
PROGRAMS

Approved: Dr. Susan Hilal Date: 12/ 11/22

BEST PRACTICES RECOMMENDATIONS FOR SUPERVISING NON-VIOLENT OFFENDERS WITH  
SUBSTANCE ABUSE CONCERNS AND THE EFFECTIVENESS OF COMMUNITY-BASED TREATMENT  
PROGRAMS

---

A Seminar Research  
Presented to  
The Graduate Faculty  
University of Wisconsin-Platteville

---

In Partial Fulfillment of the  
Requirement for the Degree  
Masters of Science  
In  
Criminal Justice

---

by  
Amos Malone

2022

## Abstract

# BEST PRACTICES RECOMMENDATIONS FOR SUPERVISING NON-VIOLENT OFFENDERS WITH SUBSTANCE ABUSE CONCERNS AND THE EFFECTIVENESS OF COMMUNITY-BASED TREATMENT PROGRAMS

Amos Malone

Under the Supervision of Susan M. Hilal

### **Purpose:**

The purpose of this study is to provide probation officers with recommendations for supervision practices and to highlight effective community-based treatment programs to help promote positive behavioral change in offenders. This paper provides an examination of the probation officer's roles and their impact on offenders and a review of community-based treatment programs that have shown to be effective. With the strong correlation between substance use and crime, it is important to identify effective ways to supervise offenders with substance use problems. Community-based treatment programs which address substance use and cognitive thinking are especially important considering it is the most used resource by probation officers.

### **Methods**

This research study will review information and data from prior research to offer recommendations. Sources will include peer-reviewed scientific papers, government websites, and program evaluations. A detailed literature review will be provided to outline the various programs available and probation responses that can be used. Social Learning Theory will also be reviewed to help ground recommendations.

### **Findings**

Nonviolent offenders with substance abuse issues can make supervision by the probation officer extremely difficult because people with a history of substance abuse are more likely to re-offend

(Holmstrom, et al., 2017). Community-based treatment programs and probation officers have been proven to reduce recidivism and restructure an offender's thoughts but not eliminate continued substance use and involvement in future criminal activities. As such, it is recommended there be required training for probation officers to teach them how to regulate and rectify supervision violations and to include a review of the efficacy of community-based treatment programs.

**TABLE OF CONTENTS**

PAGES

APPROVAL PAGE ..... i  
TITLE PAGE .....ii  
ABSTRACT ..... iii  
TABLE OF CONTENTS ..... v

**SECTIONS**

Section I: INTRODUCTION

**Error! Bookmark not defined.**

Statement of the problem ..... **Error! Bookmark not defined.**  
Significance of study ..... **Error! Bookmark not defined.**  
Methods of approach ..... **Error! Bookmark not defined.**  
Contribution to field ..... **Error! Bookmark not defined.**  
Limitations ..... **Error! Bookmark not defined.**

I. Section II: LITERATURE REVIEW ..... **Error! Bookmark not defined.**

The role of the probation officers..... **Error! Bookmark not defined.**  
The impact of a probation officer on helping to reduce recidivism ... **Error! Bookmark not defined.**  
**defined.**  
The connection between substance abuse and crime ..... **Error! Bookmark not defined.**  
The effects of substance use on behavior ..... **Error! Bookmark not defined.**  
The effectiveness of community-based programs ..... **Error! Bookmark not defined.**

II. Section III: THEORETICAL FRAMEWORK ..... **Error! Bookmark not defined.**

Social learning theory ..... **Error! Bookmark not defined.**  
Application of theory ..... **Error! Bookmark not defined.**

III. Section IV: CONCLUSION AND RECOMMENDATIONS ..... **Error! Bookmark not defined.**

IV. Section V: REFERENCES..... **Error! Bookmark not defined.**

## **Section I: INTRODUCTION**

Nonviolent offenders with substance abuse issues can make supervision by the probation officer extremely difficult because people with a history of substance abuse are more likely to re-offend (Holmstrom, et al., 2017). Having the tendency to re-offend is also known as recidivism. Drug and alcohol addiction has a negative impact on people's physical, emotional, social, and mental well-being and as such makes it extremely difficult for probation officers to get nonviolent offenders with substance abuse issues to comply with their court order conditions (Holmstrom, et al., 2017).

Most nonviolent offenders under supervision were either using drugs at the time of their offense or committing the crime to obtain money to buy drugs (Belenko, et al., 2013). More than 42% of offenders stated that if they had not been under the influence of or seeking alcohol or other drugs, they would not have committed a crime (Young, et al., 2021). There is a direct relationship between substance abuse and crime, which makes it critical for probation officers to detect substance abuse and intervene quickly in the interest of protecting the community and helping the offender. Drug and alcohol treatment programs are the most used approach in addressing substance abuse by offenders (Belenko, et al., 2013). Research by Belenko, et al., (2013) suggests that people with substance abuse problems benefit from supervision and that supervising helps offenders with substance abuse problems reframe their relationship with alcohol and drugs and provides them with coping skills, reducing the likelihood of offenders committing new crimes.

### **Statement of the problem**

Probation officers can require people on supervision to participate in substance abuse treatment. As such, identifying effective community-based treatment programs to send these nonviolent offenders to is key. The objective of this research paper will be to review community-based treatment programs for persons with drug addiction issues, which might be an effective approach to supervising nonviolent offenders with substance addiction issues and decreasing future crime.

Furthermore, the research will address best practices for supervising nonviolent offenders with drug misuse issues, as well as methods to overcome the problems of supervising these offenders to avoid future crimes. Probation officers will be provided with suggested components for regulating and rectifying circumstances based on past research on the efficacy of community-based treatment programs in reducing supervision violations and future crimes by nonviolent offenders with drug abuse problems.

### **Significance of study**

This research study will propose that greater attention should be paid to the difficulties of supervising nonviolent offenders with drug misuse issues. By reviewing evaluations of community-based treatment programs, and best practices for supervising nonviolent offenders with drug misuse concerns, the successful aspects of both will then be merged to develop a recommendation for probation officers and community-based treatment programs.

This review will also highlight that rather than punishing offenders for failing to comply with their release conditions, probation officers should be educated on how to effectively overcome the challenge of supervising offenders with substance abuse concerns and provide research-based recommendations on how to effectively address substance use.

### **Methods of approach**

This research study will review information and data from prior research to offer recommendations. Sources will include peer-reviewed scientific papers, government websites, and program evaluations. A detailed literature review will be provided to outline the various programs available and probation responses that can be used. Social Learning Theory will also be reviewed to help ground recommendations.

### **Contribution to field**

The research will include recommendations for best practices for probation officers overseeing nonviolent offenders with drug misuse problems. Because probation officers may only monitor compliance with the court's requirements, researching best practices for probation officers on how to oversee these probationers may be an appropriate answer to monitoring their release.

## **Limitations**

This paper did not conduct original research; therefore, it relied solely on publications available. The references used for the literature review were collected using the resources of the Karmann Library at the University of Wisconsin-Platteville and the Andersen Library at the University of Wisconsin Whitewater. The primary searches were conducted via the internet through JSTOR, Ebsco Host, Academic Search Complete, and the United States Courts. The key searched phrases were “substance use and behavior/crime,” “the effectiveness of community-based treatment programs,” and “probation officers.”



## **Section II: LITERATURE REVIEW**

The literature review provides some insight into the role of probation and parole agents and their impact on aiding offenders on community supervision. It begins with an overview of the correctional population, followed by a review of the data on substance use in America, the role of probation officers, and their impact on reducing recidivism. It also provides a connection between substance abuse and crime, the effects of substance use on behavior, and the effectiveness of substance abuse treatment programs that address offender substance use problems.

### **Overview of the correction population**

According to the most recent statistics available from the Department of Justice (DOJ), at the end of 2020, there were an estimated more than three million people under state and federal community supervision in the United States. Of those three million people, one million were arrested and convicted for drug-related offenses. From 2019 to 2020, there was a 6.6% decrease in the number of people on state and federal community supervision for drug-related offenses, which may be attributed to the COVID-19 pandemic, which included correctional policy and procedural changes across the country. Despite the decrease in population between 2019 and 2020, the amount of people under correctional supervision has increased by 15.7% over the past decade.

In addition, the DOJ (2020) report further shows there were about 346,461 committed to prison under both federal and state jurisdiction in 2020. The most recent statistics showed that 108,933 were conditional supervision violations and 226,106 were brought in on new federal and state charges. The primary age, sex, and race of persons committed to a state or federal facility were 43% black males and 42% Hispanic males between the ages 18 to 34. Black males were 5.7 times as likely to be imprisoned as white males and were 12.5 times as likely if between the ages 18 to 19. This is also true for black and Hispanic females when compared to their white counterparts. Females ages 18 to 19 had the highest imprisonment rate disparity between whites and other races in 2020: black females were 4.1 times as likely and Hispanic females were 1.8 more likely than white females to be in state or federal prison. Of

those committed offenders, 62% of Hispanics, 42% of blacks, and 39% of whites were imprisoned for a drug offense, with 45% being male. Federally, 8 in 10 persons had been convicted of drug-related offenses and 47% people were already serving time for a drug related offense. According to the National Center for Drug Abuse Statistics (2020), 26% of all arrest in America are related to drug offense, 227,655 American are arrested annually for just simple possession, and 80% of all incarcerated person had abused drugs or alcohol.

### **Substance Use in the United States.**

In the United States, millions of American are struggling with substance abuse. According to the 2020 National Survey on Drug Use and Health conducted by U.S Department of Health and Human Services: Substance Abuse and Mental Health Services Administration, over 20 million people abused more substances than they did before the COVID-19 pandemic and more than 59 million people 12 or older reported using illicit drugs or alcohol in the past year. Further, in 2020, 91, 799 people have died from drug overdoses (Center for Disease Control, 2020) . In 2020, the drug overdose rate for males was higher in urban communities and nearly doubled for non-Hispanic blacks.

The challenges of individuals with substance abuse problems are not unique to just those under community supervision. Drug addiction affects veterans, LGBT+ community, college students, etc. In the United States, 5.5 million people have cocaine addiction, 1.8 million for methamphetamine, 0.80 million for heroin, and 0.75 million for crack cocaine (National Institute of Health, 2020). According to the National Center for Drug Abuse Statistics (2020), 9.49 million Americans misuse opioids at least once over 12 months.

### **The role of the probation officers**

When a person is on extended supervision, parole, supervised release, or placed on probation, the courts assign a probation officer to monitor them in the community. This happens at both the state and federal levels. The primary role and responsibility of probation officers are to protect the public from the

individuals released to the community by essentially managing their compliance to the conditions imposed by the judge during sentencing and helping them to reform their behavior to reduce their likelihood of being rearrested. As such, the probation officer's main role is to monitor these individuals' behavior and report noncompliance to the court.

Despite years passing, the goal for probation officers to reduce recidivism has never changed. An analogy of the role of a probation officer is that of a coach, where they are trained and equipped with the skills to improve offenders' lives and help them accomplish life goals. Probation and coaches impose rules, hold individuals accountable, and win either in an athletic game or the game of life after supervision is completed (Lovins, et al., 2018).

A major task of a probation officer is to complete a presentence investigation (PSI) report. These reports help judges make their decisions on sentencing. A PSI is a confidential document that provides the court, defense attorney, and prosecuting attorney with information regarding the offender's background, criminal record, family, social, and economic history. It is the probation officer's responsibility to verify, interpret, and evaluate the information gathered. This document is important to the court because it not only helps with sentencing but influences the offenders' security classification levels at institutions and risk levels while on supervision, and guides treatment plans to help target the offender's risk and needs. Any inaccuracies in these reports can be detrimental to the offender's ability to get the resources they need. Sentencing typically occurs five to seven weeks after a guilty plea or verdict, probation officers are then met with the pressure of balancing their caseload and keeping pace with court-ordered deadlines.

Probation officers are asked to work with clients and employ skills and techniques that directly facilitate behavior change all while told to learn and implement new skills, supervise a high caseload, respond to violations, make deadlines, etc. New probation officers are trained at an academy between 4 to 8 weeks on policies, procedures, and techniques related to pretrial investigation and supervision, presentence investigations, post-conviction supervision, officer safety, and firearms that teaches them how to supervise offenders effectively. They are provided with the skills and fundamental knowledge

necessary to perform the core job functions and job success through scenarios, practical exercises, and learning modules. There is no one way to supervise offenders, especially those with substance abuse problems, each officer brings their style and experience to the job.

Most new probation officers are passionate and enthusiastic about helping their offenders; however, most are met with the harsh realities of high caseloads, safety threats, hostile environment, low pay, and few opportunities for career growth rather than focusing on the duties and responsibilities imposed by the courts, which contributes to higher burnout rates of probation officers. According to Gladfelter and Haggis (2022), one and five probation officers reported feeling emotionally exhausted and feeling fatigued due to the high demands of the job.

### **The impact of a probation officer on helping to reduce recidivism**

When studying the role of probation officers in aiding offenders, Bourgon (2013) looked at probation officers' ability to reduce recidivism for offenders using evidence-based practices (EBP). Researchers found a probation officer's ability to help offenders with substance use problems may be affected by the offenders' addiction, and the probation officers' skills and training alone cannot reduce recidivism (Mangione, 2019). Probation officers have the skills and training to understand the nature of criminogenic thinking, so they know what to look for in their clients (Tafrate & Mitchell, 2022). By working more in-depth with offenders, probation officers help offenders understand what factors contribute to their legal problems and avoid triggering events and people that contribute to negative behavior (Alarid & Jones, 2018). Additionally, probation officers help them understand their impulsive behaviors, criminal thinking, and criminogenic risks and needs, which decreases their substance use, reduces recidivism, and improves prosocial activities (Cuddeback et al., 2022). It suggests that addiction directly impacts offenders' risk levels and criminogenic needs, and probation officers should adjust their roles to meet the offender where they are in their treatment and recovery process. However, there is limited research that shows this information. Research revealed there is no singular approach to being a probation officer and their ability to check for compliance and affect behavioral change (Mangione, 2019).

No matter what circumstances brought an offender and a probation officer together, their relationship and rapport are essential to a probation officer's ability to supervise and the offender's compliance with the imposed conditions. Prior research by Holstrom et al. (2017) has shown that a positive relationship between the offender and probation officers is correlated with reducing recidivism and probation officers provide offenders with social support through frequent meetings and the development of trusted relationships. In a study of effective interventions by probation officers, Viglione, et al. (2020) found when probation officers build a quality relationship with offenders through positive interactions, frequent home visits, and meaningful conversations, they improve supervision outcomes and lower recidivism rates. In part, this is because evidence-based practices aim to improve success rates for the person under supervision. The way probation officers communicate with offenders makes a difference in how offenders behave and sets the stage for change (Walters, 2022). Lovins, et al. (2018) define probation officers as change agents who are tasked with learning and incorporating new techniques such as Motivational Interviewing, STARR, Cognitive Behavioral Therapy, and counseling that improve communication between the probation and officer. These techniques are forms of psychotherapy that encourage positive behavior change or changes in negative thought patterns and teach positive coping skills.

One challenge for probation officers is that they are sometimes the sole support for offenders with substance abuse problems. Holmstrom, et al. (2017) explain that failure to supply social support after completing treatment programs or incarceration increases the use of substances. Offenders that use drugs lack social support due to low resources, high-crime neighborhoods, and the stigmatization of a criminal or substance abuser (Holmstrom et al., 2017). Further, Knight and Knight (2019) showed that with substance abuse being one of the main factors in the first offense and the rearrest of offenders on supervision, probation officers are tasked with addressing their substance use and making needed referrals. Researchers found that using referrals to treatment to monitor compliance is effective in reducing recidivism and a probation officer's referral to treatment is an effective intervention because they target an offender's risk, needs, and responsivity factors (Knight & Knight, 2019). Treatment is key to

enforcing the conditions set for their release, increasing the likelihood that they will choose to obey the law, and controlling the danger they may pose to the community (Mangione, 2019). In a study by the Nation Institute of Justice (2020), researchers found there was no effect on the successful completion of probation, rearrest, and drug use when probation officers ensured that the threat of sanctions was known to the offender regarding what would happen to them if they failed to meet requirements.

A probation officer's ability to intervene and promote positive behavioral change through cognitive processes is one of the most effective forms of intervention. Probation officers identify offenders' risks and needs by using risk assessment tools such as post-conviction risk assessment (PCRA) and pre-trial risk assessment (PTRA) in addition to the presentence investigation (PSI) report to help predict future behavior and reoffending. Risk assessments scores offenders as high or low risk to re-offend based on several criminogenic risk factors including anti-personality, substance abuse, impulsivity, and negative environments which are also used by the Bureau of Prisons. In 2018, President Trump signed into law the First Step Act which assess the recidivism risk and criminogenic needs of all prisoner and places them in evidence-based reduction programs to address their needs and reduce their risk. It also expanded the use of community-based substance abuse treatment programs as an alternative to incarceration for offenders who were convicted of nonviolent drug offenses. Annually, the First Step Act appropriates 15 million dollars to improve drug treatment programs offered to offenders under correctional supervision post-prison to provide addiction recovery support services. The First Step Act incorporates and requires risk assessments to be used in the determination of what evidence-based reduction programs are suitable for offenders to address their needs and reduce their risk. Risk assessment tools like PRCA, PTRA, COMPAS, and ORAS use validated research to identify criminogenic risk factors such as substance abuse or employment to predict future behavior. Risk assessment tools act as a guide for probation officers to aid offenders in the rehabilitation process of by targeting their risk of reoffending. Probation officers use the information provided by these risk assessment tools to drive what criminogenic needs to target during supervision and develop a case plan of interventions to prevent future criminal behavior that allows probation officers to do their job of protecting the community.

## **The connection between substance abuse and crime**

Young et al., (2021) identify four factors attributed to crime concerning substance abuse: (1) criminal acts would not have occurred if not under the influence, (2) crimes occur because of the offender's motivation to buy substances but would not have occurred if not on drugs, (3) crimes are a direct result of laws, and (4) criminal acts would not have happened if not been involved with illicit substances but illegal regardless of drugs being involved. Further, despite the factor of being involved in the criminal justice system over 42% of crimes would not occur if the offender had not been under the influence of or sought-after drugs. Despite treatment and incarceration reducing substance abuse and criminal behavior, substance use alters brain chemistry and decision-making ability, which makes it difficult for people to avoid future substance use (Walters, 2022).

The consensus methodologies used in collecting data on substance use and crime have been self-reporting. Some of the limitations attached to this type of data collection are that it may not be true and biased in reporting substance use involvement in criminal behaviors. Self-reported crimes may only reflect the instances where the offender was apprehended or convicted and neglect the acts not caught (Hakansson & Jesionowska, 2018). Due to the lack of truthfulness and accuracy in reporting about the role of substances in crime, most researchers revealed that self-reporting data is not always the best when exploring if multiple substances such as marijuana, cocaine, heroin, methamphetamine, etc. are involved.

Substance use is commonly used in the criminal justice system when referred to in crime and recidivism. However, most research fails to distinguish whether offenders who used substances choose to be in high-crime environments or whether being in high-crime environments influenced drug use (Felker-Kantor et al., 2019). Hakansson and Jesionowska (2018) showed that substances open the door for criminal acts and cannot be generalized to the general population or other geographical settings. Identifying the primary reason for substance use is no easy task as there could be multiple explanations. For example, research shows that people who grow up in impoverished communities are often inflicted with economic pressures and psychological distress and may turn to substance use as a coping strategy (Yang, 2019). Another study has shown a direct correlation between substance abuse and violent

behavior, reporting that substance use is the cause and result of violent offenses and that 59% of violent crimes involved some form of drug misuse. Since substance use reinforces negative feelings that are detrimental to offenders' goal of positive life outcomes, providing them with basic healthcare needs may eliminate the reason for substance abuse (Velasco et al., 2019).

### **The effects of substance use on behavior**

Research shows substance use among offenders continues to present risks to public safety, and ongoing substance use is one of the primary factors contributing to high recidivism rates in the United States (Knight & Knight, 2019). There is a significant correlation between substance use and criminal behavior (Murphy, 2022). Individuals addicted to drugs are more likely to be arrested due to drug policies such as the war on drugs, drug possession penalties, and drug law violations rather, than the drug traffickers supplying the drugs (Murphy, 2022). Most arrests for drug-related offenses are people committing crimes to obtain money to buy illegal substances (Murphy, 2022). The most recent statistics available from the Uniform Crime Report regarding arrests in the United States revealed out of seven million arrests in 2020, one million were for drug abuse. Previous research also revealed that substance use has inspired policy changes such as the Good Samaritan Law, which allows substance abusers to seek medical attention to prevent an overdose without the fear of being arrested. This law encourages calling the police in the event of an overdose and gives immunity to substance abusers.

Prior research has indicated substance use can alter behaviors and habits, which impair someone's ability to focus or think clearly (Evans, et al., 2021). Other researchers found a connection between addiction and impulsivity (Dawe & Loxton, 2004). In an online study that examined the influence of substance dependency on offenders' judgment, researchers found offenders committed crimes and were rearrested for crimes because they were motivated to obtain the financial means to obtain drugs (Maffly-Kipp, et al., 2022). This finding was consistent with other research findings by Evans, et al. (2021) and Murphy (2022). However, this is not always the case. One study of individuals with substance abuse problems found activity in the prefrontal to reflect uncertainty, risk, and reward stimulation (Tanabe et al., 2007), consistent with Adinoff (2004), which found those stimulations are identical with and in response



to the experience of enjoyment and arousal. According to Adinoff (2004), reward and addiction share a common dopaminergic neurotransmission that involves uncontrolled behaviors that are destructive and without forethought of negative consequences. Additionally, dopaminergic neurotransmission increases the risk of substance misuse (Dawe and Loxton, 2004).

Most research involving substance use focused on the genetic influences of behavior and substance dependency (Wareham & Potenza, 2010). More specifically, the impact of nature versus nurture on substance use. However, recent research has looked at the effects of substance use and how the increased presence of substances resulted in more use (Evans, et al., 2021). In their analysis of secondary data, Evans, et al. (2021) found a strong need for treatment programs in communities with high crime. Again, addiction is an inhibitory control over impulsive feelings and actions, and stress induces relapse (Egervari, et al., 2018). In another analysis of secondary data conducted by Krendl and Perry (2022), they found the stigmatization of being labeled a drug addict has been identified as a barrier to treatment and recovery.

### **The effectiveness of community-based programs**

As an alternative to incarceration, probation officers and courts rely heavily on treatment programs to meet the needs of offenders and maintain public safety. In research supporting the effectiveness of interventions and community-based treatment programs, Hughes (2011) highlights four concepts an offender must adhere to for treatment to be effective: (1) there must be a genuine desire to understand what the offender thinks, does, and feels; (2) only the offender can live his life, and therefore he must assume responsibility for his actions and decisions within the boundaries set by society; (3) people can learn to make constructive changes; (4) correctional workers must use their authority wisely, avoiding excessive control over individuals who do not need it.

Most of the research has been evaluating treatment programming outcomes and program completion as measures of success. According to Substance Abuse and Mental Health Service Administration (SAMHSA), there was a total of 1,090,357 clients enrolled in community-based substance abuse programs like Matt Talbot Recovery Center, ARC Community Services, ATTIC Correctional

Services, Journey Mental Health and Outpatient Substance Abuse Center, Genesis Behavioral Services, and Tellurian in 2020. Community-based treatment programs like these are used as alternatives to incarceration and help probation officers yield offenders to the desired behavior change by providing substance abuse counsel, cognitive-based programming, and correctional case management in an intensive setting. Additionally, substance abuse treatment was the highest among all treatment services, which outpatient being the most used type of care for individuals with substance abuse problems.

SAMHSA revealed individuals in treatment for substance abuse

In looking at cost as a measure, one study that reviewed the effectiveness of community-based diversion programs for drug users found referring offenders with drug problems to treatment reduces costs for the criminal justice system because of the reduction of drug crimes (Hayhurst et al., 2019). Other research found the evaluation of treatment program outcomes and program completion is more cost-effective and significantly lowers recidivism due to policy changes and practices (Rodi & Carey, 2018).

In looking at secondary data collected on the impact of diversion programs such as community-based treatment on drug use as a measure, Hayhurst et al. (2019) found that evaluations led to program improvement because data collection allowed them to align their practice with training and research, assess the functioning of their services, compelling leaders and stakeholder involvement, engender support for community leaders, and identify problems within the program. Due to the need to measure and study program outcomes and completion to determine program effectiveness, Knight and Knight (2019) found treatment programs often overlooked other dimensions of offender success, such as continued sobriety and shortcomings that are not obvious to program staff. Furthermore, probation officers are expected to handle the planning of treatment for offenders committed to them after court using limited resources (Chandler, 2015). Recent statistics show that over half of the offenders on community supervision with serious drug-use problems do not receive recommended services (Knight & Knight, 2019).

### **Drug Courts**

Drug court is a program used as an alternative to incarceration for individuals that meet the criteria for addiction. It focuses on substance abuse treatment and cognitive behaviors that reduce the risk of substance use and rearrest. According to ATTIC Correctional Services, drug court reduces recidivism by an estimated 10% when compared to non-participants. Drug court directly addresses offenders' substance problems through drug and alcohol screening; sanctions and rewards; and incentives such as early release or reducing or dismissing charges and assisting in behavioral change by teaching them accountability and providing them an opportunity to receive treatment and educational services. Additionally, it enforces court-ordered conditions, which increase their chances of obeying the law, reduce the danger they may pose to the community, and encourage better health and growth. Schreiber (2021) found that drug court is the most effective community-based treatment program in reducing recidivism for nonviolent offenders. He found that drug court programs that provide services for 1 year to 18 months reduced recidivism more effectively than shorter or longer programs, and non-violent offenders had a larger reduction in recidivism than violent offenders. Clarke (2022) found drug courts that restrict violent offenders are associated with lower recidivism rates. Mangione (2019) found probation officers use treatment referrals within the drug court model for offenders with substance use problems as a tool for detoxification; treatment for housing; individual, family, or group counseling; and medication. Probation officers support drug courts because it helps them achieve their desired outcomes for offenders on supervision by reducing their risk and recurrence involving substance use and maximizing their success during probation and beyond. Most drug courts involve three phases of treatment, which follow the risk, needs, and responsivity model. The phase includes stabilization, intensive treatment, and transition. Research has shown that participants who complete drug court demonstrate lower rates of substance use, a shorter period of treatment after relapse, and are likely to maintain employment (Andersen, 2019; Bourgon et al., 2018; and Cuddeback et al., 2022).

### **SMART Program**

The SMART program uses a cognitive-behavior approach to provide drug treatment services to people in residential treatment and aftercare services. It was formed within the context of evidence-based

practices that focused on probationer's risk-needs factor and probation officer case plans to reduce recidivism. SMART program targets high-risk clients, employ cognitive-behavior interventions and specifically tailor their service-delivery to the offenders' personal characteristics and background in a residential setting. According to Andersen (2019), SMART was ranked highly effective in reducing recidivism by the University of Cincinnati and was shown to reduce new arrest, multiple arrest, revocation, and general recidivism compared to those who did not attend the program.

### **Motivational Interviewing (MI)**

Motivational interviewing (MI) is a treatment approach probation officers and counselors use that focus on connecting a person's goals to their behaviors. It is a suggested way of talking with offenders to help them move from one stage to the next. It includes conversational skills like open-end questions, reflections, affirmations, and summaries that help offenders' initial behavior change. According to Walters (2022), MI was most effective with substance use problems. They found that MI encourages offenders to talk about the benefits of completing treatment, what they learn in treatment, and how to avoid situations that put them at risk of relapse. MI is effective at helping people make changes in behaviors that affect probation success because it emphasizes active listening, good working relationships between the offender and probation officer, respect for the offender's autonomy, and it elicits ideas and solutions from the offender. It is usually used in the earlier stages of behavior change.

### **Cognitive Behavior Treatment (CBT)**

Cognitive behavior therapy targets changing thought patterns that lead to problem behaviors. It teaches people different ways of thinking to avoid negative consequences. It allows for the teaching of new coping skills toward relapse and avoiding substances. According to Walters (2022), CBT is effective in reducing substance use, changing thought patterns, and engaging in risky behaviors. CBT programs teach people how to recognize and evaluate thoughts that lead to trouble, identify new thoughts, cope with stressful situations, and effectively communicate their needs. Probation officers use CBT to help offenders' triggers to substance use and develop alternatives. This technique is primarily used in the later stages of behavior change.

### **Moral Reconciliation Treatment (MRT)**

Like cognitive behavior therapy, moral reconciliation treatment focuses on the cognitive restructuring of the offender thought process that enhances moral reasoning, better decision-making, and more appropriate behavior. MRT uses group-based cognitive-behavioral strategies to address criminal thinking. According to Cuddeback, et al. (2022), MRT is effective at reducing recidivism and substance use after treatment by approaching people from a holistic perspective that reduces the chance for relapse. MRT gives offenders an increased sense of purpose and a greater sense of self-efficacy that enhances personality functioning through treatment.

### **Staff Training Aimed at Reducing Rearrest (STARR)**

In 2009, the United States Probation and Pretrial Services developed a training teaching probation officers' skills such as active listening, effective disapproval, effective reinforcement, effective punishment, problem-solving, and teaching, applying, and reviewing the cognitive model to effect behavioral change. According to Alarid (2018), offenders with probation officers who used STARR skills in practice were 33.7% less likely to recidivate compared to officers who did not. STARR is a strategy used to effect behavior change and improve community supervision outcomes in offenders through their cognitive development, motivation, rewards, and sanctions, and targeting criminogenic needs. STARR identifies possible barriers to reform and allows probation officers to implement STARR training to use as best practices.

These intervention practices impact offenders by letting them know their experience is not abnormal, they are not alone, and help them address the criminal thinking component of substance use (Mangione, 2019). Walters (2022) points to the cognitive and motivation concepts of an offender to be more effective, an offender's readiness to change, cycles of longstanding behavior change, and offenders not defined by their past actions, which are too emphasized (Hughes, 2011). In another study by the National Institute of Justice, researchers found intervention programs that help offenders make a connection between their substance use and criminal activity as promising to reduce recidivism, rearrest, and drug use.

### **Section III: THEORETICAL FRAMEWORK**

The following section provides a theoretical framework supporting the use of community based-treatment programs based on the social learning theory, as created by Ronald L. Akers. This section is composed of two parts. The first section discusses the definition and origins of social learning and the second provides an application of the theory to community-based treatment programs.

#### **Social learning theory**

According to Cullen and Wilcox (2010), the social learning theory is largely regarded as one of the most popular and widely researched theories, especially in the study of crime. It provides criminologists with reasoning for criminal behavior. This theory was developed by Ronald L. Akers in 1973. Social learning theory suggests people learn both positive and negative behaviors from their environment and incentivizing behaviors reinforces those behaviors. It was an extension of Edwin Sutherland's differential association theory which suggests criminal behavior is learned through association with individuals with shared values and attitudes. In conjunction with Sutherland's core principles, Akers took it a step further by explaining the factors that influence and explain how criminal behavior is learned through behavioral science. Social learning theory is comprised of four main components: definitions, differential association, differential reinforcement, and imitation. According to Akers, the definition component is the general or specific beliefs toward behavior that labels it as right or wrong. It is their attitude or meaning that people attach to behavior such as labeling drugs are bad or drugs used to cure diseases. Differential association refers to people whom individuals encounter, such as family or peers. It is the association of being around individuals who are abusing drugs, they are likely abusing drugs as well. Differential reinforcement is the driver of whether individuals will engage in crime or not. It is the anticipation that certain behaviors will result in positive benefits or negative punishment that depends on whether someone will commit or refrain from crime. For example, if someone sees a person selling drugs and earning \$10,000 in a day, this may positively reinforce the behavior and will likely result in that person selling drugs. Whereas, if they witness the individual selling drugs and they were caught and arrested, this will negatively reinforce the behavior and will likely result in the person

never selling drugs. Ultimately, it is the influence on whether a person will participate in conforming or nonconforming behaviors. Lastly, Aker refers to imitation as the engagement in the behavior after observation. He would describe this as the beginning of the criminal lifestyle.

### **Application of theory**

Intentional or unintentional, probation officers and community based-treatment programs have embraced the social learning theory, using it to help offenders change their behaviors and comply with imposed court-ordered conditions. One example is drug court which aims to reduce recidivism and substance abuse among nonviolent drug offenders through rewarding prosocial behaviors such as not abusing substances and restructuring cognitive thoughts through treatment. Social learning theory suggests that people learn both positive and negative behaviors from their environment providing a parallel purpose within the context of supervising offenders with substance abuse problems. The probation officer's role is to deter offenders from committing future crimes by placing offenders in positive environments like community-based treatment programs to influence positive change by not abusing substances and engaging in more prosocial activities identified in case planning from risk assessments and presentence investigation reports. Offenders commit to these engagements because most of the time they are rewarded with reduced or dismissed charges and if they do not adhere to the plan they could be met with sanctions, which motivate offenders to participate. Probation officers and community-based programs reinforce good behavior in positive ways to offenders.

#### **Section IV: CONCLUSION AND RECOMMENDATIONS**

The goal of this research was to suggest components for regulating and rectifying drug misuse based on past research on the efficacy of community-based treatment programs in reducing supervision violations and future crimes by nonviolent offenders with drug abuse problems.

The literature reviewed showed that community-based treatment programs and probation officers have positive impacts in reducing recidivism and restructuring an offender's thoughts. Providing treatment, in conjunction with the probation officer's role to promote behavioral change increases motivation to change, and provides support for the offender to refrain from substance use.

Based on these findings, probation officers should be required to attend training for regulating and rectifying drug misuse rather than primarily relying on community-based treatment programs to address compliance and addiction issues. This training should occur during the initial academy and continue throughout one's career. Currently, new probation officers are trained on policies, procedures, and techniques related to pretrial investigation and supervision, presentence investigations, post-conviction supervision, officer safety, and firearm. Additionally, they are provided with the skills and fundamental knowledge necessary to perform the core job functions and job success. However, there is no one way to supervise offenders with substance abuse problems and officers are expected to bring their style and experience to the job. Given that substance abuse is one of the main factors in the first offense and the rearrest of offenders on supervision, research shows there was no effect on the successful completion of probation, rearrest, and drug use when probation officers ensured that the threat of sanctions was known to the offender regarding what would happen to them if they failed to meet requirements. Therefore, requiring training specifically for how to manage offenders with substance abuse issues might have a greater impact on how to oversee probationers with substance abuse and monitor their release, which will educate them on how to effectively overcome the challenge of supervising offenders with substance abuse concerns and how to effectively address substance use. In addition, requiring training could consider there may be some form of relapse during the changing process and teach



probation officers how to respond appropriately to prevent future use, provide more reassurance for continued sobriety, and mitigate the effects of substance abuse on behavior and criminal involvement.

Future research on this topic should consider the importance of probation officers' responses to violations regarding substance use and what other resources outside of community-based treatment programs are available to determine how important this component is in preventing rearrest and substance use.

## Section V: REFERENCES

- Adinoff, B. (2004). Neurobiologic processes in drug reward and addiction. *Harvard Review of Psychiatry*, 12(6), 305–320. <https://doi.org/10.1080/10673220490910844>
- Against drug prohibition*. American Civil Liberties Union. (n.d.). Retrieved November 10, 2022, from <https://www.aclu.org/other/against-drug-prohibition>
- Alarid, L.F., & Jones, M. (2018). Perceptions of offender satisfaction on probation and supervised release with starr skill sets. *Federal Probation*, 82(1), 37–54.
- Andersen, W.C. (2019). Residential drug treatment for high-risk probationers: evaluating the link between program integrity and recidivism. *Federal Probation*, 83(1), 42–49.
- Belenko, S., Hiller, M., & Hamilton, L. (2013). Treating substance use disorders in the criminal justice system. *Current Psychiatry Reports*, 15(11), 414–. <https://doi.org/10.1007/s11920-013-0414-z>
- Boman, J.H., Mowen, T. J., Wodahl, E. J., Lee Miller, B., & Miller, J. M. (2019). Responding to substance-use-related probation and parole violations: are enhanced treatment sanctions preferable to jail sanctions? *Criminal Justice Studies*, 32(4), 356–370. <https://doi.org/10.1080/1478601X.2019.1664506>
- Bourgon, G., Rugge, T., Chadwick, N., & Bonta, J. (2018). The living laboratory studies: providing insights into community supervision practices. *Federal Probation*, 82(1), 3–12.
- Bourgon, G. (2013). The demands on probation officers in the evolution of evidence-based practice: the forgotten foot soldier of community corrections. *Federal Probation*, 77(2), 30–35.
- Chandler, H.P. (2015). The future of federal probation. *Federal Probation*, 79(2), 4–9.
- Clarke, A. (2022). The definition of “violent conduct” for drug court program access. *Alternative Law Journal*, 47(4), 273–278. <https://doi.org/10.1177/1037969X221097189>
- Cuddeback, G.S., Van Deinse, T., Givens, A. D., Lichtman, A. M., Cowell, M., & Dirosa, E. (2022). Individuals with mental illnesses in the criminal legal system: complex issues and best practices. *Federal Probation*, 86(1), 18–26.

- Cullen, F. T., & Wilcox, P. (2010). Akers, Ronald: social learning theory. In encyclopedia of criminological theory (Vol. 1, pp. 22-29). *SAGE Publications, Inc.*,  
<https://dx.doi.org/10.4135/9781412959193.n6>
- Dawe, S., & Loxton, N. J. (2004). The role of impulsivity in the development of substance uses and eating disorders. *Neuroscience and Biobehavioral Reviews*, 28(3), 343–351.  
<https://doi.org/10.1016/j.neubiorev.2004.03.007>
- Egervari, G., Ciccocioppo, R., Jentsch, J. D., & Hurd, Y. L. (2018). Shaping vulnerability to addiction – the contribution of behavior, neural circuits, and molecular mechanisms. *Neuroscience and Biobehavioral Reviews*, 85, 117–125. <https://doi.org/10.1016/j.neubiorev.2017.05.019>
- Evans, C. B., Stalker, K. C., & Brown, M. E. (2021). A systematic review of crime/violence and substance use prevention programs. *Aggression and Violent Behavior*, 56, 101513–.  
<https://doi.org/10.1016/j.avb.2020.101513>
- Felker-Kantor, E., Cunningham-Myrie, C., Greene, L.-G., Lyew-Ayee, P., Atkinson, U., Abel, W., Clarke, P., Anderson, S. G., & Theall, K. P. (2019). Neighborhood crime, disorder and substance use in the caribbean context: jamaica national drug use prevalence survey 2016. *Plos One*, 14(11), e0224516–e0224516. <https://doi.org/10.1371/journal.pone.0224516>
- Gladfelter, A. S. & Haggis, W. A. (2022). Burnout among probation officers: the importance of resilience. *International Journal of Offender Therapy and Comparative Criminology*, 306624X221102835–306624X221102835. <https://doi.org/10.1177/0306624X221102835>
- Hakansson, A., & Jesionowska, V. (2018). Associations between substance use and type of crime in prisoners with substance use problems - a focus on violence and fatal violence. *Substance Abuse and Rehabilitation*, 9, 1–9. <https://doi.org/10.2147/SAR.S143251>
- Hayhurst, K. P., Leitner, M., Davies, L., Millar, T., Jones, A., Flentje, R., Hickman, M., Fazel, S., Mayet, S., King, C., Senior, J., Lennox, C., Gold, R., Buck, D., & Shaw, J. (2019). The effectiveness of diversion programs for offenders using class A drugs: a systematic review and meta-analysis.

*Drugs: Education, Prevention & Policy*, 26(2), 113–124.

<https://doi.org/10.1080/09687637.2017.1398715>

Holmstrom, A. J., Adams, E. A., Morash, M., Smith, S. W., & Cobbina, J. E. (2017). Supportive messages female offenders receive from probation and parole officers about substance avoidance: message perceptions and effects. *Criminal Justice and Behavior*, 44(11), 1496–1517.

<https://doi.org/10.1177/0093854817723395>

Hughes, J. M. (2011). We're back on track: preparing for the next 50 years. *Federal Probation*, 75(2), 4–9.

Knight, K., & Knight, D. K. (2019). Substance use and justice-involved individuals: improving practice. *Federal Probation*, 83(2), 3–71.

Krendl, A. C., & Perry, B. L. (2022). Addiction onset and offset characteristics and public stigma toward people with common substance dependencies: a large national survey experiment. *Drug and Alcohol Dependence*, 237, 109503–109503. <https://doi.org/10.1016/j.drugalcdep.2022.109503>

Lovins, B. K., Cullen, F. T., Latessa, E. J., & Jonson, C. L. (2018). Probation officer as a coach: building a new professional identity. *Federal Probation*, 82(1), 13–60.

Mangione, C. (2019). Overview of substance use disorder occurrence and treatment in the federal judiciary. *Federal Probation*, 83(2), 5–71.

Maffly-Kipp, J., Flanagan, P. N., Schlegel, R. J., & Vess, M. (2022). True self-attributions shape judgments of blame in the context of addiction-relevant crime. *Addictive Behaviors*, 130, 107287–107287. <https://doi.org/10.1016/j.addbeh.2022.107287>

Murphy, E. (2022). Alcohol, drugs, and crime. Recovered. Retrieved November 5, 2022, from <https://recovered.org/addiction/alcohol-drugs-and-crime#:~:text=Alcohol%2C%20Drugs%2C%20and%20Crime%201%20Alcohol-related%20crime%20%26,treatment%20and%20recovery%20...%206%20Final%20thoughts%20>

*Prisoners in 2020 – statistical tables - summary - bureau of justice ...* (n.d.). Retrieved November 27, 2022, from [https://bjs.ojp.gov/content/pub/pdf/p20st\\_sum.pdf](https://bjs.ojp.gov/content/pub/pdf/p20st_sum.pdf)

- Rodi, M. S., Zil, C., & Carey, S. M. (2018). Best practices in treatment court evaluation. *Federal Probation*, 82(3), 21–44.
- Schreiber, L. M. (2021). Sentencing to drug court: tailoring the program to the participant through judicial education and oversight. *Federal Sentencing Reporter*, 34(1), 63–70.  
<https://doi.org/10.1525/fsr.2021.34.1.63>
- Skjaervo, I., Clausen, T., Skurtveit, S., & Bukten, A. (2021). Desistance from crime following substance use treatment: the role of treatment retention, social network, and self-control. *BMC Psychiatry*, 21(1), 563–563. <https://doi.org/10.1186/s12888-021-03518-2>
- Tafrate, R. C., & Mitchell, D. (2022). Criminogenic thinking among justice-involved persons: practice guidelines for probation staff. *Federal Probation*, 86(1), 4–10.
- Tanabe, J., Thompson, L., Claus, E., Dalwani, M., Hutchison, K., & Banich, M. T. (2007). Prefrontal cortex activity is reduced in gambling and nongambling substance users during decision-making. *Human Brain Mapping*, 28(12), 1276–1286. <https://doi.org/10.1002/hbm.20344>
- Velasco, R. V., Boggs, J. B., Redfield, P. A., Kijanczuk, K. A., Fretz, R. J., Schofield, D. D., & Knight, K. (2019). An evaluation of an in-prison therapeutic community: treatment needs and recidivism. *Federal Probation*, 83(2), 9–72.
- Viglione, J., Alward, L. M., & Sheppard, D. L. (2020). Staff training aimed at reducing rearrest: probation officer attitudes and experiences. *European Journal of Probation*, 12(3), 238–264.  
<https://doi.org/10.1177/2066220320976101>
- Walters, S. T. (2022). Substance use and misuse among justice-involved persons: practice guidelines for probation staff. *Federal Probation*, 86(1), 11–17.
- Wareham, J. D., & Potenza, M. N. (2010). Pathological gambling and substance use disorders. *The American Journal of Drug and Alcohol Abuse*, 36(5), 242–247.  
<https://doi.org/10.3109/00952991003721118>
- Yang, Y. (2019). Measuring hope in jail inmates with substance use problems. *Federal Probation*, 83(2), 21–72.

Young, M. M., De Moor, C., Kent, P., Stockwell, T., Sherk, A., Zhao, J., Sorge, J. T., Farrell MacDonald, S., Weekes, J., Biggar, E., & Maloney-Hall, B. (2021). Attributable fractions for substance use in relation to crime. *Addiction (Abingdon, England)*, 116(11), 3198–3205.

<https://doi.org/10.1111/add.15494>