The Solution, Not the Problem: an Ex-Offender's Contribution to Recidivism Reduction in a Communitarian Context

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The Solution, Not the Problem:

An Ex-Offender's Contribution to Recidivism Reduction in a Communitarian Context

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A Thesis in the Field of Government

for the Degree of Master of Arts in Extension Studies

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Abstract

This research tests the hypothesis that an ex-offender’s influence on the Workforce Development program in the context of, and enabled by, a Communitarian approach to reentry is the reason for the improvement in employment rate and recidivism rate observed by the U.S. Courts Office of Probation and Pretrial Services in the District of Delaware. Data from supervision records of probationers, supplemented by information from interviews, and surveys of probation officers and probationers who participated in the program, confirmed the effectiveness of the program on key success indicators. Between 2012 and 2014 the District of Delaware dramatically increased its relative employment rate compared to other districts, moving from the 40th to the 4th highest of all 94 federal districts. Compared to previous program implementation models, the employment rate improved by 5% in that period, outstripping improvements in the Delaware state employment rate. Increases in hours worked per week, and higher wages, indicate that employment quality improved overall. Reduction in the primary funding source showed that program improvements were not related to any increases in budget. The ex-offender heading the Workforce Development program, Saad Soliman, was found to be extremely effective both at identifying what services to provide to individual probationers and in providing those services in a manner that was well-received by all stakeholders. The organizational context that empowered Soliman was found to be a result of changing attitudes towards the reentry problem in the US Courts system, and within the District of Delaware specifically. Findings indicate that the
personal reentry experience of ex-offenders expands their effectiveness as reentry specialists by giving them credibility as role-models amongst probation officers, employers, and potential employers in the community, and, most of all, amongst probationers.
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Chapter I

Introduction

There are many variables that influence an ex-offender’s reentry experience, and existing research in this domain has established the positive correlation between employment and successful reentry. How to increase the likelihood of securing and retaining high quality employment among ex-offenders remains a challenge for individuals and organizations involved in supporting ex-offender reentry to society.

Overview

The criminal justice system in the United States today is marked by high and continually growing rates of incarceration, a significant driver of which is prisoners who have re-offended and have been re-incarcerated as a result. Retributive approaches to criminal justice that are designed to deter crime have also resulted in policies that keep offenders incarcerated for longer periods of time and leave them with less support in reentering society once that time is over. The inordinately high cost to society of recidivism,¹ not only financially, but also in the harder to quantify toll taken on broken families and communities, means that recidivism reduction is a major policy focus of the US criminal justice system. Against this backdrop, the urgency for holistic renovation of this system is evident, specifically with a view to addressing crime outside the traditional

¹ Recidivism: Re-involvement in criminal behavior resulting in re-incarceration either as a result of re-arrest or due to a failure to meet requirements of probation supervision (i.e., a technical violation resulting in probation revocation).
retributive incarceration model. Communitarian values of social engagement in policing and punishment can offer helpful alternatives. In recent decades Communitarian ideals have become the explicit basis for some policy choices in reaction to more individualistic beliefs that have dominated the policy landscape; this Communitarian world view will form the framework for this analysis of the Workforce Development program implemented by the U.S. Courts Office of Probation and Pretrial Services in the District of Delaware.

The difficulty that ex-offenders face in reentry has huge social implications because it is one driver of recidivism. There are many variables that influence an ex-offender’s reentry experience, and existing research in this domain has established the correlation between employment and successful reentry. The Workforce Development program is one way that the Office of Probation and Pretrial Services attempts to support reentry for probationers under their supervision by assisting them in preparing for and securing employment. The research offered here expands on other studies of the Workforce Development program as it has been implemented in the region; it builds on Visher’s 2009 study on the initial program design in Delaware and McNichols’ 2012

2 Communitarian: Adhering to philosophical principles consistent with Communitarianism as an alternative construct to the liberal theory of justice as expressed by John Rawls. Valuing integrated social involvement in moral and political decision-making and assuming the normative value of the community as a social construct.

3 Probationer: Person on probation or on supervised release who is under the supervision of a State or Federal Probation Office as a condition of the completion of their sentence.


study of a different Workforce Development program implementation in Pennsylvania, by attempting to identify how best to help ex-offenders secure employment.

This study will investigate the District of Delaware’s accumulation of data over six years and three implementation models to confirm and explain anecdotal evidence that the most recent program implementation model has been more successful than previous implementations. It asks what makes participation in the program a better insurer of employment today than it was in previous iterations of program design, and tests the hypothesis that the reentry specialist in charge of the program, Saad Soliman, is driving this success. As an ex-offender himself, Soliman provides evidence of success to probationers, probation officers, and potential employers, thereby raising confidence and securing more wholehearted buy-in to the program. To answer this question, examination of quantitative data from the electronically stored case plans of these probationers will be supplemented by qualitative information from interviews and surveys of probation officers and probationers who participated in the program. The program will be assessed in relation to key performance indicators including recidivism rate, employment rate, employment quality, and budget to establish that it has, indeed, performed more strongly than in previous implementation models. The program design will then also be assessed in light of the attitudes of probation officers and probationers about program effectiveness and about their interactions with Soliman. The organizational context of the Office of Probation and Pretrial Services in the District of Delaware will also be considered because, as the findings of this study will show, the Communitarian values that have been cultivated in that office have had an impact on all of the stakeholders of the program.
Given those findings, this study will show that Communitarian values are embedded in the formal institutions of justice to the extent that the individual members of those institutions cultivate and express the collective values of the whole community in their decision making. Those values have been introduced and cultivated in the District of Delaware and they facilitated placing Saad Soliman in his current role and ensured that he was given the latitude required to produce such positive reentry results while in that role. Those same values can be instilled and nurtured in any district provided that the Communitarian mindset is consciously cultivated. The findings that follow also demonstrate that Communitarian values are most fully expressed and most effectively employed when ex-offenders are included as part of the team involved in ensuring reentry success for other ex-offenders.

Current State of Recidivism and Reentry in the United States

The difficulty ex-offenders face in reentering society after incarceration has huge social implications in the United States today because of the sheer volume of individuals in prison and the dire consequences for themselves and others if they continue to participate in criminal activity on their return to society. The criminal justice system in the United States is still colored by the overtly retributive approaches that defined the last thirty years of the twentieth century: high and continuously growing rates of incarceration, increasing rates of female incarceration, and high rates of recidivism. The ongoing rise in the prison population is driven by a confluence of factors: the social and political focus on law enforcement, combined with better technology with which to execute it, higher rates of conviction for criminal offences, longer sentences with more
common use of mandatory minimum sentences and fewer ways to earn early release. The result is a network of state and federal prisons that are dramatically over-populated by more inmates serving longer terms. Policies such as mandatory minimum sentencing, three strikes laws, broken windows policing, and numerous local policies designed to act as deterrents to crime have collectively produced a high-traffic system where all roads appear to lead to incarceration and re-incarceration. According to the Bureau of Justice Statistics the U.S. prison population at the end of 2012 stood at 1,571,013 (480 sentenced prisoners per 100,000 residents), and the rate of incarceration continued to grow in the federal system (at a rate of 0.7% just between 2011 and 2012, down from the 3.2% average growth rate over the previous decade). These levels of penal incarceration and recidivism pose a huge numeric problem which is indicative of much further reaching negative social and economic impacts.

A notable driver of this volume is prisoners who have re-offended and have been re-incarcerated as a result. Rowland observes that as of 2013 the Bureau of Prisons housed 220,000 inmates, “more than the civilian population of 15 of the country’s largest 100 cities.” Between 8% and 15% of offenders admitted to the Federal Bureau of Prisons each year are made up of people who have violated their terms of supervised release. This does not consider those who re-offend after their period of supervision has ended.

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Defining recidivism in broad terms, Rhodes et al. report that the rate of recidivism of federal offenders stood at 30% in 2012 while Rowland reports them to be even higher, between 43% and 67% at the state level. The inordinately high cost to society of recidivism, both in terms of tax dollars associated with criminal justice processing and incarceration, and in the harder to quantify toll taken on broken families and communities, mean that recidivism reduction has been a major policy focus of the U.S. criminal justice system for the last half century.

In spite of this focus there remains a rising rate at which prisoners “max out” their sentences and are therefore released without supervision and without the benefit of programs designed to reduce their likelihood of re-offending. Between 1990 and 2012 there was a 119% increase in state inmates maxing out their prison sentences. State policies on corrections are the primary driver of whether a prisoner maxes out their term or not. Indeed the spike in the rate of max outs identified by the Public Safety Performance Project was driven by non-violent offenders. High max-out rates correlate

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9 Calculating the recidivism rate of Federal offenders overall must consider the intricacies of definition terms both of recidivism (whether technical violations are considered versus only newly commissioned crimes and whether just arrests or also convictions qualify) and review term (how long a period we consider after release or after supervision ends) not to mention the cross-referencing of criminal activity between federal and state systems.


12 *Max out*: Remain incarcerated for the full term of sentence.


with states that have “truth-in-sentencing” laws. Policy makers’ zeal in protecting the public by punitively dis-incentivizing criminal activity has resulted in several trends around early release decision making: more stringent limits on eligibility for early release; reduction in the use of parole; relying on fixed formulae to determine parole eligibility instead of the discretion of parole boards; and in some states the complete elimination of parole. The impact for maxed-out offenders is profound in that they leave prison having fully served their sentences and with no further legal obligation to submit to monitoring. As a result, they also have no further supervision from the state and are not eligible for reentry programming of any kind. They do not receive any support from state institutions to embark on new crime-free lifestyles in their communities. As they no longer fall under the mandate of the federal or state system to receive reentry support they are at particular risk of re-offense and lack the supervision to ensure that they benefit from programs designed to address recidivism. Without this support they are more likely to recidivate as confirmed by a Pew Charitable Trusts study that contrasted outcomes between inmates who maxed out compared to those who were released to parole in New Jersey. This example bolsters the case for reentry programs like the Workforce Development Program, which is the subject of this study and is not available to inmates who max out.

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15 These are laws that aim to make sentences more predictable by limiting flexibility on how a sentence is executed. They include policies that limit or abolish discretionary parole and put mandatory requirements on what sentences must be given for certain types of crimes and what proportion of the sentence must be served. For example, “three strikes” laws fall into this category of policies.

Rates of recidivism are used as a measure of public safety so they are central to scorecards for both state and federal policy makers. In recent years the alarming rates of recidivism have marshaled the political will to make some fairly large-scale attempts at recidivism reduction. For example, in 2007 the State of Texas approved a $241 million budget for programs aimed at recidivism reduction. According to research conducted by the Pew Charitable Trusts, an additional $2 billion in prison spending has been avoided since these Texas programs went into effect. Additionally, the crime rate in Texas is the lowest it has been since the 1960s and there has been a dramatic reduction in the parole failure rate. This state-level example is notable because, in general, recidivism rates in the federal system are dramatically lower than those of the states. Rowland attributes a good portion of this difference to the superior rehabilitation support within the federal system both from the Bureau of Prisons and through the community supervision of the Office of Probation and Pretrial Services, and especially to their adherence to the Risk-Needs Responsivity Model for appropriately targeting services and associated resources to those with the highest criminogenic need. A key feature of the programs used in Texas is their evidence-based nature that is consistent with the principles embraced by the federal system.


Evidence-based programming is particularly critical given the broad variety of factors that impact successful reentry for each individual. Furthermore, the issue of prisoner reentry is necessarily magnified by the sheer volume of ex-offenders that communities need to absorb and reintegrate. As such, a great deal of academic attention has been given to identifying the factors that influence successful reentry and those that hinder it. Leaders in this field include Lawrence Sherman, David Farrington, Brandon Welsh, and Doris MacKenzie who collaborated to publish a comprehensive review of crime prevention and reentry programs having measured their effectiveness at addressing risk factors by holding them to standards of scientific evidence. Subsequently Doris MacKenzie expanded on the findings to provide analysis of what program design strategies work and why, emphasizing the risk factors that programs address. More recently, Joan Petersilia has applied this lens to the arena of community corrections and advocated treating the prison population crisis as “an opportunity to implement evidence-based community correctional programs.” McNichols refers to the factors that promote successful reentry as “protective;” an apt designation because they tend to shield the ex-

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19 Evidence-Based: A program or practice the effectiveness of which is measurable and can be proven based on some set of rigorous social science evaluation criteria. Distinguished from “data-driven” or “research-based” in that the effects of the program are evaluated following program implementation rather than simply prior to program design.

20 Lawrence W. Sherman et al., eds., Evidence-Based Crime Prevention (New York: Routledge, 2002).


23 McNichols, "Reentry Initiatives," 37.
offender from exposure to motivations and opportunities to re-offend. These include engagement with and support of family, engagement with and support of the community, initial length of incarceration, which cross-impacts the previous two, access to health care and, most significantly, opportunities for employment. Conversely, issues with substance abuse or mental health problems will increase the risk of re-offense and therefore endanger the ex-offender.

Programming has been designed by federal and state probation organizations as well as private and not-for-profit groups to encourage and facilitate protective factors and to mitigate the risks of destructive factors. In some cases, these programs integrate well with each other, and their program owners coordinate well with one another, but, given the broad variety of programming available in general and incongruently limited programming available in some geographic locations, there is difficulty in isolating which programs are most impactful and under what circumstances they are most effective. This research focuses on the Workforce Development Program as implemented by the U.S. Courts in the District of Delaware. There are several programs simultaneously in place in that area that are also working towards the goal of successful reentry that have some influence on the same target population of probationers. These include the Cognitive Behavioral Therapy program, Staff Training Aimed at Reducing Re-arrest, and the Reentry Court program. Each of these, like the Workforce Development Program, has been implemented in the District of Delaware and has also been piloted (to a greater or lesser extent and in combination with other programs) across the 93 Districts of the U.S. Courts system nationally. Cognitive Behavioral Therapy programming and Workforce Development Programming were evaluated by the National
Institute of Justice\textsuperscript{24} as not only having potential for positive outcomes but also as having good potential to build measurement of outcomes into program design (a critical aspect of evidence-based programs), provided they are implemented in a manner that prioritizes this.

Cognitive Behavioral Therapy (CBT) programs are designed to address a key area of weakness among offenders, their ability to identify better alternatives to committing crimes specifically through learning to manage mental or emotional distress. The intention is to teach and practice techniques that replace destructive thought patterns with those that are more balanced. CBT focuses heavily on anger management and conflict resolution skills and promotes and reinforces pro-social behavior patterns often in a small group setting. The anticipated improvement in emotional stability and capacity for positive social interaction is intended to reduce the rate of recidivism for ex-offenders by reducing the likelihood that negative interactions would escalate to a point of criminal violence. Having assessed the results of 25 studies on the effectiveness of CBT programs, Aos, Miller, and Drake found that on average it reduced recidivism rates by 6.3\%\textsuperscript{25}.

Staff Training Aimed at Reducing Re-arrest (STARR) trains probation officers in the same skill-set as that used by cognitive behavioral therapists for instilling and reinforcing pro-social thought patterns in the probationers that they support. Through STARR, probation officers are equipped to be more than simply community-based


\textsuperscript{25} Steve Aos, Marna Miller, and Elizabeth Drake, Evidence-Based Public Policy Options to Reduce Future Prison Construction, Criminal Justice Costs, and Crime Rates, publication (Olympia: Washington State Institute for Public Policy, 2006), 8.
wardens and are thus able to expand their role beyond supervision and further into the arena of rehabilitation. The effectiveness of cognitive behavioral therapy techniques may actually be increased when delivered by a probation officer with whom the probationer has a trusting and positive relationship. This increase is because the quality of that relationship has been found to influence the extent to which these pro-social ideals are assimilated by the probationer.  

The Reentry Court program is a relatively new addition to the U.S. Courts’ arsenal in the fight against recidivism. It incentivizes motivated probationers to participate in increased reentry programming as well as to submit to increased attention by representatives of the court including the reentry judge. This additional attention not only provides opportunities for barriers to reentry (such as liens, old warrants for minor offenses, debilitating fines, etc.) to be cleared with the support of the Judge, but it also results in additional scrutiny of the probationer’s own behavior. The incentive for the probationer to participate is the Judge’s willingness to provide a reduction of the probationary period in response to pro-social actions on the part of the probationer. Due to this program’s intensive nature, it has necessarily been piloted among very small population groups and as a result there is not yet broadly conclusive data on its effectiveness. Anecdotal evidence suggests that those probationers who are willing to collaborate with their probation officers, reentry specialists, and judge in this way do benefit from the additional attention they receive. However, since participation is voluntary, there is a certain extent to which probationers who are already highly motivated are self-selecting into the program and thus parsing the impact of the program.

itself from the inherent capability of its participants will be a challenge to be addressed in program evaluation.

The Workforce Development Program (WFD) is the focus of this study and as such its program components will be discussed in greater detail in subsequent sections. It is intended to provide probationers with a better economic alternative to crime by assisting in securing reliable employment. The program addresses the issue of employment from two vantage points. Firstly, from the perspective of the probationer, the program offers training and coaching on all aspects of finding and keeping steady employment, identifying skills and defining goals, preparing resumes, practicing interviews and identifying correct attire and deportment. Secondly, from the perspective of the potential employer, the program partners with various local businesses to provide education on the potential benefits of hiring ex-offenders to matching appropriate probationers with available job openings.

All of these programs are predicated on the idea that reentry and reintegration into the community is a critical goal and that justice is not served when it is limited to punitive responses to crime. Thus, the end-state intention of connection between the ex-offender and the community is taken as given. Not only is this a practical necessity given the statistics reviewed previously, but it also has far-reaching philosophical implications insofar as the means by which interactions between the community and the ex-offender are moderated must internalize this same set of values. In general, in the United States today the vehicle for that mediation is the probation officer and, as such, the goals and methods of these officers of the court reflect the values of society at large with respect to how the community protects itself while reintegrating its ex-offenders.
Community-Based Supervision

Traditionally the concept of Community-Based Supervision has been referenced as an alternative to prison-based supervision, implying supervision in the community versus supervision by the community. The explosion in size of the incarcerated population, however, gives urgency to the need to address crime beyond the retributive incarceration model of the traditional criminal justice system; it places greater demands on the role of probation officers who supervise in the community but who also have the potential to engage the community to assist in that supervision. This is where Communitarian values of social engagement in policing and punishment have begun to offer helpful alternatives.

From a policing perspective, expressions of social collective efficacy have been found to act as effective proxies for police engagement\(^\text{27}\); similarly, from a sentencing perspective, community justice\(^\text{28}\) models that engage all stakeholders impacted by criminal activity (instead of just the offender) can identify means for offenders to make amends that actually actively serve both their victims and society at large in ways that passive and costly incarceration cannot. From a philosophical perspective Amitai Etzioni initiated the application of Communitarian perspectives specifically to the criminal


\(^{28}\) *Community Justice*: Activity or practice of explicitly including the community in all aspects of the criminal justice agenda from crime prevention to policing to sentencing to re-integration of ex-offenders. It involves substituting community roles and functions for those most recently held by the formal criminal justice establishment thereby leveraging social constructs to enforce justice in a manner that is beneficial to the community at large.
Conflict management practitioners like David Moore turned this philosophical construct into small-scale implementations that demonstrated their effectiveness in practice and encouraged researchers, social workers, and counselors to pilot similar programs, initially in Australia, but now more broadly. Gordon Bazemore imported this line of investigation to the United States and proceeded to study several similarly structured program implementations focused on juvenile offenders. As these ideas gained traction, restorative justice practices sponsored by the criminal justice establishment have been implemented in states including Vermont and Pennsylvania for juvenile offenders. Similar programs focused on adults are still not prevalent, but these small pilot cases contributed to a groundswell of attempts to study grass-roots community restorative justice models.

In the United States, Communitarian ideals began to gain credibility among mainstream criminal justice practitioners following a 1996-1997 U.S. Department of Justice-sponsored speaking series focused entirely on this topic. Simultaneously Canada and the United Kingdom began to implement their own similar programs. The focus of much of this work, however, has been on integrating the victim and the community in the sentencing process, an area where they have traditionally been largely excluded with the

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32 *Restorative Justice*: Framework that gives priority to repairing damage done to victims and communities by the criminal offenders, but also acknowledges broader social cycles of violence in which offenders are themselves often victims. May be contrasted with retributive justice which focuses more on punishment of the offender than on restoring the victim and the community.
exception of the idea of trial by a jury of peers. Fewer overtly Communitarian programs have been put in place to facilitate ex-offender reintegration beyond the activity of restoration. There has also been little attention paid to the underlying principle that offenders are, to some extent, victims too. The evidence-based programs that do address these facets of community integration are not doing so with an explicitly Communitarian perspective, but their underlying pro-social values as well as their focus on community interactions mean they are exceptionally well placed to take these ideals forward in the community justice arena. Aspects of the Delaware implementation of the Workforce Development program that is the focus of this research demonstrate where this potential exists, and that it can be advanced by incorporating ex-offenders who have reintegrated successfully as role-models for probationers.

For now, there remains a continuum of varying levels of integration of Communitarian values in the criminal justice arena. On one extreme is the standard punitive model of justice where offenders are imprisoned following sentencing and on completion of their sentences they are released with no further attention. On the other extreme are models of restorative justice that incorporate healing of and restitution to the victims as part of the offender’s responsibility as well as acts of contrition and restoration to the community at large. In the United States, state and federal justice programs in place today fall on this continuum, more of them on the punitive end than on the restorative end. As programs continue to experiment with and observe the results of programs based on Communitarian ideals, we would anticipate a better mix of approaches where the punitive or restorative approach is taken as an intentional component of Risk-Needs Responsivity instead of as a matter of blanket policy. With
different jurisdictions and communities collaborating to different extents based on their own local values and constraints, the variety of integration models is broad. The U.S. Courts Office of Probation and Pretrial Services (OPPS) in the District of Delaware is of particular interest as a case study of how Communitarian values have truly been integrated into the reentry process while still adhering to existing Office of Probation and Pretrial Services guidelines and regulatory requirements.

Focus of Existing Scholarship

Much of the scholarship in this arena has focused on measuring the risk of re-offense and determining how effectively re-offense can be predicted.

Measuring Risk of Re-offense

From a practical perspective, much of the scholarship in this arena has focused on measuring the risk of re-offense and determining how effectively re-offense can be predicted. Attempts to measure the protective and antagonistic factors influencing likelihood of recidivism have been standardized in a variety of criminogenic risk assessment tools. They all use empirical methods of some sort to assess an ex-offender’s criminogenic profile, but their use varies based on the agency making the assessment and their intent in assessing risk of re-offense. For example, the Federal Post Conviction Risk Assessment (PCRA) is the assessment instrument currently used to predict outcomes for federal offenders, particularly the likelihood of re-arrest. It combines an assessment of criminogenic needs with a consideration of the risk rating of the offender based on their demographic profile. Prior to instituting the PCRA assessment, the U.S. Courts system
used the Risk Prediction Index (RPI\textsuperscript{33}) measure. This rating considers only risk of re-offense based on risk factors identified at the start of the term of supervision such as demographic profile and criminal history, but does not address current needs.\textsuperscript{34} That means that it is a static measure that applies to the offender throughout their probationary period, while their PICRA score may change as their reentry needs are addressed with education and training, or specific treatments for drug abuse, etc.\textsuperscript{35} In addition to these federal measures, some states also use locally specific rating systems; the Ohio Risk Assessment System (ORAS), the Wisconsin Risk and Needs Tool (WRN),\textsuperscript{36} and Level of Service Inventory-Revised (LSI-R) used in Kansas\textsuperscript{37} are examples. A factor that all of these measures have in common is employment, but they also track secondary indicators implying likelihood of employment such as education, vocational skills, previous work experience and so forth. The significant relationship between employment and successful

\textsuperscript{33} RPI: Risk Prediction Index, one of two risk assessment tools used by the Federal District Courts system. This tool assigns a measure based on a fixed set of factors at a single point in time (when the period of supervision began). It is a nine-point scale with ratings one to three being “Low”, ratings four through six being “Medium”, and ratings seven to nine being “High” risk of re-offense.

\textsuperscript{34} This risk assessment tool for the federal probation system was developed by the Federal Judicial Center in 1991. Under development it used a logistic regression model based on over 100 attributes and a pool of more than 2,600 offenders. The eight factors found to consistently have a statistically significant impact have been retained as part of the scoring mechanism and is each assigned their own mathematically derived weight, which is applied during scoring. At a high level those factors include: age, number of previous arrests, history of violence, employment, history of drug and alcohol use, education, family circumstance, and flight risk.


reentry justifies the emphasis that these measures place on employment indicators, though other factors such as length of incarceration, family background, community support and health care, also play a role.\textsuperscript{38}

Relationship between Employment and Recidivism

The relationship between unemployment and recidivism has a practical grounding that has been confirmed in several contexts. In general, this relationship is an economic one in the case of crime commissioned for financial gain, where a person can legally obtain sufficient income for their well-being they will not turn to crime but when such opportunities for legal income are not present then they turn, or return, to criminal activity to fulfill their material needs. The human capital and rational choice theory proposed by Lochner\textsuperscript{39} formalizes this idea and argues that when an offender has marketable human capital they are less likely to re-offend because they have more employment options at higher wage rates and thus the opportunity-cost of re-arrest is higher. Lochner’s data are taken from the National Longitudinal Survey of Youth administered by the U.S. Bureau of Labor Statistics and the Uniform Crime Reports administered by the Federal Bureau of Investigation, both firmly embedded within the U.S. context and cultural norms of formal employment. The same assumptions of formal employment apply within the U.S. Courts Office of Probation and Pretrial services and the recidivism measures used in that context, but outside the United States, and

\textsuperscript{38} McNichols, “Reentry Initiatives,” 37.

particularly in the developing world where informal employment is more prominent in the economy.

Given this economic basis for the relationship between employment and crime, programs designed to promote and sustain employment may be expected to aid in reducing recidivism. Studies like the one performed by Erich Lichtenberger of the Kansas Department of Corrections Offender Workforce Development Special program through the National Institute of Corrections\textsuperscript{40} confirm that, at least in the short term, programming that increases human capital has the effect of reducing recidivism. Lichtenberger found that for the first year after release, ex-offenders who participated in the Kansas Department of Corrections program recidivated at a significantly lower rate than their peers who did not participate.\textsuperscript{41} The program that Lichtenberger studied had some notable differences from the Federal Workforce Development Program, most notably that workforce development programming was provided prior to release from the prison system and did not continue beyond the release date. The study also found that the effects of the programming were not seen in year two after release, which could potentially be accounted for by the fact that it was an exclusively prison-based program and did not address the external community aspect of employment. That possibility could be addressed in a future study to compare outcomes of employment centric programs during incarceration versus those programs conducted during supervised release. Lichtenberger did not specify whether the Kansas Offender Workforce Development participants were assigned to the program or chose to voluntarily

\textsuperscript{40} Lichtenberger, “Offender Workforce Development Specialists,” 34.

\textsuperscript{41} Lichtenberger, “Offender Workforce Development Specialist,” 34.
participate. In this regard the study does not explicitly take into account the selection effect that may hide the impact of offender interests and attitudes with respect to planning for their own reentry. As a result, studies assessing effectiveness and outcomes of voluntary participation programs may be limited by this selection effect.

While studies like Lichtenberger’s focus on state-specific programs, there are also several assessments of the success of the federal Workforce Development program in reducing recidivism. McNichols provides a study of the federal program as implemented in the Western District of Pennsylvania. It is one of only a few studies of the federal implementations of this program, the others having been preliminary rather than comprehensive studies conducted in Vermont, Missouri, and Louisiana in addition to the study conducted by Visher et al. in the District of Delaware. The study in Western Pennsylvania examined which personal characteristics of individual probationers were predictive of successful reentry and to what extent their participation in the program predicted successful reentry where successful reentry simply involved not recidivating for an initial year, and then a second year after release. McNichols shows that employment is predictive of successful reentry even when Workforce Development program participation is not; the Western Pennsylvania study does not show a statistically significant tie between program participation (as an independent variable) and reduced


43 The Level of Service Inventory-Revised (LSI-R) score that the state of Kansas uses for recidivism risk prediction, unlike the federal RPI, does take general attitude and orientation into account, so this may to some extent ameliorate the selection effect in this study but Lichtenberger does not address this possibility.

44 McNichols, “Reentry Initiatives,” 31-36.

45 The implementation model in Western Pennsylvania was designed by that district and differs from the implementation in the District of Delaware most notably in that participation in the program is entirely voluntary.
recidivism, but it does confirm the findings of the existing body of research on the tie between employment and successful reentry.\textsuperscript{46} It is important to note that Workforce Development program participation in the Western Pennsylvania district is voluntary and not tied to any risk assessment rating so, again, it is subject to selection bias. Additionally, information on study participants regarding their substance abuse and mental health history was not available either directly or incorporated in any risk assessment score, so McNichols acknowledges that the incompleteness of this data combined with the underrepresentation of some demographic groups affected the study.

McNichols’ analysis abstracts the fact of employment from the fact of participating in the Western Pennsylvania Workforce Development program in the same way as she abstracts other ex-offender attributes (age, race, gender, education, type of offense, substance abuse, etc.) in order to apply logistic regression analysis and to isolate the impact of the program. Visher et al., in their study in the District of Delaware used a similar approach, again attempting to isolate the impact of the Workforce Development program alone. In the District of Delaware, a basic level of program participation was mandatory for all probationers with a Medium or High RPI score. This reduced selection bias for the program as a whole, but did not address the voluntary use of some of the additional services offered by the program. That study occurred before the McNichols’ study and attempted to compare program participants in the District of Delaware to a random sampling of probationers in other districts in other states that did not offer any

type of Workforce Development programming. Both Visher and McNichols confirmed that employment is inversely related to recidivism but failed to show that the implementations of the programs that they studied were directly responsible for this relationship. The sample size that was available in each case limited the effectiveness of the logistic regression approach and the same remains true for the evidence available in this study. The nuances of those two studies in relation to this one will be discussed in greater detail in a future section.

Designing Programs to Effectively Match Ex-offenders to Jobs

While a significant body of scholarship in this arena focuses on measuring risk of re-offense, a second area of focus lies in identifying programming combinations that are effective. In the broad variety of workforce development programs implemented at both the state and federal level there is difficulty in making programs scalable and duplicating their success given other supporting program offerings. This is especially true amongst programs in the federal arena where, although evidence-based programming is emphasized, standardization of program implementation is not. Instead of the Washington-based Office of Probation and Pre-trial Services (OPPS) mandating a uniform reentry program to be implemented across the nation, they suggest a toolset of best practices including use of PCRA, STARR, Cognitive Behavioral Therapy, Reentry Courts and incentives of reduced terms of supervision. Districts can pick and choose which services they can afford to provide and which program models would be most effective for them to implement, along with more traditional substance abuse and mental health programming. Getting the mix right is left to the program coordinators in
individual districts and reporting the effectiveness of those combinations is limited by the data available given the size of the district, and the frequency with which they modify the program model or review program outcomes.

The approach of intentionally targeting high-risk probationers for workforce development services is increasingly popular to increase each district’s bang for its programming buck. Probation officers and the Office of Probation and Pretrial Services have a statutory obligation to both seek out instances of non-compliance amongst probationers, but also to ensure that rehabilitative services and programs are provided.47 The resource consumption associated with this legal obligation is routinely challenged, most recently by sequestration.48 Pragmatically, Lichtenberger observes that “high-risk offenders, by their very nature, have a greater need” for workforce development services.49 In light of this reality and ever-present resource constraints, his recommendation is to provide a basic level of workforce development services to everyone and then to provide more intensive services on a graduated scale based on risk. The Risk-Needs Responsivity approach considers not only the level of risk, but also the particular contributors to that risk that need to be addressed and the contextual realities that affect how well those needs can be met both through the provision of services and by


48 The United States Budget Enforcement Act of 1990 introduced provisions to limit the size of the federal budget by enforcing limits on amounts of federal spending in certain arenas which are triggered when congress enacts legislation that exceeds the caps. Across the board spending cuts are automatically imposed and enforced until budgetary agreements are achieved by congress. Sequestration, and the threat of it, has become a standard consideration of planning by federal agencies since they were forced to cope with massive and immediate funding cuts following the fiscal cliff incident of 2013.

ensuring that ex-offenders are able to fully receive and assimilate the services provided.\textsuperscript{50} This is not the model currently in place in the District of Delaware where, although the PCRA-centric risk-needs responsivity model is referenced by probation officers in their individual interactions with probationers, everyone who is unemployed and has a Medium (RPI 4-6) or High (RPI 7-9) risk level is mandated to attend Workforce Development workshops, but is not required to participate in other programming if they have no interest in doing so. In this respect, the District of Delaware has relied more heavily on the influence of their team of probation officers and their reentry specialist to direct resources to where they will have the greatest impact.

The tone and quality of interactions with probation officers and reentry specialists heavily influence the responsiveness of an ex-offender to the programming provided so research attention has also been given to their impact. Dowden and Andrews found that the techniques and practices used by probation officers and other correctional and reentry specialists influence the effectiveness of program delivery as significantly as core program design.\textsuperscript{51} The Office of Probation and Pretrial Services has introduced formal training to its probation officers intended to incorporate best practices identified by social science research into their day-to-day interactions with probationers. The Staff Training Aimed at Reducing Re-arrest (STARR) instructs officers in Cognitive Behavioral Therapy techniques to increase their effectiveness in their mandate. Rowland cites the

\begin{flushright}
\textsuperscript{50} Rowland, “Too Many Going Back, Not Enough Getting Out?” 7.

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study conducted by Baber and Johnson\textsuperscript{52} on the effectiveness of judicial and statutory guidelines used in conjunction with probation officer judgment in identifying cases where early termination of community supervision was appropriate. That study confirmed that policies currently in place “allow officers to make responsible decisions about which supervisee to recommend for early termination”\textsuperscript{53} and thereby emphasize the relationship and person-to-person assessment value of the probation officer. The Judicial Conference of the United States Sentencing Commission defines the policy framework that governs the activity of probation officers, who then execute their oversight in cooperation with the judge who holds jurisdiction over the case or cases in question. These probation officers still have some latitude regarding the sanctioning of non-compliance, provided that it is not criminal in nature. Rowland emphasizes that, “according to judiciary policy, each intervention in response to noncompliance should be individually tailored to relate to the nature and degree of the noncompliant behavior and to the context in which the behavior occurs.”\textsuperscript{54} This allows for and supports the value of the relationship between the probation officer and the probationer under supervision. It also permits the probation officer to assess circumstances relating to the community context and, depending on their familiarity with the probationer’s family, social connections and, ideally, employer and colleagues. Communitarian values are incorporated and expressed in this procedural flexibility, but the breadth and extent of community engagement varies based on the


individual interests, style, and approach of the probation officer, ideally in consideration of the needs of the probationer.

Restorative Justice

Communitarian values are most fully expressed in restorative justice programs which, while not common in the United States, do focus more explicitly on the specific social context of individual crimes, their perpetrators, and their victims. An example of scholarship with this area of focus is the manner in which Presser and Lowenkamp\textsuperscript{55} re-frame the question of risk of re-offense. They propose interpreting that risk to apply to a single victim instead of to the public in general, and argue for a method of offender screening that specifically determines the risk that the offender will cause further mental or emotional trauma to the specific victim rather than that they would re-offend in some general way thereby harming society at large.\textsuperscript{56} They argue that the screening methods in place today focus so much on the risk of re-offense that they are not helpful for determining which offenders would be appropriate for restorative justice programming such as Victim-Offender Mediation, Sentencing Circles, and other similar models of community sentencing. The pre-requisites for appropriate assimilation of community values that would make an offender suitable for restorative justice programming and effectively give them a low “victim-risk” value are the very characteristics that Cognitive Behavioral Therapy programming develops in probationers as a central aspect of reentry programming. The core premise is that, just as an ex-offender’s original crime took


\textsuperscript{56} Presser and Lowenkamp, “Restorative Justice and Offender Screening,” 334.
place within a broader social context, so the success of their reentry is influenced by this same context of integrated relationships and social influences. As such, “Central to the restorative justice vision are communities of people acquainted with the victim and the offender and their circumstances. In that kind of community, formal, systematic screening is unnecessary. That version of community has mostly disappeared in developed nations.”

Presser and Lowenkamp therefore advocate for techniques that are evidence based and goal directed in locations where more integrated community-based assessment is impractical.

Context in Relation to Existing Research

This analysis assesses District of Delaware probationers who were participants in the program during the fiscal years 2006-2014 and relates the findings to those of similar investigations of the Workforce Development Program model.

Comparison to Visher and McNichols

The Workforce Development Program was introduced by the Administrative Office of Probation and Pretrial Services (OPPS) in 2006 and has progressively been implemented among the 94 districts across the nation. As one of a variety of evidence-based practices implemented by the U.S. Probation office in its effort to smooth reentry for the many ex-offenders on probation across the country, it has been assessed both in conjunction with other programs, and independently. As alluded to earlier, Visher and McNichols have both added to that body of research with studies focused narrowly on the

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effectiveness of the Workforce Development program. McNichols studied the program implementation in the District of Western Pennsylvania, and Visher looked at the model in the District of Delaware as it was initially implemented in 2006. The research presented here does not attempt to duplicate either of these studies because they already effectively demonstrated the positive potential of the program in the region. Similarly, the positive effect that steady employment has on reducing recidivism is well established as referenced previously so, for our purposes, this will be taken as given. These studies did not, however, examine the effects of program implementation models on outcomes. Their interest was in establishing how well the Workforce Development program addressed unemployment and thereby recidivism. They did not question which aspects of the program were most effective or how to increase its effectiveness. McNichols did recognize that there was a need to better understand the potential influence of the probation officer or reentry specialist in the program implementation, but was not able to explore that idea in detail in her study. The research presented here is intended to build on the foundation already provided by these earlier studies by investigating in further detail what implementation models of the program are the best predictors of steady and reliable employment, which aspects of the program design accomplish that, and why.

58 Both districts fall into the Third Circuit of the U.S. Courts system and have demographic, cultural and economic similarities as a result.


60 McNichols, “Reentry Initiatives,” 41.
The research questions being asked are significant in the design of each of these studies. Visher and her team first asked whether or not participants were employed after a year of program participation, and what the quality of their employment was as assessed by whether it was full- or part-time, at what salary, and in which field. She then related this information back to the rate of recidivism in an attempt to confirm that employment did, indeed, reduce recidivism in the treatment population. Conversely, McNichols was interested in identifying which characteristics of probationers were predictive of successful reentry and whether participation in the Workforce Development program was one of these predictors amongst a variety of other demographic and socio-economic indicators.61 She did not examine the content of the program or assess the circumstances in which it is most likely to be effective. Indeed, neither Visher nor McNichols assessed the quality of the program design in their respective districts or in comparison to any other implementation models for the same program. While Visher does give additional attention to the vocational training aspect of the program that existed in the District of Delaware at that time, the rationale behind her choice to do so above other aspects of program design is not clear. By comparison, the research that follows will ask which of the three program implementation models that the Workforce Development program in the District of Delaware has used between 2009 and 2014 was most effective and why.

Due to the relatively small probationer populations of their respective districts, both Visher and McNichol had a limited number of data points with which to perform

61 McNichols, “Reentry Initiatives,” 38.
their analyses. In both cases the population size prevented some of their findings from being statistically significant. Visher identified 80 probationers who started program participation between 2006 and 2008 and then looked at their employment status at a point in time one year after they entered the program. She constructed a synthetic composite comparison population out of probationers in other districts that do not have Workforce Development programs, but did have equivalent demographic and risk indicators. Since program participation, at least at the basic level, was mandatory for medium- and high-risk probationers, comparing them to a control group derived based on RPI made it a legitimate comparison. They were, however, only used for recidivism comparison and not for employment quality comparison. McNichol did not construct comparison data from outside of the district but this meant she was also limited in the comparisons she could make. She used 75 Workforce Development participants from 2007 and 75 participants from 2010 as her treatment population, and 75 probationers from 2010 (who did not participate in 2010) as her control population. As a result, the impact of program participation could only be assessed against the 2010 data set. Additionally, since participation in the program was both voluntary and open ended, her data allowed for potential duplication of individuals between the Workforce Development population in 2007 and that in 2010, and for selection effects; she did not attempt to track the duration of program participation for each person included in her study. Like McNichol, the following research does not attempt to track the duration of program participation of each individual since participation is open ended. This analysis assesses District of Delaware probationers who were participants in the program during the fiscal years 2006-2014, so there is potential duplication of individuals who
participated over several years. Data are captured from the end of each fiscal year and comparisons are made amongst the cohorts associated with each program implementation model. Collecting data in this manner allows for 2560 readings across the 8-year time period. Participation in the program remains mandatory for Medium and High RPI probationers who are unemployed in the District of Delaware, so this limits selection effects. They are not entirely eliminated since some additional services offered by the program (ranging from specific education assistance to use of the clothing closet) are voluntary, and this study does not attempt to parse the effectiveness of each individual service.

Both Visher and McNichols acknowledged unreliable or missing attributes in the data available to them which either impacted the reliability of their results or prevented them from pursuing some avenues of investigation. This is particularly true in the case of availability of data on substance abuse and treatment, as well as mental health issues and treatment because of the cross-impacts they have to a probationer’s reentry experience. There is also a great deal of information that simply is not captured by Community Resource Specialists, Reentry Specialists, and Probation officers. Many of these limitations remain in effect in the District of Delaware today and will be discussed in greater detail along with the recommendations identified as a result of the research findings.
Current State in Delaware

The state of Delaware is geographically small, and its population is predominately white and relatively wealthy. The U.S. Courts District of Delaware encompasses the entire state and still requires only two district offices; the largest in Wilmington is staffed by 5 probation officers, and a second in Dover, which only needs 2 officers to actively manage supervision cases. The population of probationers from the federal corrections system supervised by this district has fluctuated between 270 and 316 per year over the last six years. It has been primarily black (fluctuating around 62%), primarily convicted on drug (~34%), property (~28%), and weapons (~24%) offenses and mostly with a Medium (~39%) or Low (~33%) risk of reoffending based on RPI. These metrics do not take into consideration the population of offenders managed through the Delaware Department of Corrections state system, but they do give a sense of the key population relevant for the research that will follow.

The Office of Probation and Pre-Trial Services (OPPS) of the U.S. District Courts is responsible for managing the population under federal probation, supervised release or parole, all of which will be referred to as probationers for the purposes of this research.

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62 Delaware encompasses just under 1950 square miles with a similarly small population of nearly 926,000 as of the 2013 census. It is primarily white, 71%, with a high home ownership rate, 72.5% and a low proportion of people living below the poverty level, 11.7%. Per capita and median household income are also both higher than national averages at $29,819 and $59,878 respectively.


64 All three of these designations apply to the population that is relevant for research. The distinctions between them are technical in nature and not material for the purposes of this investigation. The majority of probationers in the District of Delaware, nearly 90%, fall into the category of Supervised Release, which, like parole, means they have served a term of incarceration and are required to submit to supervision as they reenter society. Those on probation have been convicted but are being supervised in lieu of a prison term, often in addition to home detention. Note that OPPS also provides reentry support for inmates still supervised by the Bureau of Prisons but residing in half-way houses for the final weeks of
Some conditions of probation are mandatory such as drug testing, while others such as participation in varying types or rehabilitative or reentry-related programming vary in response to Risk-Needs responsivity by the district in question and by program and resource availability. At minimum, probationers are routinely contacted by their officers to assess their needs and to gauge their risks. The frequency and context of these interactions varies based on risk assessment such that a Low RPI probationer may only be required to check in quarterly by telephone, whereas a High RPI probationer may need to check in weekly in person, with additional phone follow-ups as determined by the case plan laid out by the assigned probation officer. Each district puts in place the reentry programming that is appropriate for its budget, context, and support resources available, using those programs recommended by the Administrative Office (AO) of the Office of Probation and Pretrial Services as a guide. The District of Delaware implemented a Cognitive Behavioral Therapy program called “Thinking for a Change” in 2008 and administers it through a third-party organization, “Delaware Anger Management.” Only Medium- and High-risk re-offenders are sent to that program based on their RPI score.

To date, no study of the effectiveness of the “Thinking for a Change” program has been done in the District of Delaware. However, a study conducted by Christopher Lowenkamp and his collaborators provides an evaluation of the “Thinking for a Change” (TFAC) program design as it was implemented by probation staff in Tippecanoe County, Indiana.65 That study is notable in that it demonstrates the effectiveness of the program

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even when implemented by staff not affiliated with program design. This shows that the program model is not only successful at reducing recidivism but that the design can also be successfully duplicated and a train-the-trainer model is effective for reproducing program capabilities in multiple locations as has been done in Delaware. In 2012, the District of Delaware introduced a Reentry Court program, which is a minimum 70-week voluntary participation model in which highly motivated probationers with Medium or High RPIs meet with the reentry judge every two weeks. They also engage in mandatory court ordered reentry programming, especially pertaining to employment. The participation rate is low (usually only 5-7 people per cohort) and, given the program length, there has not been sufficient time to accumulate data on the efficacy of the program. The most recent addition to the District of Delaware reentry support toolkit has been the STARR program. Although the district is enthusiastic about the program and has volunteered for its early adoption, only preliminary training of managerial staff has taken place so far. Delaware has been assigned to the third wave of implementations, which means that probation officers who have active caseloads will only begin their training during 2015 and only then will they begin using the resulting capacity to supplement the CBT that probationers receive through TFAC. For probationers with a High RPI, their probation officers will provide the only support approximating CBT that they receive, so the potential benefit of STARR will be especially relevant for that population once it is under way.

The Workforce Development Program is the longest-running reentry program in use by the District of Delaware and is the focus of this research. Although it was initially introduced to the Office of Probation and Pretrial Services in 2004 it was not funded
nationally until 2006, and Delaware did not fully implement it until 2008 following a pilot that began in 2006. Although the District of Delaware has developed a significant accumulation of relevant data since the Visher study, it has not been reviewed until now.

The Second Chance Act

The “Second Chance Act of 2007: Community Safety through Recidivism Prevention,” having garnered bipartisan support, was signed into law in April 2008 with the goal to:

(1) to break the cycle of criminal recidivism, increase public safety, and help States, local units of government, and Indian Tribes, better address the growing population of criminal offenders who return to their communities and commit new crimes;
(2) to rebuild ties between offenders and their families, while the offenders are incarcerated and, after reentry into the community, to promote stable families and communities;
(3) to encourage the development and support of, and to expand the availability of, evidence-based programs that enhance public safety and reduce recidivism, such as substance abuse treatment, alternatives to incarceration, and comprehensive reentry services.66

The federal grant program by which these goals are intended to be achieved is administered through the U.S. Department of Justice’s Office of Justice Programs. According to the Council of State Governments, as of this writing, the act has provided over 700 awards of grant-based funding since 2009.67 When the Workforce Development Program was instituted at the beginning of Fiscal Year 2009 it had both the political and the financial backing of the Second Chance Act, which meant significant

funding was available for activities related to the program. Indeed, during the period Fiscal Year 2009-2010, $53,342 in Second Chance Act funds was spent in the District of Delaware, and $17,251 (32%) of that was spent directly on Workforce Development program related activities (Job Readiness Training, Individual Career Counseling, Employee tools, equipment and licensure, etc.) with the remainder being spent on reentry support that facilitated employment (transitional housing, cognitive behavioral therapy, etc.). In subsequent years, the grant program has not been consistently, or as generously, funded by Congress in its annual budget process. As a result, reentry programs across the nation have had to either reduce the services they offer or supplement their work from other funding sources. The research method used in this study attempts to capture the impact of this funding for the District of Delaware, and the findings will be discussed further in a subsequent chapter.

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Chapter II

Method

The analysis presented here asks what makes participation in the program a better insurer of employment today than it was in previous iterations of program design and implementation.

Research Question

The Workforce Development Program was introduced by the Administrative Office of Probation and Pretrial Services (OPPS) in 2006, and has progressively been implemented among the 94 districts across the nation. As one of a variety of evidence-based practices implemented by the U.S. Probation office in its effort to smooth reentry for the many ex-offenders on probation across the country, it has been assessed both in conjunction with other programs, and independently, as described previously. The analysis presented here asks what makes participation in the program a better insurer of employment today than it was in previous iterations of program design and implementation. The formulation of this question considers the findings of Visher and McNichols, who both have already added to the existing body of research with studies focused narrowly on the effectiveness of the Workforce Development program within the Third Circuit of the US Courts system.

The District of Delaware incorporated Workforce Development programming into its reentry toolkit in 2008 and the program has continued since that time. Although the
program has now been in place for six years, it appears to have become dramatically more successful within the last two years. This study will quantify that success according to a variety of indicators and then try to determine its cause. By doing this it will explain what made the program a better insurer of employment for probationers in recent years than it had been in the past.

The research presented here does not attempt to duplicate the studies conducted by Visher and McNichols because they have already effectively demonstrated the positive potential of the program in this circuit. Furthermore, where data limitations prevented more conclusive results, those limitations remain in effect in the District of Delaware today.\textsuperscript{69} The predictive capacity of the Risk Prediction Index (RPI) score that McNichols relied upon in Western Pennsylvania is standardized nationally and continues to be used because its efficacy as a risk predictor is well established and tested. Similarly, the positive effect steady employment has on reducing recidivism is well established and, for our purposes, can be taken as given. These studies did not, however, examine the effects of the program implementation model on outcomes since each was conducted assessing the data at a single point in time. Their interest was in establishing how well the Workforce Development program addressed unemployment and thereby recidivism, they did not question which aspects of the program were most effective or how to increase its effectiveness; both of which require longitudinal analysis. McNichols did recognize that there was a need to better understand the potential influence of the probation officer or reentry specialist in the program implementation,\textsuperscript{70} but did not

\textsuperscript{69} These will be discussed in greater detail along with the recommendations identified as a result of the research findings.

\textsuperscript{70} McNichols, “Reentry Initiatives,” 41.
explore that idea in detail in her study. This research is intended to build on the foundation already provided by these earlier studies by investigating in further detail which aspects of the program do the most to ensure steady and reliable employment, and why.

Initial Observations

At the end of Fiscal Year (FY) 2010, after the Workforce Development program had been in place for two years, the employment rate in the District of Delaware stood at 66.7% and ranked 35th of the 94 districts nationally.\textsuperscript{71} Two years later, at the end of FY 2012, the employment rate in the District of Delaware rose slightly to 67.7% but ranked 40th out of the 94 districts.\textsuperscript{72} Within another two years, by the end of FY 2014, this picture had changed dramatically with the employment rate now at 79.4% and ranked 4th nationally.\textsuperscript{73} Not only did the employment rate increase by 12.7% between 2010 and 2014, but since employment rate is one of several proxy measures that speak to the likelihood of recidivism, the recidivism rate itself is of most significant interest. Within the time-frame in question there was a similarly noticeable reduction in the number of probation cases closed by revocation; a fall from 25% in the first two investigation periods (2008-2010 and 2010-2012) to just 21% in the period 2012-2014.\textsuperscript{74}

\textsuperscript{71} Office of Probation and Pretrial Services, 1257: Employment Metrics Snapshot (PC) - For Point in Time 9/30/10, 9/30/12, 9/30/14, January 23, 2015, raw data, Decision Support System, Wilmington.

\textsuperscript{72} Office of Probation and Pretrial Services, 1257: Employment Metrics Snapshot (PC), January 23, 2015.

\textsuperscript{73} Office of Probation and Pretrial Services, 1257: Employment Metrics Snapshot (PC), January 23, 2015.

\textsuperscript{74} Office of Probation and Pretrial Services, Post-Conviction Supervision Cases Closed With and Without Revocation, January 23, 2015, raw data, Decision Support System, Wilmington.
Initial interviews with probation officers and staff explained the dramatic changes in employment rates and their subsequent influence on revocation rates by pointing to the personal influence of Saad Soliman as reentry specialist and director of the Workforce Development Program in the District of Delaware. This research attempts to quantify this influence in relation to other aspects of program design by comparing the implementation model today against those in previous time periods. Doing so confirms that Soliman’s influence is, indeed, the most convincing explanation for these changes. It also helps to articulate what it is that he brings to this role that is so influential and to identify whether it can be modeled by other districts. Thus, the impact of this research will be to describe the changes that have occurred in the District of Delaware during their period of improvement, and then suggest a program design model that can be duplicated in other contexts and potentially have similar positive impacts elsewhere.

Hypothesis

My research tests the theory that Saad Soliman’s influence on the Workforce Development program in the context of, and enabled by, the District of Delaware’s overall approach to reentry is the reason for the improvement in employment rate and recidivism rate. It argues that it is the fact that Soliman is, himself, an ex-offender that makes his input and influence so unique and striking in its effectiveness, given the enabling context of the District of Delaware Office of Probation and Pretrial Services. There are several areas in which his contribution is exclusive to his circumstance as a former felon, and these have proven to be strengths that he has leveraged to improve the Workforce Development program service offering. He is an empathetic role model to
probationers under supervision in this district. In his interactions with them, he has credibility that comes from his own experience with incarceration and reentry. He stands as living proof to the probationers with whom he works that re-integration into mainstream society is not only possible, but also rewarding both materially and emotionally. Additionally, he provides innovative and informed input in support of probation officers. Here too, his personal experience gives him uncommon insight into the circumstances and mindsets of probationers returning to society so he can effectively bridge the empathy gap between the two groups, probationers and probation officers. For probation officers he proves that redemption is possible and worth working towards. This testament is a significant morale booster for officers who work in a context where the likelihood of disappointment is pervasive.

To date, Saad Soliman is the only ex-offender to be employed by the US Courts system by the Office of Probation and Pretrial Services (OPPS) in any capacity. In general, there is tremendous cultural skepticism about collaborating with ex-offenders within the OPPS nationally stemming from a long-standing “us versus them” attitude towards probationers of probation officers who are entangled in the cognitive dissonance of providing both punitive oversight and rehabilitative services. This new model of including an ex-offender as a facilitator in the reentry process rather than a consumer of services turns the “us versus them” paradigm on its head and incorporates a much more Communitarian world-view in the approach towards reentry. The District of Delaware

OPPS demonstrates that both sides, probation officers and probationers, are really one whole, the community.

Disproving this theory would involve identifying some other aspect of program design or some external circumstantial change (economic or procedural) that took place concurrently with Soliman’s tenure but not influenced by it. As discussed in greater detail in the findings, all changes in program design were minor with the exception of the introduction of Soliman himself. Those changes were introduced by him, as opposed to other stakeholders, and were motivated by Risk-Needs Responsivity as interpreted through the lens of his personal reentry experience. Economic and procedural circumstances based on organization policy were not conducive to improvements in program outcomes during this timeframe. Given those findings, this study will show that Communitarian values are embedded in the formal institutions of justice to the extent that the individual members of those institutions cultivate and express the collective values of the whole community in their decision making. Those values have been introduced and cultivated in the District of Delaware; they facilitated the placement of Saad Soliman in his current role and ensured that he was given the latitude required to produce such positive reentry results while in that role. Those same values can be instilled and nurtured in any district provided that the Communitarian mindset is consciously cultivated. The findings that follow also demonstrate that Communitarian values are most fully expressed and most effectively employed when ex-offenders are included as part of the team involved in ensuring reentry success for other ex-offenders.
Significance

This investigation is relevant because of its potential to ensure the greatest return on investment for resource allocation by identifying high value areas of investment for the Office of Probation and Pretrial Services (OPPS), recognizing opportunities for improvement, and relating both of these back to costs to the justice system overall. It demonstrates that program leadership from an ex-offender provides an empathetic role-model to probationers and a credible example of successful reentry to other stakeholders and that the impact of this example on the attitudes of law enforcement personnel, employers and probationers themselves builds enough substantive community buy-in to make a difference to outcomes. This indicates that consistently displaying proof of reentry success provides a bigger bang for the programming buck than relying on job training and referral facilitation alone.

The outcomes of this research can be used to enhance the effectiveness of the Workflow Development program by providing a basis for intentionally employing ex-offenders in the reentry context. This basis involves not only the demonstration of their effectiveness in assisting in the reentry of other ex-offenders, but also a change in attitudes of probation officers and staff within the OPPS to include ex-offenders as their partners and team-mates in aiding reentry. Both of these would improve the effectiveness of the Workforce Development program in other districts without necessarily increasing costs. It could also justify targeted recruiting and training campaigns from among federal probationers, not just ex-offenders, to fill reentry support roles in other districts.

Although the unique combination of education, skills, prior experience, and personality
that Soliman offers to the District of Delaware will not be automatically replicable by other districts, the role-model value proposition could encourage investigation of other ways in which successful reentrants could become collaborators with the OPPS and provide services to current probationers as mentors or coaches.

The process of investigation and analysis has helped to identify gaps in documentation that, if closed, would assist in taking advantage of the evidence-based nature of the program over time. In order to fully realize the value of evidence based programming, that evidence needs to be routinely reviewed and leveraged to drive enhancements and modifications to the program. Refinement of the data used to accomplish this will aid in that endeavor in the future. Finally, this investigation has the potential to assist in adjusting the targeted audience or dosage of program offerings to ensure that the highest benefits are achieved based on the resources available. Since the overall costs of community-based supervision through Office of Probation and Pretrial Services are much lower than the costs of incarceration through the Bureau of Prisons, enhancing the capabilities of probation officers to reduce recidivism or even leveraging the community supervision capability more frequently as an alternative to incarceration has the potential to cut costs across the criminal justice system even if it means transferring some resources from one area to another.  

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76 Rowland, “Too Many Going Back, Not Enough Getting Out?” 9-10. Provides a full discussion of this cost break-down and argues for building capacity in the probation arena as an alternative to incarceration.
Scope

The scope of this study is limited due to practical considerations, but it is also limited theoretically in light of the context of the program that is the focus of attention. The population of probationers considered is restricted to those under supervision by the US Courts in the District of Delaware. This means they have all been convicted of federal crimes and their supervision is managed under the federal system. They may or may not have additionally been convicted of state crimes, but the management of their supervision under the state system occurs independently and is therefore not taken into consideration for this study. As such, if they re-offended after their period of federal supervision and were convicted under the State of Delaware court system, the fact of their re-offense would not be captured within the data set considered here.

The District of Delaware is the specific federal district taken into consideration for this study because it is the only locale where the implementation of Workforce Development Program has undergone revisions that produced the striking results that are our focus here. No attempt is made to provide comprehensive comparisons to any other federal districts. Very general comparisons are made to the extent that districts within the federal system are ranked against each other based on key data attributes within the Probation Automated Case Tracking System (PACTS) or Decision Support System.

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77 Those practical limitations are based on what is practically manageable for a single researcher within the allotted time and available budget.

78 Probation Automated Case Tracking System (PACTS) is the software application developed by the Administrative Office of the OPPS to capture and manage pre-trial and probation client data.
but no attempt is made to supplement data from other districts with any more comprehensive analysis of the programs they have adopted, including Workforce Development, or the way in which those programs have been implemented. Since the Administrative Office of the Office of Probation and Pretrial Services does not mandate that the Workforce Development program be implemented, nor do they prescribe what other programs could or should be implemented with it, expanding the scope of this study to include programs implemented in other Districts would have introduced unnecessary breadth for this study.

It is important to note that the probationers under the supervision of the District of Delaware office may have been convicted in other federal districts and transferred to Delaware for a variety of reasons related to their access to social support. Similarly, not everyone convicted in the District of Delaware would necessarily remain under supervision in Delaware. The focus of this study is on the impact of the Workforce Development program as a reentry service to probationers supervised in Delaware regardless of where they were convicted.

There are a variety of categories of post-conviction supervision depending on aspects of the probationer’s living arrangements, the context in which they were released and things of that nature. All of these categories were considered in the scope of this study since none of them materially limit or advance a probationer's ability to participate

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79 Decision Support System (DSS) is a reporting tool that allows queries to run against the database that was populated by entries in PACTS.

80 The main reason for such transfers to be approved is to allow the probationer to be close to family support, another factor that significantly reduces risk of re-offense.
in or to benefit from the Workforce Development program.\textsuperscript{81} Participation in the Workforce Development program is limited to probationers who have a Medium or High risk of re-offending. This risk assessment is generated based on a fixed set of factors at a single point in time; it is determined when a probationer’s period of supervision begins. This Risk Prediction Index (RPI) is a nine-point scale with ratings one to three being “Low”, ratings four through six being “Medium”, and ratings seven to nine being a “High” risk of re-offense. At the end of 2011, a new additional Post Conviction Risk Assessment (PCRA)\textsuperscript{82} was introduced. It measures the risk of re-offense periodically throughout a probationer’s period of supervision and can, therefore, fluctuate depending on a given probationer’s individual reentry experience. For the purposes of this study, only the RPI measure is used to identify probationers participating in Workforce Development. PCRA was not available in the initial time periods for study so could not be used as a comparison point for those earlier time frames. Additionally, PCRA was intended to be used for designing an individual probationer’s case plan according to their current circumstances; as such it is optimized for current state assessments. The ability and, in fact, intention that the PCRA scores fluctuate made it an unhelpful measure in assessing a group of probationers in aggregate, over time. Finally, and most significantly, participation in the Workforce Development program is determined based on RPI score when the case plan is defined at the start of the period of supervision, so

\textsuperscript{81} The post-conviction categories include Bureau of Prisons (i.e. in custody in a half-way house), Parole, Probation, Supervised Release.

\textsuperscript{82} Post-Conviction Risk Assessment (PCRA) is an actuarial tool that supplements the Risk Prediction Index (RPI) and addresses each of the three key areas of the Risk-Needs Responsivity model for criminogenic needs assessment, whom to target, what their current needs are, and how to remove barriers to meeting those needs.
initial or subsequent PCRA scores do not impact whether a probationer participates in the program or not.

As indicated previously, participation in the Workforce Development program is limited to probationers who have Medium or High RPI scores. This policy is based on two factors; first, probationers who are already at a low risk for re-offending do not provide a high rate of return on investment in relation to cost of reentry services provided. Second, but more critical in some respects, is that enforced participation in any reentry programming could constitute over-supervision. Low-risk probationers have been found to react negatively to intense supervision such that in some cases recidivism rates actually rise for low-risk probationers who are over-supervised.\textsuperscript{83} Although Low RPI probationers are excluded entirely from the Workforce Development program, High and Medium RPI probationers are only required to participate during periods of unemployment. They are welcome to continue participation voluntarily even while employed but participation is not a mandatory part of their case plan. This means that any given probationer may participate or not participate for varying periods of time during their period of supervision. There is also the potential for some selection effect at the granular level of services received within the program, some of which are offered based on Risk-Needs Responsivity or received voluntarily. The mandatory basic level of participation in group sessions and workshops for unemployed probationers with Medium and High RPI limits that effect. Since a significant factor associated with a Medium or

High RPI score is unemployment at the start of supervision, and since RPI is the only systemic indicator for Workforce Development participation, for purposes of this study, the RPI score has been used to identify Workforce Development participation. These rules for program participation have been in place since the program was initially implemented and have not changed in any of the subsequent implementation models.

This analysis is focused on identifying the varying impacts of the Workforce Development program as a result of each of its three implementation models. It examines outcomes for program participants based on how services were delivered in each model. There is no comparison against probationers who did not participate in the program because the positive effect of employment on reducing recidivism rates has already been demonstrated in other studies, so a control group of that nature was not required. Instead, the data have been assessed in three separate blocks of two years, which align to the three different service models. In general, the service models were determined by budgetary and personnel considerations so they follow the fiscal calendar. Period 1 runs from fiscal year 2009 through fiscal year 2010; or October 1, 2008 through September 30, 2010. It coincides with the initial implementation of the Workforce Development program that was administered by Jonathan Fletcher and was assessed by Christy Visher and her team. Period 2 runs from fiscal year 2011 through fiscal year 2012; or October 1, 2010 through September 30, 2012 during which time there was no dedicated reentry specialist and the services of the program were provided ad hoc with support from probation officers. Period 3 runs from fiscal year 2013 through fiscal year 2014; or October 1, 2012 through September 30, 2014. This is the treatment time period that will be compared to the previous two. During this time Saad Soliman administered
the program as he continues to do. I will simply refer to these time frames as period 1, period 2 and period 3. There are, necessarily, probationers whose period of supervision overlapped more than one service model but, given the limited size of the population of probationers in the District of Delaware, and the further limitation of only assessing those with Medium and High RPIs, controlling for these overlaps, while preferable, was not feasible.

Sources

The US Office of Probation and Pretrial Services (OPPS) in the District of Delaware gave me access to their data and their personnel so that all primary source material for this study was provided under the auspices of the US District Court System. Data used for quantitative analysis was extracted from two information systems used routinely by the OPPS nationally. The first, the Probation Automated Case Tracking System (PACTS) stores probationer profiles and all of the supervision case-plan information and case notes associated with their individual reentry process. This system includes details on each probationer’s risk of re-offense as well as the specifics of what additional support they are receiving, such as mental health counseling, or substance abuse rehabilitation. Data are accumulated in this system for the duration of the probationer’s engagement with the US Courts; their record is initiated as part of the pretrial phase and is expanded and updated throughout the period of supervision. The data referenced for this study were specific to the probationary period and provided by the probation officer. The second information system referenced was the Decision Support System (DSS), which is a reporting tool that allows queries to run against the OPPS
database initially fed by PACTS. It provides a broad variety of semi-standardized reports that can be customized with specific parameters for date and scope of data, but otherwise provide the same type of view of the data each time they are run. Since DSS is enabled through SAP Business Objects, customized Web Intelligence reports were written for this project in order to extract study data from the DSS database. These reports were designed to be specific to the District of Delaware and the particular time frames and probationer attributes that were of interest for this study. The majority of the statistical information shared in this research was generated using a combination of standard and customized reports extracted from the DSS database.

The qualitative analysis presented here was produced based on information gathered using surveys, interviews, and case notes for individual probationers stored in PACTS. Two separate surveys were generated, one targeting probation officers in the District of Delaware and the other targeting probationers. The first survey was published online and probation officers were invited, via email, to respond using the URL provided. This survey was totally anonymous and voluntary, and the response rate was 71%. Given the small number of potential respondents with just seven probation officers in the district, this feedback can only be used anecdotally. The questions were designed to elicit the probation officers’ current assessment of, and attitude towards, the Workforce Development program in terms of how effective they feel it is based on their experience. They were also asked about their initial and current feelings about working so closely with an ex-offender in order to gauge their reaction to the blurring of the line between OPPS staff and ex-offenders they had historically drawn in their professional context.

84 The questions used for each survey are provided in the Appendix.
A separate survey targeted probationers and was also anonymous and voluntary. Probationers were invited to respond on paper to a multiple choice set of questions and then to leave their responses in the same drop-box where they drop off their written supervision statuses on a monthly basis. The survey was provided on paper to encourage participation because technical limitations such as ease and frequency of Internet usage, and motivation limitations such as distractions outside the probation office, risked reducing the response rate. The questions solicited probationers’ general attitude and level of satisfaction with their reentry experience as supported by both their probation officer and Saad Soliman as their reentry specialist. These questions were modeled after a similar survey conducted by the OPPS in the Districts of Western New York and the Kentucky Western district in 2009. The responses can therefore be easily related to the responses in other states should the District of Delaware choose to make such a comparison as part of a separate study. Additionally, the survey asked probationers to confirm which Workforce Development program services they had used and which they found most helpful. This was used to supplement data not currently captured in PACTS, which does not store details of all of the services available through the program.

Interviews with key personnel in the District of Delaware were critical in establishing the background of the Workforce Development program: how it had previously been implemented; how it is currently being managed and how the program

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85 Envelopes were provided to add to the probationers’ comfort that their responses were truly anonymous.

fits into the overall reentry domain in Delaware. Walter Matthews, the Deputy Chief Probation Officer and operational lead for the District of Delaware, was the primary contact point during the research process and provided specific operational details and historical information. Saad Soliman, as the reentry specialist and current Workforce Development program lead, provided all of the details of how the program is currently run as well as anecdotal evidence confirming the results of the statistical analysis and survey feedback. His personal program management style and biographical background are also central to the results of the program; they were observed in detail and are described below. Finally, John Selvaggi, the Chief Probation Officer, was critical in giving context to this program and in identifying the Workforce Development program as an area of particular interest for investigation.87

Workforce Development Program Description

The Workforce Development Program was initiated in the District of Delaware in late 2006 as a small scale pilot sponsored by the then Chief U.S. Probation Officer of the district, Jack McDonough. The program had an emergent design based on the interests of five probation officers in response to the increasing popularity of evidence-based practices within the corrections domain, as well as their growing awareness that “many offenders under supervision simply [did] not have the experience and skills necessary to find, secure, and maintain quality, career-oriented employment. Expecting them to

87 Christopher Lowenkamp, a prominent researcher in the field of reentry and evidenced based programming and the author of several studies cited in this work was also interviewed. His guidance very early in the project was instrumental in identifying appropriate scope and avoiding some of the pitfalls associated with OPPS data. His guidance was very general and he did not provide any data or analysis specific to the District of Delaware.
accomplish that goal with their current skills and resources [would] lead to frustration all around…. The role of probation and parole includes active efforts to both prepare offenders for the world of work and to assist them in finding appropriate work. The onus of finding employment is shared between the officer and the offender.”

McDonough articulated the goals of the program as:

- Reduced recidivism – defined as a reduction in new arrests.
- Increased employment of offenders.
- Increased earnings of offenders.
- Increased levels of skill training and education.
- Enhanced employment opportunities.

He envisioned a two-part approach to accomplishing these goals, and that core strategy has remained intact as the program has evolved. The first aspect involves preparation of probationers for the job market, both in terms of practical readiness, including anything from appropriate attire and assistance with the application process, to more fundamental soft skills like time management and appropriate demeanor towards managers and co-workers. There is also a heavy emphasis on skills training and GED completion associated with probationer preparedness. The second aspect involves active cultivation of the pool of potential employers, by articulating and publicizing the benefits of hiring probationers, and forming partnerships with employers to funnel probationers in their direction when job openings become available. McDonough’s advice to other districts considering a similar strategy emphasized a set of critical challenges that remain central

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to the success of the program today, and that are material in assessing the success of each of the successive approaches to program implementation.

1. Changing the philosophy and mission of the agency and the staff. PPOs\(^{90}\) have to learn new skills and take on new responsibilities. Collaboration with community partners is critical.

2. Changing employer attitudes about hiring offenders. They have to see the advantages of taking a chance on an offender, working with the probation or parole agency…

3. Changing offender attitudes about work, developing a commitment to work and giving them the skills to locate, secure, and maintain gainful employment.\(^{91}\)

While the program has undergone modifications in its implementation model as it evolved through periods 1, 2 and 3, addressing these three areas has remained central to program effectiveness.

**Program Design from the Perspective of Probation Officers**

The first challenge involved changing the mindset of probation officers to see themselves as interventionists, collaborators, and facilitators aiding their probationers in succeeding as participants in the broader community rather than mere overseers responsible only for observing probationer behavior to ensure its legality, and brokering external social services when required. The supervision strategies favored by probation officers exist on a continuum from extremely authoritative (relying on surveillance and enforcement) to the other end of the spectrum emphasizing social rehabilitation (relying on social services and programs built on evidence-based practices). Historically the culture of the Office of Probation and Pretrial Services (OPPS) in the District of Delaware, as with many other districts, tended towards the authoritative approach.

\(^{90}\) PPO here refers to a probation/parole and pretrial service officer.

Moving probation officers to embrace and rely on evidence-based practices and to see themselves as much as mentors and guides as supervisors, was a pre-requisite for an effective Workforce Development program. This change in mindset was necessary because, as Wetzel et al. discovered in their 2011 survey of probation officer attitudes, in the districts they studied this shift had started taking place, and that the officers that held values and attitudes successfully balancing these approaches had “relationships with offenders that are neither indulgent of anti-social attitudes and noncompliance nor authoritative and heavy-handed,” and that they “utilize both ends of the extreme, likely responding most appropriately to offender behavior and providing a pro-social role model for offenders.”

This change in attitudes has gained momentum nationally and the transition is also observable in the District of Delaware. During period 1 (FY 2009/2010) the rehabilitation and social integration activities were contracted out to Jon Fletcher, the community resources specialist, so that probation officers would be free to focus on the more traditional authoritative supervisory role. Fletcher ran the program during that period, but at the start of FY 2011, when period 2 began, Jon Fletcher’s contract was not renewed due to budget cuts. His contractor status made his role easier to eliminate than those of full-time employees of the district. From then on, the responsibility for collaborating with probationers to prepare them for employment fell to probation officers themselves. The result was an increased work-load for all probation officers, while only some of them had the skills and training to take on this added responsibility with

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92 Whetzel et al., “Goodbye to a Worn-Out Dichotomy,” 11.

93 A combination of a reduction in the overall amount of Second Chance Act funding available for use in the district as well as more general federal budget cutting measures that preceded the subsequent sequestration of 2011.
ease. For the few probation officers that had conducted the initial pilot program with McDonough, the experience they already had, coupled with the Offender Employment Specialist\textsuperscript{94} training that they had received at that time, prepared them for the role. For other probation officers this expansion of responsibility challenged the way they saw themselves and their approach to addressing their probationers’ needs, and required them to engage actively in providing reentry services. It also required greater collaboration amongst probation officers in the district who had had previous experience in this arena to share their knowledge with those lacking this experience. This set a tone of collaboration that continued into period 3.

In 2013 Saad Soliman was contracted as the reentry specialist for the District of Delaware. He initially joined the team on loan from the U.S. Attorney’s Office to finish an existing contractual assignment under the Weed and Seed\textsuperscript{95} program umbrella because the funding for his contract extended a few months beyond the end-date of the original community development activity. What began as short-term help for probation officers resulted first in a contract extension for an additional year, and then in full-time employment. Soliman was given responsibility for the Workforce Development program, just as Jon Fletcher had had before him, but the implementation model he pursued involved closer collaboration with the probation officers. Instead of delineating between

\textsuperscript{94} The US Department of Justice National Institute of Corrections prepared and delivered an entry level training program for practitioners across corrections, probation, parole, career resource centers and community organizations. The “Offender Employment Specialist: Building Bridges” training program consisted of three weeks of introductory in-person facilitated training followed by five hours of video training and a guide-book that taught various strategies to improve employment outcomes for ex-offenders. Three Probation Officers from the District of Delaware were certified as Employment Specialists in 2008 following this training. NIC Accession Number 021698. Produced 2007.

\textsuperscript{95} Weed and Seed was a community based program sponsored by the U.S. Department of Justice intended to extract harmful, primarily drug-related, influences from the community through law enforcement action, and to introduce, or seed, positive influences in the form of community restoration services.
the supervisory role and the rehabilitation role, probation officers continued to fill both as they had in the prior model, but they now had reentry facilitation support from Saad Soliman. The model involves regular collaboration between Soliman and each probation officer, to ensure a consistent approach to each probationer’s case. Soliman’s status as an ex-offender himself presented a challenge to several probation officers, initially, because it required them to let go of the “us versus them” attitude that had been pervasive in the profession before. While that attitude did provide some level of emotional protection to officers, particularly when they were on the authoritative supervision end of the spectrum, it was far less helpful when it came to mentoring probationers, let alone collaborating with a colleague in their own OPPS team. Breaking down that barrier through repeated and consistently positive interactions with Soliman has significantly contributed to the change in philosophy of agency staff that McDonough cited as a major challenge for the Workforce Development program.

The type and style of probation officer engagement in the Workforce Development program changed in each period, but consistently progressed toward models in which probation officers were both more engaged in supporting evidence-based reentry activities for their probationers, and it was more influential in the way in which the associated services would be delivered. The table below summarizes these changes across periods.

96 Although the Workforce Development program drove this, a variety of other services and programs were also introduced for subsets of probationers including Cognitive Behavioral Therapy and Reentry Court.
Table 1: Probation Officer Centric Program Design comparison

<table>
<thead>
<tr>
<th>Probation Officer Centric Program Design Component</th>
<th>Period 1 FY 2009-2010</th>
<th>Period 2 FY 2011-2012</th>
<th>Period 3 FY 2013-2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Benefit of National Institute of Corrections Offender Employment Specialist Training</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>Prioritization of and time for public-private sector collaboration &amp; outreach</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td><strong>Reliance on a Probationer Employment Motivation Assessment designed with the ex-offender experience in mind</strong></td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Dual role, probation officer and reentry specialist, collaboration on probationer case management</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td><strong>Benefit of ex-offender perspective in enhancing Risk-Needs Responsivity in reentry support</strong></td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
</tbody>
</table>

Program Design from the Perspective of Employers

The goal of changing employer attitudes about hiring ex-offenders is core to cultivating a pipeline of job opportunities for probationers to step into. With this in mind, the District of Delaware Workforce Development program contains an employer focused component featuring three approaches: changing minds, providing financial incentives, and, finally, offering procedural benefits. The first involves debunking myths surrounding the employment of ex-offenders. The Workforce Development program’s printed materials for employers emphasize that they are neither more high-risk, nor more untrustworthy or unreliable than any other employees.97 They highlight that: “In most cases, ex-offenders have worked through their punishment and want to make a fresh start.

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Most feel they have something to prove and are loyal, hard workers.” Communicating this message effectively to prospective employers is the most community intensive aspect of the program and demands significant attention in order to cultivate and maintain good relationships with existing and perspective employers. The period 3 implementation model offers an additional perspective to employers that was not provided previously, and that is Saad Soliman himself. He is polite, charismatic, well groomed, articulate, punctual, and meticulous: all attributes that an employer would value. He sees part of his role as standing as a living example to debunk the myths about ex-offenders. As a result, he is very transparent about his criminal history and uses it as a platform to evangelize employers, demonstrating to them the potential that exists from hiring an ex-offender.

Employers with effective ex-offender employees, especially in large numbers, also play a significant role in changing social assumptions about hiring ex-offenders. The first successful ongoing partnership of the District of Delaware Workforce Development program was established with Spencer Dunkley, the owner of a local moving business, and also a prominent local basketball star. Dunkley’s support was given significant public attention and local newspaper coverage in order to publicize this aspect of the program and to encourage other employers to consider hiring ex-offenders. Since then, successful ongoing partnerships have been established with numerous large and small-scale employers including the local Shoprite supermarket chain. Positive testimonials from local employers and community members all contribute to changing attitudes about hiring ex-offenders. Additional financial and procedural incentives provided through the

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98 District of Delaware OPPS, Ex-Offenders in the Workforce, 2.

probation office are also helpful and were vital in period 2, during which time there was no dedicated individual representative of the program who could spend time in the community cultivating relationships with employers or expanding the social network of reentry supporters in the business arena.

Profit-motivated employers are incentivized by the financial impact of the Work Opportunity Tax Credit, which is available to any private-sector employer and allows for up to $2,500.00 in tax relief for each ex-offender each year that they are engaged. This financial incentive is provided nationally through the Department of Labor, but it is not always well known and the Workforce Development program ensures that employers are aware of it. The US Department of Labor also provides a federal bonding program, which insures employers against theft, forgery, larceny, and embezzlement at no cost to the employer. This is especially helpful for employers who would be denied coverage from other commercial insurers if they hired ex-offenders. In combination, these financial incentives address employer concerns about the cost or risk associated with hiring ex-offenders. Both of these financial incentives have been available in all implementation models of the program.

Procedural incentives for employers center around the benefit of having federally provided supervision of their employees. Not only is the probation officer a resource to the employer, both as an ally in assignment planning and risk notification, but the mandatory drug testing and background checking provided by the Office of Probation and Pretrial Services (OPPS) gives additional surety to the employer at no additional cost. Indeed, since drug testing occurs routinely throughout each probationer’s period of supervision, this is a recurring benefit to the employer for the duration of employment.
Under the period 3 implementation model, Saad Soliman also provides background check information to employers to save them the cost of running pre-employment background checks commercially. This reduction in processing costs is a material benefit especially for small businesses that have limited resources to spend on pre-employment screening. During period 2, an employer’s primary contact for each hire was that probationer’s assigned officer, but Fletcher and Soliman were that point of contact during period 1 and 3 respectively. In addition to managing existing employer relationships in this manner, their roles also allowed them the time and flexibility to focus on cultivating new relationships with potential employers and, through this process, with education and training providers, community organizers and other stakeholders as a way to promote a network of oversight for probationers. Overall, the benefits and incentives provided to employers by the Workforce Development program did not change significantly in each period, but the quality of interactions possible in period 1 and period 3 had significant impact in terms of the level and quality of community integration possible for the program. The table below summarizes program services offered to employers.

Table 2: Employer Centric Program Design comparison

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<td>Federal Bonding Program for Loss Protection</td>
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<td>Probation Officer Support</td>
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<tr>
<td><strong>Routine Interaction with Exemplary Ex-Offender</strong></td>
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</table>
Program Design from the Perspective of Probationers

In the District of Delaware, all probationers with a Medium or High Risk Prediction Index (RPI) are eligible for participation in the Workforce Development program. If they are currently employed, their participation is elective but if they are unemployed their participation is mandatory. The extent to which program services are used may vary, however, since only participation in the weekly job preparation group sessions and monthly workshops is a requirement. The core components of the program involve education and training resources to help qualify probationers for available job roles, job referral services leveraging relationships with local employers, and coaching and logistical support for the job search and interview process.

In period 1, these core services were provided through Jon Fletcher in a fairly consistent manner to all eligible probationers. During period 2, these services were provided to probationers through their individual probation officers. This allowed support to be tailored more closely to each probationer’s individual needs by the probation officer who was most familiar with their case. Conversely, though, the probation officers did not all have the same level of training and experience, and were also juggling Workforce Development responsibilities along with their other case work. These factors introduced inconsistency in the delivery of services. As this study elaborates in the next chapter, the effectiveness of the program in period 2 as compared to period 1 suggests that the more personally tailored provision of services was beneficial to probationers. This individual Risk-Needs Responsivity continued in period 3 and was enhanced by Saad Soliman’s specialized reentry experience.
The Workforce Development program’s strategy for assisting probationers always involved a variety of tools to help probationers get jobs, but under the period 3 implementation the support provided by the program has extended further into the arena of helping probationers keep their jobs. To that end, Saad Soliman introduced an approach to service provision based on the Risk-Needs Responsivity model. This construct likens the establishment of a probationer case plan to a medical treatment plan established by a doctor. If the doctor determines that the patient’s risk of fatal heart-attack is high, they will prescribe preventive treatments for heart disease as a priority and address other health needs for minor, non-lethal ailments as a lower priority. Similarly, Soliman’s approach is to initially assess each probationer for their most urgent employment related needs. In some cases, those needs can be addressed immediately and successfully by the traditional Workforce Development services, such as help in writing a resume, use of the clothing closet to dress for an interview, and interview preparation or practice. In other cases, a probationer’s risk-needs assessment will indicate that even if they were to find work, their attitude, lack of motivation, sense of personal accountability, or other soft skills required to sustain employment would prevent them from keeping their job. In response Soliman uses specific strategies to address these scenarios that can be tailored to an individual probationer’s case plan in collaboration with their assigned probation officer. These approaches typically involve, and in some cases depend on, probationers’ perception of, and interactions with, their peers. There is a heavy use of collaborative learning and social influence.

Several elements of the period 3 program model are new and were introduced in response to Soliman’s observations about the common needs and difficulties he
encountered in the probationer population. For example, to deal with the problem of a bad attitude, specifically when a probationer does not see the point in participating in the program and does not engage in the group training, Soliman pairs low performing individuals who have a negative outlook with the overwhelmingly positive go-getters of the group which he affectionately refers to as “over-achievers.” This pairing not only facilitates cross-learning but also models the right attitude, and appropriate level of commitment, to the probationers who have not yet embraced them. Paired program participants collaborate in the weekly group sessions during which probationers have access to computers, job search materials, and group coaching from Soliman himself. To deal with the problem of low motivation, Soliman has introduced a structure of rewards to ensure that there is consistent and immediate acknowledgement of even small accomplishments and to provide clear contrast with reprimands when required. Rewards range from public recognition in the form of verbal acknowledgement in front of the group, to the awarding of printed certificates, and even include material rewards like gift cards. All of these provide encouragement and recognition of milestones achieved prior to the primary reward of the job itself. An additional level of preliminary soft skills training has also been added in response to the need that Soliman observed amongst some probationers for guidance with rudimentary professional requirements. Soliman observes that, while people who have maintained employment for their entire adult lives are familiar with standards for deportment, probationers who may not have held jobs for many years, or ever, are not aware of conventions that many of us take for granted, such as good personal hygiene, appropriate use of language, appropriate treatment of

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100 Soliman interview 1 October 2014.
coworkers, punctuality, and so forth. ¹⁰¹ For many probationers, the social context in which they were raised did not provide enough opportunities to learn these critical norms, and because they are so fundamental as to be taken as given by the rest of society, they are often not explicitly referenced as an explanation when probationers lose their jobs even though they contribute to the general dissatisfaction of employers. This ability to see the unseen, and to recognize how to remedy it, is one of the intangible qualities that a person with Soliman’s background brings to the reentry support role.

The most significant introduction to the program implementation model in period 3 is Saad Soliman himself, specifically with reference to his own criminal history and personal reentry experience. Not only does this give him credibility with the probationers he supports but it also allows him to better assess and respond to their individual risks and needs. His personal prison experience has made him astute in diagnosing probationer needs that would not necessarily be obvious to someone who cannot relate personally to the journey of reentry. This combination of credibility and empathy makes him an especially effective trainer and group facilitator. The manner in which he models a good rapport with probation officers and with employers also demonstrates to probationers that the “us versus them” attitude is unnecessary and unproductive, and, furthermore, that healthy relationships with these groups are mutually beneficial, and not to be feared or avoided. The table below shows how the program offerings have expanded in period 3 in relation to the previous periods. It also shows how some services may have been offered inconsistently in period 2 depending on probation officer capacity.

¹⁰¹ Soliman interview 1 October 2014.
Table 3: Probationer Centric Program Design comparison

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<tr>
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<td>Instructional Videos</td>
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<td>Job Referrals and Placement</td>
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<tr>
<td>Job preparation through Individual Coaching</td>
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<tr>
<td>Application Assistance: Resume Writing, Mock Interviews, Online Job Searching</td>
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<td>Yes</td>
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<td>Employment preparation through monthly Workshops</td>
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<td>Employment preparation through weekly small group meetings</td>
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<td>Career Interest Identification: Holland Assessment</td>
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<td>Soft Skills Training: hygiene, grooming, punctuality, goal setting</td>
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<td>Journaling for Self-Accountability</td>
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<td>Ex Offender Role Model</td>
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Research Methods

Both quantitative and qualitative input was required in order to address the key research questions of this study. Emphasis was placed on the quantitative aspect of the study for reasons related to the long-term relevance of this study, both for the Workforce Development Program in the District of Delaware, and for other implementations of the program elsewhere. From an empirical process control perspective, the institutional knowledge gained in Delaware from the three previous implementation models can only improve the program if it is both quantifiable and consistently quantified. This requires transparency into the relevant data indicators for the program, regular inspection of those
indicators, and adaptation in response. This study identified a series of key indicators that are quantifiable, but in some cases data has not been consistently gathered over the last six years, so their usefulness is limited to the short term. The data collection process of this project identified recommendations for data handling that will be proposed in a future chapter; following those recommendations will result in a more reliable application of empiricism going forward. This is a critical aspect of pursuing evidence-based practices as an explicit policy of the Office of Probation and Pretrial Services (OPPS).

This study attempted to supplement the results implied by the quantitative data with additional validation using qualitative means. The rationale for this approach came from recognition of the limitations of data availability, particularly from the earlier implementations of the program. Additionally, information about probationer attitudes towards the program could only be interpreted through a triangulation of data from direct observation, anecdotal evidence, and survey responses.

Quantitative Approach

The quantitative approach to this data set relies on comparison across three time periods; period 1 (Fiscal Year 2009-2010), period 2 (Fiscal Year 2011-2012), and period 3 (Fiscal Year 2013-2014). The particular interest in recent outcomes for the Workforce Development program makes period 3 the treatment period, whereas periods 1 and 2 are comparison periods. Using comparisons over time for a largely stable population has mitigated the need to use predictive statistical approaches because the treatment and comparison groups are largely equivalent in factors related to both recidivism and employment. As such, the influence of factors such as state economy and probationer
demographic composition are controlled circumstantially, instead of synthetically, through the generation of comparison data sets from external sources of probationer information.

Familiarity with the probationer population in the District of Delaware over the six-year study period provides an important background to understanding the context in which the Workforce Development Program operates. Over the study period, the District of Delaware provided supervision for between 400 and 460 probationers of which 60-63% were eligible for participation in the program, based on their High or Medium Risk Prediction Index (RPI) scores. The diagram below illustrates the fluctuation of the population across the study period based on RPI categorization. Notably, it illustrates that the proportion of Medium and High RPI probationers has not changed notably in relation to the other categories over the study period. RPI is a critical attribute for this analysis because it is a representative value for risk distribution, that is, the influence on recidivism of a variety of factors including education level, whether or not a probationer was able to secure employment prior to their release, and the length of their incarceration. Using RPI as a population identifier effectively encompasses all of these indicators that would otherwise need to be independently controlled for in the consideration of recidivism risk.
In contrast, the types of offense that the probation population is identified by have evolved materially over the study period, especially for the three highest offense categories. Most notably for the period 2013-2014 the population was overwhelmingly marked by probationers who had drug-related offenses and there was a steady decrease in property and weapons offenses. This change in offense profile may be a result of the “Operation Fed Up” initiative, which heavily targeted weapons offenses and would have had a comparatively stronger deterrent effect in the period 2009-2010 since weapons offenses, usually given shorter sentences by the state corrections system were classified as federal offenses with heavier penalties. This in turn would have impacted the

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102 Figure: Supervision Population by Risk Prediction Index. This shows the total supervision population across six years categorized by RPI High, Medium, Low and Uncategorized.

103 Operation Fed-Up was a State-Federal partnership in the City of Wilmington, DE that ran from 2007 to 2010 with heaviest enforcement in the first two years. The US Attorney’s Office and the Department of Justice agreed to prosecute all gun crime within the city limits as a federal offense even if the weapon was not discharged, so even illegal possession was included. This meant that the heavier federal sentences were applied and acted as a stronger deterrent against gun crimes than the existing state statutes. The City of Wilmington requested this approach because of its astronomically high murder rate.
offense profile of the probationers being released in subsequent periods. The offense of conviction is materially relevant for the Workforce Development program because of the perceptions of prospective employers and the need for the program to address those concerns in a manner that has the broadest impact. For example, someone categorized as a violent offender typically encounters more resistance from potential employers than someone convicted on fraud, unless the job role specifically involves financial responsibility.

Figure 2: Supervision Population by Offense

The program was eventually abandoned because it forced the federal courts system and US Marshals service to deal with a very high volume of petty crimes at the expense of more impactful focus on higher-level targets. The homicide rate in Wilmington did not fall in response either.

104 Figure: Supervision Population by Offense: This shows the total supervision population across six years categorized by most severe convicted offense. This means that if a probationer was convicted of several crimes only the most extreme is associated with their profile. This represents the full supervision population, not only the Medium and high RPI probationers who were eligible for the Workforce Development program.
Other demographic indicators of the probation population are notable in consideration of the program design. The population is heavily male, and primarily either African American or White; females and other races are very sparsely represented.

*Figure 3: Supervision Population by Race & Sex*\(^{105}\)

The quantitative analysis of the Workforce Development program was performed based on the Probation Automated Case Tracking System (PACTS) records for a subset of this population. Probationer records were extracted from the total population based on RPI, and their rates of recidivism were examined for each of the three investigation periods with the intention of confirming the anticipated relationship between re-offense and program participation. For this analysis, the rate of revocation was used as a proxy.

\(^{105}\) Figure: Supervision Population by Race & Sex: This shows the total supervision population across six years categorized by key demographic information. It emphasizes that the population is heavily male and primarily African American and White with females and other races very sparsely represented.
for recidivism; that is, re-offense within the period of supervision but not after the period of supervision ended. For purposes of this study, therefore, recidivism was effectively defined as federal recommitment for a new crime or supervision violation committed during the period of supervision since data were not reliably available for re-offense after the period of supervision ended if it occurred in a different federal district or was prosecuted through the state system. The overall revocation rate was considered for the district, but it was also examined for changes within each relevant RPI category to see if the influence of the program was more evident in some categories than others.

The impact of the program on the actual employment of probationers was considered through two primary lenses – firstly from the perspective of the rate of their employment and secondly from the perspective of the quality of their employment. Indicators from both of these perspectives were compared from period to period with the expectation that the rate and quality of employment observed in each period would be heavily influenced by the impact of the program in that period. It was not possible to perform a regression analysis to isolate the impact of the program from probationers who were able to find employment on their own without the assistance of the program. There

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106 Revocation rate is the percentage of cases closed excluding those as a result of death or transfer to a different district. OPPS distinguishes between “major” revocations for new felonies versus “minor” for misdemeanors and “technical” for probation violations that may not involve criminal activity that can be proven in a court of law but still involves behavior contrary to the rules of supervision. Rowland, “Too Many Going Back, Not Enough Getting Out?”: 6 provides a helpful discussion of why this technical revocation category should not be underestimated as an indicator of criminal activity. For purposes of this study no distinction is made for revocation category and all cases of revocation are treated as recidivism.
is no consistent record keeping for who those probationers were, although anecdotal evidence indicates that those circumstances are not common.107

Qualitative Approach

Qualitative findings are based on three areas of investigation; interviews with key staff of the District of Delaware team, anonymous surveys of the broader probation officer team and anonymous surveys of probationers themselves. The intention was to establish a broad view of the Workforce Development program, and the context in which it is thriving, from several different perspectives.

Interviews were conducted with John Selvaggi, the current Chief Probation Officer of the District, and with Walter Matthews the Deputy Chief Probation Officer. These interviews provided background and context about district policies, the history of the Workforce Development program prior to 2012 when Saad Soliman joined the team, and information about the breadth of responsibilities of the office. Numerous interviews with Saad Soliman himself, as well as observation and participation in a workshop session and a group session provided insight into the mechanics of the Workforce Development program as currently implemented (period 3: FY 13-2014). An interview with Angela Ramirez, a probation officer who was involved in the initiation of the Workforce Development program under former Chief McDonough and who continued to participate during Implementation Model B (period 2: FY 2011-2012) when program services were provided directly through probation officers. Finally, an interview and working session was conducted with Jaime Orndorff, a staff member who provided

107 Tracking the distinction between probationers who were employed through the Workforce Development program versus those who secured their own employment independently is an important recommendation for the OPPS.
details on how data are organized and stored in the Decision Support System (DSS) and Probation Automated Case Tracking System (PACTS), and on how to design reports so that the data returned would be accurate and consistent given the nuances of these systems. Jamie Orndorff’s insights contributed significantly to this project’s recommendations about data management in the future.

An online anonymous survey offered to the District of Delaware probation officers gathered feedback on their observations about each of the Workforce Development program implementations and the culture and values of the organization. The response rate was 50% but since the PO population is so small this still only accounts for 5 respondents. The responses regarding the program implementations were not rich enough to provide insight beyond what was already gathered from the interviews, but the results on questions about organization culture were notable and have been discussed in detail in Chapter 4.

Finally, a survey of probationers themselves was used to ascertain levels of usage of program services, levels of dependence on support from Saad Soliman and levels of satisfaction with their interactions with both Soliman as their reentry specialist and with their respective probation officers. There were 30 voluntary respondents of a potential 248 Medium and High RPI probationers assigned to the District\textsuperscript{108}; this meant that the response rate was 12%. Respondents’ anonymity was ensured by collecting the feedback in writing from probationers who put their response forms in a sealed envelope in a drop-box in the probation office foyer. A subset of the questions offered to probationers were

\textsuperscript{108} Probationer surveys were offered and filled in in person which automatically excluded Low RPI probationers because they check-in via telephone and online rather than having in-person appointments.
taken in modified form from an Office of Probation and Pretrial Services (OPPS) survey piloted in 2009 in the New York Western District and the Kentucky Western District. It asked probationers to respond to each of twelve statements describing their interactions with their probation officers. The same questions were used with minor modifications to refer to both their probation officer and reentry specialist, and have used a similar five-point Likert scale with the choices: Strongly Agree (which was later scored as +2), Agree (+1), Not Applicable (0) Disagree (-1) and Strongly Disagree (-2), “Not Applicable” was used instead of “Undecided” (which was used in the Whetzel study) for two reasons. Firstly, this encourages a positive or negative response rather than a blanket middle of the road selection but, secondly, it also gives a clear response option for the questions that literally may not apply to some probationers. The primary example of this is the question on substance abuse and mental health treatment. When no response was given, the question was also scored as 0. The details of the survey results are provided in Chapter 4 and an example survey questionnaire form is provided in the appendix.

**Limitations**

Several aspects of the field based context of this study have created limitations that cannot be categorically overcome given the available data. As such, some assumptions have been made that hold true in the majority of cases but cannot be confirmed to be true in every case. Where possible, when the data available are not sufficiently robust on their own, qualitative input in the form of survey results, anecdotal evidence, and so forth, has been used to add weight to findings.

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The most significant limitation within the data set lies in identifying the population of probationers that has actually taken advantage of Workforce Development Programming and the extent to which they have done so. With the exception of sign-in sheets for monthly group sessions there is currently no ongoing tracking of program participation from the perspective of the program itself. The policy in the District of Delaware is that any probationer with a Risk Prediction Index (RPI) rating of Medium or High who is not employed at a given time must attend the monthly group sessions until such time as they are employed. This is the only systemic tracking requirement and it is only tracked month-to-month based on reconciling the written sign-in sheets with the individual Probation Automated Case Tracking System (PACTS) Chronos record associated with each probationer’s case plan. Tracking done by probation officers through the PACTS system has additional limitations both because of the lenient requirements about what must be captured in PACTS, and because of how those data are stored once captured. In general, whether a probationer was employed, unemployed, or excused from employment is consistently captured but, since the PACTS system does not require that employment details be provided, the accuracy and consistency of those entries varies according to the diligence of the individual officer, especially with respect to dates of employment or salary specifics. Furthermore, PACTS does not provide a facility to relate an employment entry to any related case-plan information so there is no way to flag whether a job was secured based on the probationer’s independent initiative or whether it was sourced through the Workforce Development program. The population of probationers used for this study has therefore been identified based solely on their RPI rating as there was no other documentation available to fully assess the level or extent of
their engagement with the program. Since data are not available on who took advantage of services offered beyond the monthly group session or on which offenders obtained employment without using the services offered or on who continued to use services even after they secured employment, these aspects of program engagement have been qualitatively assessed based on the probationer survey and anecdotal evidence from interviews with Saad Soliman and Walter Matthews.

A second limitation is the veracity of our means to assess recidivism. For the purposes of this investigation, probation revocation has been used as a proxy for recidivism. Revocation occurs when a probationer loses their supervision privileges and is sent back to prison as a result of either engagement in new criminal activity or as a result of violating the terms of their supervised release. Effectively revocation is an effective measure of recidivism within the period of supervision but it does not measure the rate of re-offense of those same ex-offenders after their period of supervision has ended and is therefore not a useful measure of recidivism over longer periods of time. This study does not attempt to capture recidivism information beyond the period of supervision for several reasons; primarily, there is currently no mechanism by which state and federal data are shared so, if an ex-offender commits an additional crime but is convicted under the state system instead of under the federal system, identifying that activity would require a separate activity of data collection and analysis. For our purposes there was little benefit in such an undertaking because, as established previously, this investigation does not attempt to prove that the Workforce Development

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110 This investigation does not distinguish between revocation for new criminal activity and technical revocation for violating terms of probation. These can be considered synonymous for our purposes because the distinction between the two may become blurred depending on the plea-bargaining activity that takes place once a probationer is detained and charged. See Rowland, “Too Many Going Back, Not Enough Getting Out?” 6.
Program can reduce recidivism, which has already been the goal of other studies. Instead, the intention is to determine how much better the current implementation of the program is than previous ones. Rates of revocation suffice to accomplish this since they are standard for all time periods and implementation models considered. Finally, there are indications that the benefits of Workforce Development Programming are most intense as they are being consumed and within a year afterwards. Their influence appears to fade over time when other factors are controlled for. This fading of influence is suggested by research undertaken by Lichtenberger which indicated that, in the second year after Workforce Development programming ended, recidivism rates of participants were not statistically significantly lower than those of their counterparts who did not participate.\footnote{Lichtenberger, “Offender Workforce Development Specialists,” 34.}

The difficulty of identifying or creating a comparison group to test the null hypothesis was a third limitation encountered in designing the study. Visher and McNichols both attempted to create comparison groups using a random selection of probationers in other districts. That approach was not valid here since the goal was to assess the effectiveness of different implementations of the program rather than to assess the impact of receiving versus not receiving services. Regardless, the limitations on assessing quantities of service consumed described previously would have confounded that approach. Due to the Medium/High RPI mandate in the District of Delaware, that thread of commonality was used to standardize the population for assessment across different timeframes instead. Unfortunately, using different time periods to define the comparison groups instead of creating control groups synthetically also introduced some complexity that has not been fully resolved. In cases where a probationer’s period of supervision spanned multiple time periods, their revocation status would be applied to the
period in which it occurred even if the majority of their Workforce Development program experience had taken place in the previous period. This would be particularly true of probationers who were revoked at the beginning of a review period.

As discussed previously, the factors that influence recidivism are many and varied, and reentry specialists attempt to address them in a variety of different ways. Controlling for the impacts of additional reentry programming has not been possible here because of the ways that all of these programs support each other. Cognitive Behavioral Therapy helps probationers interact in more appropriate ways in social circumstances that are stressful, so it necessarily provides assistance that is helpful in an interview, for example. Similarly, the Reentry Court program mandates greater participation in the Workforce Development Program so it enforces use of services that might otherwise be voluntary. We can infer some limitations on the potential impacts of each of these programs, though. Since the CBT program is only available for Medium and Low RPI probationers we know that the cross-impact of that program on Workforce Development will be limited to Medium RPI probationers. For Reentry Court, although the eligibility is the same as for Workforce Development and the motivation required to succeed is similar, the cohorts have been so small (5-7 probationers) and the length of program participation so long (a minimum of 70 weeks) that, given the program only began in 2012, the number of participants is too small to be significantly reflected in these data. Future attempts should be made to isolate the impacts of the Reentry Court from those of the Workforce Development Program more generally in order to understand how significantly mandated Workforce Development participation impacts Reentry Court participants, but there are insufficient data to do so at this time.
Chapter III

Results

Between 2012 and 2014 the District of Delaware dramatically increased its relative employment rate compared to other districts. Increases in hours worked per week, and higher wages, indicate that employment quality also improved overall.

Improvements in Level of Employment

Compared to previous program implementation models, the employment rate improved by 5% during Period 3, outstripping improvements in the Delaware state employment rate as well as improvements in employment rate occurring in other federal districts.

Improved Employment Ranking

Inter-district ranking according to Employment Metrics is one of the key performance indicators that the Office of Probation and Pretrial Services (OPPS) tracks nationally. Between 2012 and 2014 the District of Delaware moved from the 40th to the 4th highest of all 94 federal districts for its employment rate showing a dramatic increase in employment rate relative to other federal districts. Conversely, between period 1 and 2 Delaware fell in ranking from 35th at the end of Fiscal Year 2010 to 40th at the end of Fiscal Year 2012. The dramatic improvement in ranking that the District of Delaware experienced over the course of period 3 was the initial indicator that a deeper study of
this implementation model would be beneficial. The Decision Support System (DSS) standard report\textsuperscript{112} producing inter-ranking among districts applies to all probationers in a district who were on active post-conviction supervision at a given point in time and who assesses the ratio of employed to unemployed, while also considering the size of the supervised population and the quality of data available in the Probation Automated Case Tracking System (PACTS). The change in ranking was so noteworthy that it was referenced by the District of Delaware Chief Probation Officer, John Selvaggi, in our initial meeting. Indeed, this measure is the most transparent indication of workforce development programming success across districts and is second only to the recidivism rate as an indicator of the effectiveness of reentry programming.

While the ranking has high visibility within the Office of Probation and Pretrial Services (OPPS) culture, it is not a particularly robust measure of programming effectiveness because it does not control for external economic factors. This is especially relevant in this case because the districts that outranked Delaware at the end of 2014 legitimately did so in response to local economic conditions. In first position was the Northern District of Iowa and in second place was the Southern District of Iowa, both of which benefited from Iowa’s relatively highly educated population. Iowa has the highest high school graduation rate of the entire country at 89.7%\textsuperscript{113} and had a state unemployment rate in September 2014 of only 4.6% as compared to Delaware’s 6.5%\textsuperscript{114}.

\textsuperscript{112}Office of Probation and Pretrial Services, 1256: Employment Metrics (PC), October 1, 2014, raw data, Decision Support System, Wilmington.


Wyoming ranked third; their state unemployment rate stood at 4.7%. Both of these states have had traditionally low unemployment rates as compared to other states; Iowa has a remarkably diverse economy and Wyoming has tax policies that are very supportive of economic growth.\textsuperscript{115} The interplay of factors influencing the economic conditions in Iowa and Wyoming are beyond the scope of this study as are the numerous potential explanations for the nuanced economic interactions across the 94 federal districts that contribute to this relative ranking. The dramatic change in the District of Delaware’s ranking in just two years did, however, encourage the identification of more concrete indicators to articulate and explain how the employment arena was different for probationers in the district.

Improved Employment Rate

The primary indicator of the success of the Workforce Development program in response to the period 3 implementation model C is the dramatically improved employment rate. Over the study period, the District of Delaware provided supervision for between 400 and 460 probationers of which 60-63% were eligible for participation in the program based on their High or Medium Risk Prediction Index (RPI) scores. This means that the population of Workforce Development program participants analyzed below fluctuated between 240 and 290 participants over the six years examined. The average unemployment rate during period 1 was 20.2%; it then peaked during period 2 at 25.4% but during our focus period 3 it dropped to an average of just 16.4% for

Workforce Development program participants. The unemployment rates referenced here are based on the annual unemployment rates for the Workforce Development participant population as identified by their High and Medium RPI scores; as such, probationers with Low RPIs, who tend to have a higher employment rate overall, have been excluded from the comparison. Additionally, probationers who have been excused from employment have also been excluded from the comparison because they are not Workforce Development program participants. Probationers are typically excused from employment because they are full-time participants in some education program or because they are disabled. Data from a final subset of probationers were excluded because their employment status was unknown; this status indicates a data collection failure within the Probation Automated Case Tracking System (PACTS). In terms of proportion of the overall probationer population the number whose employment status was unknown was negligible and decreased over time as data collection discipline improved. In 2009 there were 14 probationers whose status was unknown, and by 2014 that had dropped to just 4. The State of Delaware unemployment rate as tracked by the United States Department of Labor is used as a reference point to provide context for these results. The unemployment rate for September of each year was used in order to line up with the PACTS report data points aligning to the end of each fiscal year.

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116 Recall that a Low RPI is a risk prediction indicator of between 1 and 3 and indicates a low risk of recidivism because good social constructs are in place to support reentry. These typically correlate with employability and include employment. These probationers are generally able to successfully secure high quality employment without assistance from the probation office.

Analysis of the yearly unemployment rate for Workforce Development program participants shows several noteworthy trends which are visible with reference to the table below and Figure 4 associated with it.

Table 4: Comparative unemployment rates

<table>
<thead>
<tr>
<th>Unemployment Rate</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>High RPI</td>
<td>29.5%</td>
<td>37.5%</td>
<td>44.3%</td>
<td>40.0%</td>
<td>30.6%</td>
<td>28.8%</td>
</tr>
<tr>
<td>Med RPI</td>
<td>9.0%</td>
<td>16.9%</td>
<td>19.9%</td>
<td>12.9%</td>
<td>12.0%</td>
<td>4.6%</td>
</tr>
<tr>
<td>WFD Total</td>
<td>16.2%</td>
<td>24.1%</td>
<td>28.7%</td>
<td>22.1%</td>
<td>18.9%</td>
<td>13.8%</td>
</tr>
<tr>
<td>State of DE</td>
<td>8.6%</td>
<td>8.2%</td>
<td>7.4%</td>
<td>7.3%</td>
<td>6.4%</td>
<td>5.5%</td>
</tr>
</tbody>
</table>

Figure 4: Comparative unemployment rates

The probationers with a High RPI also had noticeably higher unemployment rates than those with a Medium RPI. This higher rate confirms that the attributes that make them at high risk of recidivism also hamper their ability to find and maintain employment. The overall unemployment rate for the State of Delaware at large was generally lower than the unemployment rate for probationers (with the notable exception of the 2014 cohort of Medium RPI probationers, which will be discussed shortly). This lower rate is consistent
with the premise that individuals with a criminal record generally have more difficulty finding employment than the general population. The shape of the time series curve does not dramatically differ between High RPI and Medium RPI probationers; this lack of difference indicates that the influences affecting the change in unemployment rate for both groups were similar. This similarity of influence aligns with the fact that the same Workforce Development program services were available to both groups. The yearly rate of change seems to suggest that the Medium RPI probationers responded more immediately to program design changes with the High RPI curve in 2013-2014 mirroring the Medium RPI curve in 2012-2013, but this observation is not consistent across the full-time series nor is it immediately explainable by anything other than a general hypothesis that, as a group, High RPI probationers are likely to be more resistant to training. The state unemployment rate did not spike in 2011 and was, in general, more steady throughout the time series. This more steady state confirms that broader economic factors such as the state’s response to the 2008 economic crisis and its recovery are not the primary influence driving the unemployment rates for the District of Delaware probationer population.

This data set notably shows two points of intersection between the unemployment rate for Medium RPI probationers and the unemployment rate for the state in general indicating that in 2009 and in 2014 these probationers were as likely to be unemployed as the general population. In terms of the improvement since 2011 when the unemployment rate for probationers peaked, this is a significant accomplishment. It does not, however, explain the circumstances that caused the initial intersection in 2009. The program model preceding the start of this study would account for that intersection and it is described
more fully by Visher\textsuperscript{118} and McDonough\textsuperscript{119}. An activity for further study would be to identify in detail what aspects of that original program model were comparable to implementation model C in place as of 2014. Program implementation model A (in place in 2009) and model C are comparable in that they both have a single reentry specialist focused on Workforce Development activities separately from the supervisory role of the probation officer.

Improvements in Employment Quality

In addition to the employment rate, measures of the quality of employment can be used to indicate the effectiveness of the Workforce Development program. A variety of measures were used in order to provide a multi-faceted view of the probationers’ employment experiences under the three program implementation models. Clear indications of increased numbers of hours of employment per week and increased wages indicate that employment quality overall improved. Additional measures of employment mobility and tenure were somewhat harder to interpret but could indicate that there are more opportunities available for employment that could attract a probationer from one job to another.

The quality of data available for the probationer population in the Probation Automated Case Tracking System (PACTS) improved noticeably over time. This improved quality could be due to enhancements to the system itself or due to better training and data entry discipline amongst probation officers. Regardless, lower quality

\textsuperscript{118} Christy Visher et. al. \textit{Workforce Development Program}.

\textsuperscript{119} McDonough and Burrell. “Offender Workforce Development” \textit{Federal Probation}.
data, particularly in 2009-2010, meant that some coding adjustments were required and that some probationer records were dropped entirely in order to ensure that only realistic data were used. In cases of missing or obviously inaccurate data, entries have been considered “Not Recorded (NR)” and a data quality indicator has been provided. This quality measure is the proportion of NR employment entries as compared to the total number of entries for that fiscal year.

Number of Working Hours and a Measure of Employment Quality

The number of hours worked per week is of central concern to probationers who are generally paid on an hourly basis. Given the very real economic incentive to engage in criminal activity, full-time as opposed to part-time employment is preferable for purely economic reasons. It has a secondary impact in that it engages the probationer’s time and

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120 Data coding modifications were made in the following circumstances: Salary was not consistently stored as “income per month” and, instead, some entry values were so large that they were more likely to be annual or per contract salaries or simply dummy entries or typos (as in a case where many millions of dollars per month were entered for a single probationer). Values of greater than $6,000 were excluded from the analysis and re-coded as Not Recorded (NR). The denominator of the average salary calculation was then reduced accordingly.

Work hours were not consistently stored as “hours per week” and instead there are some entry values that are more likely to be hours for an entire contract. Entries of greater than 80 hours were excluded from the analysis and re-coded as Not Recorded (NR). The denominator of the average salary calculation was then reduced accordingly.

For some probationers there were multiple job entries for what was clearly the same job in that the employer, number of hours per week, salary and start and end dates were all the same or where there were contiguous start and end dates indicating contract renewal without a break in employment. In these circumstances the job entries were collapsed into a single record for the full duration of employment. No data quality encoding was attempted in these circumstances since the data were complete.

If a probationer was promoted and therefore had multiple job entries for the same employer but with different numbers of hours or a different salary, each revision was still treated as a separate job entry. This means that mobility ratio could be artificially inflated and tenure artificially reduced. This was much more common in fiscal years 2012, 2013 and 2014 and hardly happened at all previously.

If a probationer was coded with an employer name of “Unemployed” instead of using the unemployed data indicator flag from the PACTS system their record was excluded from this analysis. This coding idiosyncrasy only occurred in older records because the PACTS system did not have a separate employment module until 2009 so the convention was to record unemployment as an employment record with the employer name “Unemployed”. Probation officer retraining was required following the PACTS system enhancement so a few of these cases still existed in the dataset.

If a probationer’s employment record had the employment end date as “current” it was coded to the last day of the fiscal year of their record for purposes of data normalization and analytical consistency.
attention for longer periods of time and allows them to form meaningful relationships with colleagues who are also focused on legal economic activity. The data available indicate that program implementation model C provided consistent increases in work hours per week across the Workforce Development population. It is noteworthy that the improvement began during implementation model B in 2012 so cannot be exclusively attributed to the way in which the Workforce Development program was structured from 2013 to 2014. Of further interest is that the model in place prior to the starting point in 2009 also resulted in relatively high average working hours. This correlates with the findings regarding employment rate described previously. The table and figure below present the change in average work hours per week over the six-year time series.

Table 5: District of Delaware work hours

<table>
<thead>
<tr>
<th></th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>average work hours (per week)</td>
<td>35.50</td>
<td>34.08</td>
<td>33.54</td>
<td>34.38</td>
<td>35.86</td>
<td>36.10</td>
</tr>
<tr>
<td>work hours data quality indicator</td>
<td>0.84</td>
<td>0.91</td>
<td>0.95</td>
<td>0.97</td>
<td>0.99</td>
<td>0.99</td>
</tr>
</tbody>
</table>

Figure 5: Change in Probationer work hours
Salary as a Measure of Employment Quality

The average salary earned per month, like the number of hours worked, is a key employment quality indicator for economic reasons. This indicator again shows higher quality employment under program model C than under model B from 2011 to 2012. As with employment rate and work hours, we find that salaries deteriorated from 2009 onwards and were at their worst in 2011, but that the rebound occurred as of 2012 prior to the implementation of model C. It is also important to observe the dip in average salary that took place as of 2014.

Table 6: District of Delaware salary level

<table>
<thead>
<tr>
<th></th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>average salary (per month)</td>
<td>1766.16</td>
<td>1706.57</td>
<td>1608.96</td>
<td>1675.94</td>
<td>1769.53</td>
<td>1706.72</td>
</tr>
<tr>
<td>salary data quality indicator</td>
<td>0.73</td>
<td>0.87</td>
<td>0.92</td>
<td>0.95</td>
<td>0.98</td>
<td>0.98</td>
</tr>
</tbody>
</table>

Figure 6: Change in Probationer salary level
Overlaying salary levels for the State of Delaware from the Bureau of Labor\textsuperscript{121} statistics confirm that neither of these dips in average salary is related to general economic conditions at the time in 2011 or 2014, as indicated by the figure below, which compares probationer average salary per month in relation to the state overall. The consistently positive trend of wage growth for the state at large suggests that conditions exclusively impacting the probationer population are responsible for these fluctuations.\textsuperscript{122}

This comparison also shows the dramatic wage disparity between what is earned by probationers and the state average. The socioeconomic reasons for this and resulting consequences are beyond the scope of this study, but the data are notable nonetheless.

\textbf{Figure 7: Change in salary levels in State of Delaware}

\begin{figure}[h]
\centering
\includegraphics[width=\textwidth]{figure7}
\caption{Change in salary levels in State of Delaware}
\end{figure}


\textsuperscript{122} An activity for further study would be to reproduce this comparison using only salary levels for the job roles that probationers are also taking. That level of analysis would identify any industry specific economic conditions that could account for these dips, but it would also require a greater level of data granularity that is beyond the scope of this study.
Tenure and Mobility as Measures of Employment Quality

Measures of tenure and mobility are used as an ancillary way to assess employment quality. These measurements are not instructive when taken independently because they are highly interpretive. Average tenure is simply a measure of how long, on average, a single probationer is likely to hold a single job; it does not provide any information about why they might leave that job (either by choice because a better alternative was identified, or based on lay-offs related to general economic conditions, or based on firing due to poor performance). As a result, this measure must be taken in context of other prevailing indicators in order to know whether high or low tenure is normatively good or bad. Low tenure when wages are low, unemployment rates are high, and economic conditions are poor suggests poor quality employment but, conversely, low tenure when wages are high, unemployment rates are low, and economic conditions are good suggests that leaving one job allows an individual to move on to another rather than leaving them unemployed again. An indicator that can help assess this is the mobility ratio; this is a measure of how many job opportunities were offered and taken in relation to the number of probationers or, more simply, the number of jobs taken per person. Taken in the context of average tenure this ratio suggests how many alternative job opportunities exist when one job ends; if mobility ratio is high it suggests that viable alternatives are available whereas, if mobility ratio is low, it suggests a lack of alternatives. As such a combination of high tenure and high mobility ratio would indicate good employment conditions and the converse would suggest low employment quality.

Tenure is calculated based on the difference between the start date and the end date of a job held within a given reporting period. If the job is still held at the end of the reporting period (i.e. end date is “current”) then the end date of the reporting period is used. This means that there may be a cumulative carry-over effect from jobs that were held for several reporting periods.
The data available for the probationers in the District of Delaware are moderately instructive in aiding the assessment of existing findings for work hours and salary.

Figure 8: District of Delaware mobility ratio and average tenure

<table>
<thead>
<tr>
<th></th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>average tenure (days)</td>
<td>492.84</td>
<td>419.12</td>
<td>471.67</td>
<td>498.20</td>
<td>502</td>
<td>472.45</td>
</tr>
<tr>
<td>mobility ratio (jobs per person)</td>
<td>1.30</td>
<td>1.39</td>
<td>1.40</td>
<td>1.41</td>
<td>1.42</td>
<td>1.50</td>
</tr>
</tbody>
</table>

Figure 9: Change in mobility ratio and average tenure in District of Delaware
These measures suggest a stronger employment quality position under model C where both tenure and the mobility ratio are high. Even in the event that the mobility ratio reflects on-the-job promotions, the implication of higher quality employment remains valid. Additionally, these measures give us a better understanding of the circumstances under model A in which we see a relatively lower mobility ratio indicating a shortage of alternative job opportunities throughout the period. The length of tenure in 2009 also shows that the probationer population in that year held jobs from the previous year and was therefore still influenced by the original Workforce Development program implementation model from 2006 to 2008 as described by Visher. We also see significant job loss without replacement between 2009 and 2010 as shown by the drop in average tenure and the spike in the unemployment rate referenced previously. With this in mind, model C provides greater employment stability than model A even though model A initially managed to retain high tenure jobs.

Reductions in Dedicated Funding

Improvements in Program outcomes cannot be explained by an increased budget. The Second Chance Act of 2007 provided federal grant money as dedicated funding for reentry related programs and was the primary funding source for the Workforce Development program in the District of Delaware from its inception. This act of Congress was also intended to provide federal money for many other reentry-related activities both within the District of Delaware and other districts of the US Courts system, and also through State and independent non-profit organizations across the country. The District of Delaware relied heavily on this funding source in its initial years.

\[124\] See previous note on data coding modifications.
but, although the Act was renewed as of 2011 and continues to be funded even in 2015, the funding available overall has been dramatically reduced, and the conditions under which grants are awarded have resulted in a significant reduction in the extent to which the District of Delaware has been able to take advantage of that funding. The impact for the Workforce Development program was that the District of Delaware had to address the shortfall out of their also shrinking local budget where possible. This took place at the expense of other programming, so, to some extent, they also simply attempted to achieve the same program goals with less money.

The Second Chance Act funding that was used for activities within the Office of Probation and Pretrial Services (OPPS) nationally was tracked within the Probation Automated Case Tracking System (PACTS) for all districts to provide transparency into how this money was spent. Each activity had a budget code associated with it and, within the District of Delaware, the employment activities that the funding was applied to were as follows:

- 3010-Vocational/Occupational/Career Planning Assessment
- 3020-Job Readiness Training
- 3022-Individual Career Counseling
- 3030-Subsidized On-the-job Training
- 3040-Job Training
- 3051-Job Placement and Retention
- 3061-General Education

The District of Delaware also spent Second Chance Act funds on other reentry support activities including transitional housing support, transportation, cognitive behavioral therapy treatment, and other activities that fall outside the scope of this study. As the availability of funding for Second Chance Act initiatives changed, the budgetary shortfall was supplemented by the District’s general operating budget where possible. This meant
that some services lost funding entirely while others had fewer resources available to them.

In period 1 (2009-2010) $53,342 in Second Chance Act funding was available, of which $13,092 was used for Workforce Development specific activities. In the second period the total funding available dropped to $37,141 of which $14,663 was used for Workforce Development activities, and in period 3 (2013-2014) of the $12,555 available, $6,922 was used in support of the Workforce Development agenda of the district. Although the Second Chance Act funding available to the District of Delaware shrank steadily over each of these three periods of investigation and, therefore, the absolute amount spent on Workforce Development projects shrank too, the proportion allocated to Workforce Development activities rose. This is a quantitative indication of increasing confidence in the results of the Workforce Development program as time went on and it confirms interview commentary to the effect that the DoD grew increasingly committed to supporting and enhancing Workforce Development and expressed this in decision-making on funding allocations. Where budget allocations made it possible funding was also drawn from other sources to support Workforce Development projects in this most recent investigation period but, given overall budget constraints and the ad hoc means by which these funds were identified, they cannot accurately be represented here.

The relationship between funding available and funding use for Workforce Development is presented in the diagram below, which also demonstrates how funding was reduced over time. This reduction in funding is an important consideration in our assessment of the effectiveness of program implementation model C because it gives an

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indication of the level of financial support available to that implementation model as compared to A and B. Although the amount of supplemental funding from the District’s general budget is not explicitly represented here we, can still infer that, in light of federal budget sequestration and the fiscal cliff of 2013, there was not significant supplementary support for the program in this time period.

Figure 10: Change in Second Chance Act funding in District of Delaware

This discussion of the Second Chance Act is primarily intended to demonstrate three key findings. First, in a climate in which core funding was dramatically cut, the accomplishments of the Workforce Development program in period 3 in terms of employment rate and revocation rate are all the more striking. Second, the fact of the reduction in funding confirms that the success of the Workforce Development program in period 3 was not prompted by any influx of additional funding and, therefore, supports the conclusion that the improvements were in the program design itself rather than in the
material resources available to it. Finally, it illustrates the interplay between the macro-
level goals and priorities of the OPPS Administrative Office in Washington and the
grants available to it based on Congressional funding of the Act, versus the micro-level
implementation of those goals and the prioritization that takes place on the local level.

As the political will behind the Second Chance Act was running out of steam in the face
of federal budget crises and government shut-down, the local confidence in and optimism
about the Workforce Development program was increasing to the extent that other
sources of funding to continue supporting the program were sought out. The graph below
illustrates that proportionally the program took a more prominent role in receiving what
funding was available from the Second Chance Act grants.

Figure 11: Proportion of Second Chance Act funds allocated to the Workforce
Development Program
Reduced Recidivism Rate

The key performance indicators identified and discussed previously have assessed the impact of the three different implementation models of the Workforce Development program on employment availability and quality directly. As discussed previously, though, the intent of the Workforce Development program is to use employment as one method for reducing the recidivism rate. In the District of Delaware, the Workforce Development program is one of the two primary mechanisms for accomplishing this. The other mechanism is Cognitive Behavioral Therapy (CBT), the delivery method for which has not changed in this time period. While other supplemental programs also support this agenda (STARR, Reentry Court\textsuperscript{126}) the size of the probationer population impacted by them is still very limited so their impact to the overall recidivism rate for the district is negligible.

In the context of this probationer population, the measure of recidivism is revocation of probation. When a probationer is “revoked” this means that they have broken the terms of their probation and are therefore returned to prison. Their probation case file is closed due to revocation as opposed to being due to the expiration of their assigned probationary period.\textsuperscript{127} Any criminal activity that the probationer is found to have engaged in during the period of their probation may result in revocation. If they reoffend after their period of probation ends, however, that action would not be captured as part of their probation case file so it would not be reflected in this dataset. Extending the assessment of recidivism beyond the probationary period would require sourcing data

\textsuperscript{126} Discussed in Chapter I.

\textsuperscript{127} Probationer case files may also be closed for other reasons such as transfer to a different district, or, sadly, death, but these circumstances are very infrequent.
from outside the federal system and potentially also from other federal districts. With this limitation in mind, the revocation rate remains the primary metric used within the OPPS to measure recidivism and, for the purposes of this study, it effectively demonstrates how each Workforce Development implementation model influences the rate at which Workforce Development participants recidivate. The table and diagram below illustrate how the revocation rate fell following the implementation of program model C.

Table 7: District of Delaware revocation rate

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>District of Delaware</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Cases Closed</td>
<td>Cases Closed by Revocation</td>
</tr>
<tr>
<td>2009</td>
<td>60</td>
<td>24</td>
</tr>
<tr>
<td>2010</td>
<td>49</td>
<td>20</td>
</tr>
<tr>
<td>2011</td>
<td>53</td>
<td>23</td>
</tr>
<tr>
<td>2012</td>
<td>71</td>
<td>30</td>
</tr>
<tr>
<td>2013</td>
<td>62</td>
<td>20</td>
</tr>
<tr>
<td>2014</td>
<td>62</td>
<td>20</td>
</tr>
</tbody>
</table>
Strengths of Program Implementation Model under Soliman

Having established the effectiveness of the period 3 Workforce Development Program quantitatively, we now turn to qualitative explanations for those impacts.

Program Influence of Soliman

Workforce Development program design under Saad Soliman involved only minor changes to the service delivery model so the impact he has had on the program falls primarily in the arena of implementation and, in particular, in his ability to assess a probationer’s workforce preparedness and to create a personalized curriculum in response. During period 3 the program approach continued to focus on changing attitudes of probation officers and staff, potential employers within the community and probationers themselves. The services offered to advance these attitude changes were not modified considerably under Soliman’s leadership with the exception of the introduction
of some additional services for probationers, and the use of his personal experience in evaluating high-potential candidates to make decisions about program resource allocation. His influence in program implementation is strongly associated with his personal history as an ex-offender and the ways in which that history has equipped him to be a shrewd judge of character with the ability to differentiate between probationers whose attitudes are genuinely positive and optimistic, those whose attitudes are a defensive mechanism masking insecurity and fear, and those whose attitudes are offensive and indicate indifference or even malice. His ability to quickly and accurately make these assessments allows him to interact confidently with probationers, to assertively establish the boundaries of his relationships with each of them and to swiftly earn their respect. It also contributes to his credibility as a role-model for probationers, providing an example of what successful reentry looks like.

Survey responses from 30 probationers who voluntarily provided feedback on their probation and reentry experience show a proportionally high usage of voluntary services provided by the Workforce Development program. As described previously, only the group sessions are mandatory for probationers with a Medium or High Risk Prediction Index (RPI); other program services are engaged in voluntarily. Soliman’s application of the principles of the Risk-Needs Responsivity Model are evident in the high service usage of non-mandatory services because probationers who did not feel that they were deriving benefit from those services would not voluntarily travel to the probation office and elsewhere to take advantage of them. Soliman’s use of the Risk-Needs Responsivity approach to identify and recommend specific services based on his assessment of the needs of each probationer and collaboration with their assigned
probation officer fosters probationer good will and limits program waste since no time or resources are used in circumstances that are unlikely to result in a positive return on investment.

The survey confirmed that, of the five categories of services provided to probationers, the group sessions were most heavily used, but they still accounted for less than half of the services probationers used at least once. Respondents were asked to select which categories of services they used at least once and then, in a separate question, they were asked to identify which categories they had used more than once. Each category was coded as used (1) or not used (0) and aggregated proportionally over the population of respondents. One-on-one counseling with Saad Soliman, job training and referrals to other externally provided social services all scored equivalently as items used at least once by probationers. Interestingly, education assistance, which primarily involves getting the GED, was the least used of the services offered. Further study would be required to determine whether this was because many probationers had the opportunity to get their GED while still in prison or whether there was some aversion to academics in the probationer population, or some other explanation. This analysis may also reveal a need for other types of education assistance. The diagram below shows the usage of services that have been used at least once.
The survey also revealed continued use of Workforce Development program services with the exception of educational assistance. In the case of GED, it could be considered a single-use activity if probationers who prepare for the test pass it on their first attempt or if they choose not to make a second attempt after a failure. But, again, without further study, we cannot determine why this type of service was not more heavily used. The continued use of other services is of greatest interest here, though, because we would expect that an ineffective or unhelpful program would show repeat usage of group sessions because they are mandatory, and low or no usage of other services. We also cannot determine how many of these services continued to be used after probationers had secured employment. Once a probationer has found a job, the group sessions are no longer mandatory, but they remain available so another useful metric would be how much active usage of program services takes place while participants are already
employed. Anecdotal evidence suggests that this does occur but it is not clear how much. The diagram below shows usage levels of services used repeatedly.

*Figure 14: Workforce Development Services used repeatedly*

![Pie chart showing usage levels of services](image)

The value that probationers derive from the program is shown by their engagement level with reentry programming in relation to more traditional probationer oversight. Respondents rated the frequency of their interactions on a four-point scale as follows: Never (0), Rarely (1), Occasionally (2), Frequently (3). The aggregated responses show that respondents proportionally had more interactions relating to reentry activities with Saad Soliman than they had had with their assigned probation officers. Since the majority of these interactions are voluntary as opposed to the mandatory interactions with the probation officer, this relationship as expressed in the
diagram below emphasizes the investment probationers are willing to make in the program based on the benefits they feel they derive from it.

*Figure 15: Proportional use of probation officer and reentry specialist services*

While survey responses were helpful in confirming the value that probationers derived from interactions with Saad Soliman, they were less helpful in describing what specifically about his approach was most impactful. Indeed, most probationers did not provide free-form comments about what they appreciated about him or their probation officer, and those that did provided very general commentary.  

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128 Examples include:
“Saad helped me get a job at ShopRite and he [is] ‘good people’”,
“To be for real the stuff you all do is beneficial for help in freedom take place. The officer and Saad Soliman does get you if you do stuff yourself”,
“I just want to be free and I’m close to being done”,
“Thank you”,

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Soliman himself and other staff members, including the Chief Probation Officer John Selvaggi, provided greater insight into what skills and personality traits were most heavily used and, at least anecdotally, most effective in managing the program. The qualities that were most frequently referenced can also be related to specific aspects of the program design and could be sought in others as requirements for the reentry specialist job role. These traits included, first and foremost, a high emotional quotient specifically as it relates to accurately assessing a person’s attitude as a gauge of how they will respond to certain program offerings; this is critical in identifying how best to assist them in terms of which combinations of resource allocation would be most effective. Secondly, creativity and flexibility in service delivery is critical in appropriately responding to the needs of probationers and ensuring that they receive, absorb and respond to the training messages being delivered. Soliman exemplified this quality routinely in the group and workshop sessions that were observed for this study, adjusting the positive or negative incentives that he offered to resonate with each probationer that he worked with so that he was literally speaking a language they could relate to as he explained the value proposition for the skills he was teaching. The third requirement that Soliman fulfills is intellectual curiosity; this is central in an environment that prioritizes evidence-based practices because there is a legitimate organizational expectation that new research be routinely considered for incorporation in program design and that staying well educated about the practices that are effective in this arena ensures that they are included in probationer case plans. Finally, in support of the program’s mission to integrate with the community at large and especially with

“They [are] the best EVER (Team Work)”,
“The reentry program is a big reason for my success.”
employers, Soliman’s ability to speak the language of business people provides significant value to the program as well. As a former business owner with extensive experience in sales, Soliman is well equipped to relate to potential employers on a practical as opposed to philosophical level. Anecdotal evidence suggests that this is central to the relationship-building that is required to ensure a pipeline of job opportunities for the probationers in the program.

Organizational Context Empowering Soliman

Initial interviews with key staff of the probation office gave the impression that it was Saad Soliman, personally, who effected the positive change in the program based on the sheer force of his personality. Observation of the context in which he was allowed to operate suggests that key pre-requisites were in place that allowed him to thrive in the District of Delaware Office of Probation and Pretrial Services (OPPS). Changing attitudes towards the reentry problem in the US Courts system, and work culture shifts within the District of Delaware, made the context conducive to hiring Soliman and giving him freedom to enhance the Workforce Development program. Staff survey responses confirm this assessment but also demonstrate that the “us versus them” attitude that probation officers hold towards ex-offenders is still in place.

The organizational culture in the District of Delaware is driven in part by the broader national culture of the OPPS expressed through policies handed down from their head office in Washington DC, and in part by the local leadership of the District’s Chief Probation Officer and Chief Judge, and the attitudes of the officers and staff within the district. The organization culture shifts that precipitated Soliman’s inclusion on the team
were initiated as early as 2000 when the “Charter for Excellence” was introduced by the Federal Administrative Office of the OPPS. The broader push for the use of evidence-based practices picked up in 2006-2008 and coincided with McDonough’s tenure as Chief Probation Officer for the District of Delaware and the initial launch of the Workforce Development program. With these cultural shifts came a change in terminology from “probationer” to “client,” which illustrated the change in attitude about who the probation office was serving. Another expression of that new approach within the District of Delaware OPPS office is the Bob Dylan slogan painted in large print on the conference room wall:

“‘When you got nothing, you got nothing to lose’
~ Bob Dylan
Let’s try and give people something to lose.”

It expresses the interest of the District of Delaware team in being more than just observers of probationers’ behavior, but instead actually influencing that behavior. The introduction of the Staff Training Aimed at Reducing Re-arrest (STARR) program for probation officers has further reinforced the organization’s cultural change. The culture of evidence-based practices also recognized that Soliman was, himself, at low risk of re-offense because of his previous employment, his family structure, education profile and so forth. All of these factors contributed to the District’s willingness to bring him onto the staff.

The following indicators of probation officer attitude come from responses to an online anonymous survey offered to the District of Delaware probation officers. The response rate was 50% but, since the PO population is so small, this still only accounts for 5 respondents. A four-point Likert-type scale was used with responses coded as:
Strongly agree (+2), Agree (+1), Disagree (-1), and Strongly Disagree (-2). A neutral option was not provided and responses were mandatory so there were no responses coded as (0) due to failure to answer. Survey responses indicate that when Saad Soliman was brought onto the staff in 2012 the organization’s attitudes were closely split, but with a stronger response of agreement with the statement: “When I first found out we would be adding an ex-offender to our team I was extremely uncomfortable with the idea.” Since that time, the outlook in the office has changed such that the prevailing attitude is the opposite with respondents disagreeing with the statement: “I am still extremely uncomfortable to have an ex-offender on our team”. This change is illustrated in the diagrams below.
Probation officer survey responses also confirm the hypothesis that having an ex-offender to assist with reentry activities has improved collaboration with probationers. Their feedback also validates that this improvement is not exclusively due to personal traits of Saad Soliman but is primarily due to his status as an ex-offender. The diagrams below express these responses:
In spite of the recognition of the value that Soliman adds to the Workforce Development program and to the OPPS team in general and, specifically as an ex-offender, the prevailing attitude of the probation officers within the District of Delaware was not supportive of adding more ex-offenders to the team in other roles.
This finding indicates that barriers remain in place in probation officers’ minds preventing them from being totally comfortable collaborating with ex-offenders as peers rather than as supervisors.

Communitarianism in Action

Although Communitarian philosophy often presupposes collective action driven by organic grass-roots processes, the example of the District of Delaware shows how government institutions can produce collectively beneficial results through collaborative problem solving if they empower individuals to act according to Communitarian values. Predicated on the understanding that there is a market for ex-offenders who are both motivated and adequately trained to engage in the legal economy, and that probation officers can develop and influence the labor market in their favor, the role of the probation officer expands beyond surveillance and supervision. According to McDonough, “When these two assumptions are factored in, the focus of the work of probation and parole expands beyond the boundaries of the office and begins to engage
the community.”¹²⁹ In a similar vein, the “Charter for Excellence” introduced by the Federal Administrative Office of the Office of Probation and Pretrial Services (OPPS) following the Federal Judicial Center’s National Chiefs’ Conferences in 2000 and 2002 articulated the unique constraints of their profession, the goals that matter most to their organization and the values that underpin those goals. The charter hangs in the foyer of the District of Delaware Wilmington office and in the conference room, as well as in the office of at least one of the staff members. The frequency and prominence with which it is displayed is a testament to how central it is to OPPS culture. The full charter is provided in the Appendix but, of particular relevance to this discussion, are the following statements from the charter:

“We are outcome driven and strive to make our communities safer and to make a positive difference in the lives of those we serve. We achieve success through interdependence, collaboration and local innovation… [We have a] responsibility to positively impact the community and the lives of victims, defendants, and offenders… [Our goals include] facilitating long-term, positive changes in defendants and offenders through proactive interventions; and promoting the fair, impartial, and just treatment of defendants and offenders throughout all phases of the system.”¹³⁰

This language is notably different from the more punitive “us versus them” stance that the organization held through the 1980s and 1990s.

In spite of the intentional cultivation of a more collaborative, inclusive, and community-centric approach by the OPPS nationally, there is still a sense among probation officers in the District of Delaware that the organization remains primarily procedurally focused over and above their interest in allowing individuals and interactions to organically develop solutions to reentry problems. The probation officer


survey results indicate that their overwhelming sense was that the OPPS nationally “seems to prioritize processes and tools over individuals and interactions,” while the sentiments about the local District of Delaware office were evenly split with equal weights of agreement and disagreement with the statement “The Office of Probation and Pretrial Services in the District of Delaware prioritizes processes and tools over individuals and interactions.” These responses taken together indicate that District of Delaware probationers find their own office to be more flexible towards and embracing of Communitarian values than the OPPS national administration. The diagram below illustrates this comparison and, to some extent, explains why the District of Delaware was particularly well positioned to initially experiment with engaging an ex-offender in reentry programming.

Figure 19: Organizational attitude towards communitarian values
Regardless of the approach of the District of Delaware leadership and culture as it relates to using Communitarian values to direct its program approach, probation officers’ expectations of their own role did not align closely to those values even though their preferences in general did appear to. Probation officer feedback registered general agreement with the statement “My job role requires me to prioritize processes and tools over individuals and interactions” thereby seeming to align their definition of role and expectation of responsibility in line with their interpretation of the OPPS administrative office position. Conversely, the prevalent feeling of probation officers was that they preferred to prioritize individuals and interactions over processes and tools. The diagram below shows that the weighting of responses to each of these questions is diametrically opposite and, while not overwhelmingly conclusive, is still very much indicative of a conflict between personal preference and interpretation of job role as a probation officer.

*Figure 20: Probation officer attitude towards communitarian values*
This juxtaposition further supports the willingness of the District of Delaware to rely on Soliman as an avenue for the expression of these values. It also speaks to the interest of individual probation officers in collaborating with him closely on probationer case plans. This lets them make sure that the probationer needs that they are observing are being met through Soliman even if they cannot be met by the probation officers themselves given their supervisory role.

The probationers themselves registered very high levels of positive sentiment in terms of the level of support they felt they received from their probation officer and reentry specialist. The survey responses from the 30 probationers who voluntarily provided feedback on their probation and reentry experience included a series of statements scored according to a five-point Likert-type scale: Strongly agree (+2), Agree (+1), Not Applicable (0), Disagree (-1), and Strongly Disagree (-2). Questions that received no response were also coded as 0. Each statement was presented as an affirmation of the goals and values of the OPPS, and the list of statements has been used in previous OPPS studies. The diagram below shows the degree to which probationers affirmed the following statements:

When I do the right thing, my probation officer and reentry specialist acknowledge it
My probation officer is involved in my substance abuse or mental health treatment
My probation officer and reentry specialist frequently meet me in my community
Being on supervision has had a positive effect on my life
My probation officer and reentry specialist include my family in my supervision
My probation officer and reentry specialist help to motivate me
My probation officer and reentry specialist communicate with me openly and respectfully
My probation officer and reentry specialist assist me in securing employment

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My probation officer and reentry specialist help me to learn how to solve my problems
My probation officer and reentry specialist help to arrange various services for me
My probation officer and reentry specialist are positive role models
My probation officer and reentry specialist are firm but fair

Figure 21: Probationer assessment of support from probation officer and reentry specialist

It is notable that the most significant areas of disagreement are on questions relating to deep community interaction:

My probation officer and reentry specialist frequently meet me in my community
My probation officer and reentry specialist include my family in my supervision

Given the general tone of positivity of the probationer feedback and the degree to which probationers report feeling supported, the scores in these two areas are indications of follow-through still required if the District of Delaware is to meet McDonough’s goals of community integration. They are also, however, higher risk and very resource-intensive supervision activities.
The survey feedback from both probationers and probation officers is limited by its volume. Since both surveys were voluntary, there is a possible selection effect here because the truly disgruntled and apathetic would not have given time or attention to responding. The observations from the responses that were received are still instructive, though. They show areas where the District of Delaware can give additional attention and potentially derive additional benefit with regards to the focus and application of their Communitarian values.

In 2008, former Chief McDonough defined the goals of the Workforce development program as, “reduced recidivism…, increased employment [and] earnings of offenders, increased levels of skill, training and education, and enhanced employment opportunities.” When the quantitative findings described previously are viewed in light of the survey responses, it is clear that implementation model C in effect 2013-2014 was remarkably successful in meeting these goals. Recidivism was reduced, employment rates increased, as did earnings, and the level of employment mobility suggests enhanced employment opportunities. While this study did not attempt to directly measure levels of skill, training, or education, it can be inferred that these also increased, as evidenced by the other indicators. The program usage feedback from probationers did show that educational assistance was the least used service offered by the program and that it was not used more than once by any of the respondents. Thus, although it is legitimate to applaud the program for its achievements, opportunities remain to further enhance it.

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Chapter IV
Discussion of Implications

The areas for further study described here all center on the Workforce Development program in the District of Delaware.

Areas for Further Study

The underlying premise of evidence-based programming is that program models are to be defined and adjusted in response to the evidence of program outcomes. This presupposes regular cycles of evaluation to ensure that programs are indeed achieving the results that they are designed to and, if not, adjusting the program design accordingly. To that end, multiple avenues of further study are suggested by the outcomes identified here, some of which could identify opportunities for program refinement or at least give more specific information about why certain aspects of the program are successful.

A long-running study of recidivism outcomes for program participants would allow evaluation of whether the impacts of the program retain their influence even when an ex-offender is no longer under federal supervision. While short-term employment successes are trackable during the probationary period, the real measure of reentry success extends beyond the time frame of supervision. Such a study would require tracking outcomes for the participant pool beyond simply their re-offense rate with the US Courts system. Data from the Delaware State system and potentially from other states would need to be included in order to know whether participants re-offended
outside the jurisdiction or purview of the District of Delaware. Lichtenberger\textsuperscript{133} recounts evidence showing that the longer the amount of time from programming delivery, the smaller is the effect of programming on recidivism. Duplicating this finding would suggest a program response of providing refreshers to ex-offenders on some types of training even after their probation period ends, if not through the Office of Probation and Pretrial Services (OPPS), then possibly through some other avenue of delivery. Heinrich recommends hand-offs to other community organizations to continue providing reentry support after the period of supervision has ended.\textsuperscript{134}

A study examining employment outcomes with greater detail and precision would allow substantive evaluation of factors influencing employment retention. A significant aspect of this for long-term reentry success is employment quality and the extent to which the program generates employment opportunities that allow for long-term employment stability, career development and income growth. Findings in this area could shed light on what types of employers yield the most sustainably positive outcomes and motivate adjustments in the types of job opportunities that are cultivated by the program. More direct input from employers and potential employers regarding their attitudes towards hiring ex-offenders would expand on the approach of this study to verify the extent to which the program is changing those attitudes. It would also reveal specifics about what factors account for the most job losses by probationers; no doubt some of these will be market influences that the program cannot control, but some may suggest further areas of training that could better prepare probationers.

\textsuperscript{133} Lichtenberger, “Offender Workforce Development Specialists,” 35.

\textsuperscript{134} Svenja Heinrich, Reducing Recidivism through Work: Barriers and Opportunities for Employment of Ex-Offenders, issue brief (Chicago: Great Cities Institute, 2000): 4-7.
Finally, a study linking program usage to probationer outcomes would show which services provided by the program are most effective. Better analysis of what services work best would be facilitated by the tracking of which services are actually used by each probationer in the program. This better analysis would allow for a more granular assessment of the effectiveness of each service and potentially allow some underutilized or ineffective services to be dropped from the program offering in order to direct resources to the most impactful areas. It may also generate information about why some services, such as education assistance, are under-utilized. Ideally this analysis would be conducted in relation to the cost of provision of each service so that a granular cost-benefit analysis could be conducted.

The areas for further study described above all center on the Workforce Development program in the DoD, but it would also be valuable to study that program in the context of other similar programs in other districts of the US Courts system. The general idea of doing Workforce Development programming has been picked up in several other states as described previously. Comparing their program models in conjunction with their funding models would give valuable indicators of best practices in Workforce Development in the context of their respective costs. The level of impact of DoD Workforce Development program was not driven by funding, so providing a cost-benefit analysis in the context of other program options under the OPPS umbrella could direct funding to activities of highest impact.
Recommendations for Office of Probation and Pretrial Services in the District of Delaware

Several of the limitations of this study, and of the suggestions for further study referenced above, are associated with the availability of reliable data. The OPPS generally and DoD specifically can improve program responsiveness by implementing empirical process control in support of their evidence-based practices. This implementation would involve including planning for quantitative analysis as part of the program design itself and would, thereby, ensure data availability so that, what is today a largely qualitative assessment process, can become more quantitative.

In order to provide rich data for future study, building data capture into the process in a more formal and consistent manner would provide greater breadth and depth of indicators of how the program is doing. Introducing Chronos codes for Workforce Development program indicators would improve tracking even while continuing to use a data capture system that probation officers are already familiar with and use consistently for other supervisory activities. Introducing that technical adjustment to the PACTS system would incorporate Workforce Development tracking into the existing data-management processes and ensure data consistency over time. Introduction of these codes would require a reference data update to be made by request to the OPPS information technology apparatus, but would not be costly or require system redesign. PACTS already stores employment status and employer information; adding an indicator that shows whether a given job was found through the Workforce Development program or independently would give better visibility to the employment impacts of the program. Further, adding indicators for which Workforce Development program services were
used and when would provide transparency into program usage. Finally, including cost information for services provided to each probationer would provide a strong basis for budgetary decision-making.

Procedural changes would also be required to support better evidence identification and management in the spirit of evidence based programming. Expanding PACTS data management entitlements to include the reentry specialist role would allow program record-keeping to take place within the PACTS system as opposed to independent offline trackers. Today, the probation officer is responsible for updating PACTS for probationers under their supervision based on offline input from the reentry specialist. This introduces the risk of data leakage and data quality issues that could be ameliorated if the reentry specialist was able to enter program specific data themselves.

A broader procedural change would involve expanding the use of PACTS to record data about reentry programs nationally. This would be beneficial for other programs that the various probation offices run because it would allow programs and program outcomes to be compared amongst districts in a standardized manner through DSS. These opportunities for comparison of outcomes would contribute to the broader knowledge base of the OPPS nationally and would facilitate comparative studies across reentry programs. This is the pinnacle of evidence-based programming design and would rely on principles of big data management that are already being used in retail and banking contexts.
Significance and Implications of Findings

This study’s findings suggest that a reentry specialist with personal experience of reentry provides additional credibility to the Workforce Development program in the eyes of all key stakeholders: probation officers, employers, and probationers themselves. This additional credibility appears to have had a material impact on the effectiveness of the program as compared with the previous two implementation models. Progress has been made in meeting the goals laid out by Chief McDonough and these findings provide a precedent for employing ex-offenders in this context. Survey feedback from both probationers and probation officers themselves indicates that officers’ attitudes support positive interactions with probationers and an interest in individual interactions in support of individual issues as opposed to the more stringent policies and procedures associated with punitive supervision. The manner in which the DoD officers have warmed to Saad Soliman further confirms that they are growing more accepting of ex-offenders as colleagues and not just as clients requiring rehabilitation. In this office, more experience would likely be required before the positive feelings towards Soliman are extended towards ex-offenders as a group, but the progress that has already been made should not be discounted. Employment rate and quality findings from the jobs held during period 3 indicate continued growth of engagement in the community to develop profitable collaborative relationships with employers. Most significantly, though, the results of this study demonstrate better engagement of and outcomes for probationers in this implementation model than in the previous two. Changes to program design overall were limited across time periods and in Implementation Model C centered around Soliman’s background as an ex-offender and the experiential knowledge and problem solving
capability that he brought to interactions with stakeholders, especially probationers, based on that background. To the extent that we take as given the assertion by the Risk Needs Responsivity model that attitude has the greatest influence on reentry success, a role-model who demonstrates the appropriate attitude to probationers, specifically in the context of employment, provides a significant improvement in program results. It also affirms the relationship between higher rates of employment and lower rates of recidivism showing that the program is achieving its intended goal.

The impact of the Workforce Development program as implemented by the DoD recommends this program and this particular model of implementation for use in other districts of the U.S. Courts system and potentially for State and non-profit providers of reentry assistance. The evidence provided by Saad Soliman’s case can be extrapolated to bolster the recommendation to include ex-offenders more actively in reentry programming and can tie in effectively with other trends already underway in the arena.

For example, it has already been established that community-based supervision is much less costly than incarceration through the Bureau of Prisons. Enhancing capability to provide high quality outcomes during the supervisory period could result in cost savings across the system by encouraging the use of probation services in lieu of prison time for a broader selection of cases. Furthermore, reentry funding has its greatest impact when the experiences of all stakeholders are represented in the problem-solving model so policies that facilitate adoption of Communitarian values and empower broad-based participation have great potential. Any policy decision to incorporate Communitarian values in programming should require thoughtful consideration of how evidence of success will be

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gathered, stored, and interpreted to ensure that regular analysis can be used to drive program improvements. This empirical process-control approach is especially important in circumstances where the qualitative impact of a program change is likely to be more immediately observable than the quantitative impact.

Conclusion

The difficulty ex-offenders face in reentry has huge social implications in the United States today because of the large numbers of people affected and the dire consequences for themselves, their families and their community when they recidivate. Many variables contribute to successful reentry into society after incarceration; a significant one is employment because it impacts both the financial and social motivation for engaging in crime. The link between employment and successful reentry has been established based on a broad body of existing scholarship. Additionally, research on restorative justice and community-based supervision make the case for moving away from the retributive incarceration model of the traditional criminal justice system and instead leveraging probation officers who supervise in the community to also engage the community to assist in that supervision. Communitarian values, which emphasize integrated social involvement in moral and political decision making and their associated policies, can be applied to the process of reentry. Their application in the District of Delaware’s process of matching ex-offenders to jobs has been the focus of this study. The work presented here also integrates with analyses done by Visher on the initial implementation of this program in the District of Delaware, and work done by McNichols on how the District of Western Pennsylvania implemented the same program.
This study asked what makes participation in the Workforce Development program in the District of Delaware a better insurer of employment today than it was in previous iterations of program design. The explanation tested was that program leadership from an ex-offender provides an empathetic role model to probationers and a credible example of successful reentry to program stakeholders, thereby enhancing community buy-in. The findings show that presenting living proof of reentry success to program stakeholders (probation officers, employers and potential employers within the community, and probationers themselves) provides a larger impact for the amount of program spending than relying on job training and facilitation alone. Analyzing data accumulated over the last six years, and three program design changes, to pinpoint what program implementation models were most effective, helps to drive program improvements, thereby realizing the benefit of an evidence-based program model.

Quantitative analysis of the data was used to identify treatment and comparison groups and to confirm impacts of the program on key success indicators. Between 2012 and 2014 the DoD moved from the 40th to the 4th highest of all 94 federal districts for its employment rate showing a dramatic increase in employment rate relative to other federal districts. Compared to previous years and previous program implementation models, the employment rate for the DoD population improved by 5% in the same period outstripping improvements in the general employment rate. Increases in hours worked per week and higher wages indicate that employment quality overall improved. Declining availability of Second Chance Act funding illustrated how program improvements were not related to any increases in budget, but the increased proportion of Second Chance Act funds available that were assigned to Workforce Development program activities showed the
value placed on the program by administrators in the District of Delaware who also found ways to provide supplemental funding out of their also shrinking general budget.

Qualitative analysis of survey and interview information provided information on the context that made these results possible. The influence that Saad Soliman had on program design was found to be primarily in the area of resource allocation, that is, determining which services to provide to individual probationers based on Risk Needs Responsivity. His decision making was significantly colored by his personal experience as an ex-offender, which assisted him in identifying and evaluating probationers’ needs. Additionally, the organizational context that empowered Soliman was a result of changing attitudes towards the reentry problem in the US Courts system and work-culture shifts within the DoD. These allowed him the high-visibility opportunity to role-model successful reentry to probationers, prospective employers, and probation officers, thereby cultivating broad-based buy-in for the program from across the community. This example shows how government institutions can produce collectively beneficial results through collaborative problem solving if they empower individuals to act according to Communitarian values.

As early as 2008 when the Workforce Development program was still in its naissance, former Chief McDonough recognized three critical challenges to the success of the program.

1. Changing the philosophy and mission of the agency and the staff. [Probation Officers] have to learn new skills and take on new responsibilities. Collaboration with community partners is critical.
2. Changing employer attitudes about hiring offenders. They have to see the advantages of taking a chance on an offender, working with the probation or parole agency. The experiences of the Delaware WFD [Workforce Development] suggest this is possible.
3. Changing offender attitudes about work, developing a commitment to work and giving them the skills to locate, secure, and maintain gainful employment.137

This research has shown that of the three models of implementation that the DoD has used since that time, Model C that was in place for Fiscal Year 2013 and 2014, most successfully addressed these three challenges, as evidenced by program effectiveness according to all key indicators. The primary design change for Implementation Model C was the engagement of an ex-offender who had personally experienced the reentry process as the specialist managing the program. His involvement with the program is a consequence of an organizational context that has continued to embrace Communitarian values, especially locally in the DoD. It is also the cause of better engagement from probationers and potential employers for whom he is a compelling example of reentry success. His impact in this capacity explains improvements in outcomes for program participants over the study period and testifies to the beneficial outcomes of a community-centric, collaborative approach to reentry that leverages ex-offenders as a solution rather than as the problem.

Appendix 1

Probation Officer Survey

The New Improved Workforce Development Program

This is a voluntary anonymous survey directed at probation officers and support personnel of the District of Delaware Office of Probation and Pretrial Services. The intent of the survey is to identify and quantify the impact of improvements in the Workforce Development Program introduced since 2012. An additional goal is to pinpoint changes in individual attitude and group culture that have made some of these improvements possible. This survey is completely anonymous however if you think of any additional information that you would like to share please contact Meredith Tsumba on 215.906.5136 or meredith.tsumba@gmail.com

* Required

What is your job role within the Office of Probation and Pretrial Services? *
- probation officer
- support personnel
- Other: ___________

Do you interact with the Workforce Development Program or work directly with Saad Soliman on a regular basis?
- Frequently - several times a week
- Occasionally - several times a month
- Rarely - several times a year
- Never

The Impact of the Workforce Development Program in 2012-2014
These questions refer to these last two years during which Saad Soliman has administered the Workforce Development Program with John Selvaggi as Chief Probation Officer

I have confidence in the Workforce Development Program to consistently and effectively place probationers in viable jobs. *
Please indicate the extent to which you agree or disagree with the statement above.
- Strongly Agree
- Agree
- Disagree
- Strongly Disagree

I rely on the Workforce Development Program to help with our collective goal of reducing recidivism. *
Please indicate the extent to which you agree or disagree with the statement above.
- Strongly Agree
- Agree
- Disagree
- Strongly Disagree
Variations in Group Culture and Individual Attitude

These questions attempt to capture how perceptions and attitudes vary for different roles in the organization and different points in time.

The Administrative Office of Probation and Pretrial Services working nationally seems to prioritize processes and tools over individuals and interactions.*
Please indicate the extent to which you agree or disagree with the statement above.

- Strongly Agree
- Agree
- Disagree
- Strongly Disagree

The Office of Probation and Pretrial Services in the District of Delaware prioritizes processes and tools over individuals and interactions.*
Please indicate the extent to which you agree or disagree with the statement above.

- Strongly Agree
- Agree
- Disagree
- Strongly Disagree

My job role requires me to prioritize processes and tools over individuals and interactions.*
Please indicate the extent to which you agree or disagree with the statement above.

- Strongly Agree
- Agree
- Disagree
- Strongly Disagree
It is my personal preference to prioritize processes and tools over individuals and interactions. *
Please indicate the extent to which you agree or disagree with the statement above.

- Strongly Agree
- Agree
- Disagree
- Strongly Disagree

In my opinion, adding an ex-offender to our team in the District of Delaware has improved our level of collaboration with our probationers. *
Please indicate the extent to which you agree or disagree with the statement above.

- Strongly Agree
- Agree
- Disagree
- Strongly Disagree

In my opinion, adding an ex-offender to our team in the District of Delaware was successful because it was Saad Soliman in particular, but would not have worked as well with anyone else. *
Please indicate the extent to which you agree or disagree with the statement above.

- Strongly Agree
- Agree
- Disagree
- Strongly Disagree

When I first found out we would be adding an ex-offender to our team I was extremely uncomfortable with the idea. *
Please indicate the extent to which you agree or disagree with the statement above.

- Strongly Agree
- Agree
- Disagree
- Strongly Disagree

I would be open to the idea of adding other ex-offenders in other job roles within the District of Delaware provided that all due diligence was taken in the hiring process. *
Please indicate the extent to which you agree or disagree with the statement above.

- Strongly Agree
- Agree
- Disagree
- Strongly Disagree

Do you have any qualifying or expanding comments you'd like to make?
Please use this section to expand on or clarify any of your answers to the multiple choice questions above. If there is any context you'd like to add, or other selection choices you wish had been available please share what you would have liked to say had this questionnaire NOT been limited to multiple-choice.
Appendix 2

Probationer Survey

Probationer Feedback Survey
This is a voluntary anonymous survey directed at probationers supervised by the District of Delaware Office of Probation and Prenatal Services. The intent of the survey is to find out if you feel your relationship with your probation officer and re-entry specialist is serving you well and whether opportunities exist to improve our partnership.

How frequently do you interact with your probation officer?
This refers to any type of interaction, not just the formal required check-ins.
- Frequently - several times a week
- Occasionally - several times a month
- Rarely - only when required

Saad Soliman is the assigned re-entry specialist assigned to this office. How often do you interact with him?
This refers to any type of interaction, not just those mandated by your probation officer.
- Frequently - several times a week
- Occasionally - several times a month
- Rarely - several times a year
- Never

For the following set of questions Please indicate the extent to which you agree or disagree with the statement above. If you feel differently about your probation officer and re-entry specialist, mark both choices but indicate which is which.

My probation officer and re-entry specialist are firm but fair *
- Strongly Agree
- Agree
- Disagree
- Strongly Disagree

My probation officer and re-entry specialist are positive role models *
- Strongly Agree
- Agree
- Disagree
- Strongly Disagree

My probation officer and re-entry specialist help me to learn how to solve my problems *
- Strongly Agree
- Agree
- Disagree
- Strongly Disagree

My probation officer and re-entry specialist help to arrange various services for me *
- Strongly Agree
- Agree
- Disagree
- Strongly Disagree
- N/A

My probation officer and re-entry specialist communicate with me openly and respectfully *
- Strongly Agree
- Agree
- Disagree
- Strongly Disagree

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My probation officer and re-entry specialist help to motivate me *

- Strongly Agree
- Agree
- Disagree
- Strongly Disagree

Being on supervision has had a positive effect on my life. *

- Strongly Agree
- Agree
- Disagree
- Strongly Disagree

My probation officer is involved in my substance abuse or mental health treatment. *

- Strongly Agree
- Agree
- Disagree
- Strongly Disagree
- N/A

My probation officer and re-entry specialist include my family in my supervision *

- Strongly Agree
- Agree
- Disagree
- Strongly Disagree

My probation officer and re-entry specialist frequently meet me in my community *

- Strongly Agree
- Agree
- Disagree
- Strongly Disagree

When I do the right thing, my probation officer and re-entry specialist acknowledges it. *

- Strongly Agree
- Agree
- Disagree
- Strongly Disagree

What services of the Workforce Development Program have you ever used? Check all that apply.

- Workforce development group sessions
- One-on-one counseling
- Educational Assistance
- Job Training
- Referrals for additional services

What services of the Workforce Development Program do you use REPEATEDLY? Check which services you use frequently or depend on heavily.

- Workforce development group sessions
- One-on-one counseling
- Educational Assistance
- Job Training
- Referrals for additional services

Do you have any additional feedback you would like to share? Remember that this is an anonymous survey, so if you have feedback that you want to direct to a particular probation officer, please include their name.
Bibliography


