

Pennsylvania Board of Probation and Parole
Testimony of John R. Tuttle, Acting Chairman
House Appropriations Committee
March 18, 2015

Good morning, Chairman Adolph, Chairman Markosek, and distinguished members of the House Appropriations Committee. Thank you for the opportunity to appear before you today to discuss the Board of Probation and Parole's budget request for FY 2015/16.

For the coming year, the Board is requesting a modest increase in funding to support mandated contractual increases and cost-to-carry expenses. That increase will allow the Board to serve Pennsylvania's growing parole population and expand its work on parolees' continuity of care, particularly for those parolees with mental health challenges. As I am sure you are aware, Governor Tom Wolf has proposed the merger of the Board with the Department of Corrections. I fully support the Governor's effort to merge these agencies into a single entity. I believe that the combined entity will allow all stakeholders to focus on the important task of reducing recidivism across the Commonwealth.

I am certain that the merits of the Governor's proposal will be recognized and discussed in due course. At present, the total budget for the Board is \$195 million. This figure includes essential funding for the Sexual Offenders Assessment Board, the county probation Grant-in-Aid program, the Firearms Education and Training Commission, the Office of Victim Advocate, and state and federal augmentations.

Specifically for the Parole Board's General Government Operations (GGO), the proposed request is \$152 million, a 9.4% increase over FY14/15, with \$11.1 million to continue operations (mandated contractual increases and cost-to-carry expenses). Further funding of \$2.3 million is requested, as I previously indicated, to respond to the growing parole population and for the training of mental health agents. An additional \$200K will allow the Board to increase its use of critical Global Positioning System (GPS) technology.

Pennsylvania has seen a marked increase in the percentage of its criminal justice population with mental health issues. The Department of Corrections states that 24% of inmates are on the active mental health roster. 18% of the parole population, meanwhile, has a serious mental health concern. Those parolees often require greater support from their agents if they are to be successful as returning citizens. So as to allow the Board to adequately supervise parolees with such needs, ten of the additional complement requested will be used as specialized mental health agents.

Encouragingly, the Board has made significant progress towards reducing recidivism since FY 2004/05, when the Board's three-year recidivism rate for releases was 52%. The Board has managed to bring the rate down to 44% for FY 2010/11 releases. It is my belief that, under a combined agency, the Board and the Department of Corrections will continue these fine efforts at reducing recidivism in the Commonwealth. I also believe that the combined agency will allow us to cement these important successes and lead to greater outcomes for all parties involved.

National reviews have consistently observed that institutional programming and parole supervision must operate on a seamless continuum. That is to say, reentry efforts inside the

institutions must flow directly into community corrections and supervision. Currently, the Department of Corrections and the Board work together in transitional housing unit pilots at several institutions, but the Bureau of Community Corrections and parole supervision are two separate entities that should be part of a unified whole. Pennsylvania is one of only six states that have not combined parole supervision and institutional programming under one agency. I would suggest to the honorable members of this Committee that merging the two agencies will be a step in the right direction.

In recent years, the Board has made serious strides towards increased efficiency and improved outcomes. The Board's ability to build upon such progress will continue to be hobbled, however, so long as these efforts remain fragmented between two agencies. In 2012, the General Assembly unanimously passed the first phase of the Justice Reinvestment Initiatives (JRI). The Board, or its successor agency, will continue to work with the legislature to pass common-sense reforms. This is in line with Governor Wolf's emphasis on creating a "government that works" for all Pennsylvanians.

Focusing on Rehabilitation

The progress mentioned above can be magnified by refocusing our Commonwealth's efforts on rehabilitation and ensuring that all staff is held accountable in meeting the goal of reduced recidivism.

The foundation of all evidence-based practices for dealing with offenders is the risk, need and responsivity (RNR) principle for offender rehabilitation. Safe community reentry requires that we follow the RNR principle because research has shown that failure to adhere to this principle can lead to increased recidivism.

Risk is the likelihood of an offender committing another crime. It is not the seriousness or severity of the crime; risk factors can be dynamic or static. Needs are associated with the identified risks and should be targeted for intervention in order to change the likelihood that an offender will commit another crime. An important distinction must be made between criminogenic (crime-producing) and non-criminogenic needs, with the research telling us to focus on criminogenic needs because that will lead to reduced recidivism. Criminogenic needs include criminal associates, anti-social personality (poor problem-solving, hostility, anger), criminal attitudes, family support, substance abuse, social achievement (education, employment), and poor use of leisure time. Other needs may be important, such as low self-esteem or mental health problems, but addressing these needs without focusing on the underlying criminogenic needs has not proven to reduce recidivism. There "is a clear association between the number of criminogenic needs targeted and reduced recidivism." (Andrews, Gendreau, and Dowden, 1999; Dowden, 1998.) The concept of responsivity is concerned with how we should target the identified needs based on the individual characteristics of the offender. After we have identified the risk and needs, we must understand factors that can be impediments to treatment, such as individual literacy, language barriers, intrinsic motivation, access to transportation, and maturity. In recognizing these impediments, we must also leverage individual strengths and work with offenders to overcome any barriers. Generally, to satisfy the responsivity principle, we should use the most proven methods of delivering interventions: cognitive-behavioral tactics. Applying the RNR model, we determine who to target, what to target and how to target to get the best return on our taxpayer dollars.

Use of the RNR principle must begin at the point of incarceration and continue until an offender has successfully completed supervision and returned to full citizen status.

Merging the two agencies, while keeping independent the decisions on whether parole is granted or denied, will ensure that all staff work towards the same goal, and do so under unified direction.

Our neighbor to the east, New Jersey, has used a different structural model of combining community corrections with parole supervision. In doing so, New Jersey has changed the culture of its parole supervision from the old “trail ‘em, nail ‘em, and jail ‘em” philosophy to the new mantra of parole agents being “social workers with a gun.” This change in philosophy has allowed that state to reduce the number of both criminal and technical parole violators by approximately 75% over a ten-year period. Because these offenders did not reoffend, New Jersey was also able to lower its overall prison population, and the state’s crime rate index continues to drop. One noteworthy feature of those reforms is that New Jersey parole agents are evaluated on the success of the offenders under their supervision: specifically, parolees’ success in completing supervision without reoffending. Holding our parole agents to a high level of accountability will do justice by Pennsylvanians and all parolees. Agents in the Commonwealth must represent the best and the brightest in their field in order for Pennsylvania to succeed.

Combining parole supervision with community corrections has proven successful especially when tied to institutional programming. It is instrumental to success that state institutional staff, community corrections staff, parole supervision staff and county probation staff work together based on the same approach. Phase II of Justice Reinvestment will include training on core competencies for supervisors and agents/officers to effectively incorporate evidence from research into supervision practices. The Board’s staff, DOC Bureau of Community Corrections staff, and county adult probation staff are currently undergoing training in “EPICS.” Effective Practices in Community Supervision (EPICS) is designed to train staff on how to incorporate all the evidence-based practices within the confines of a typical supervision contact. This training was developed pursuant to research showing that traditional supervision contacts largely fail to incorporate these proven interventions and therefore have a minimal impact on reducing recidivism. The promising research on EPICS and similar training initiatives demonstrates that staff members receiving this training are much more proficient at the use of evidence-based practices. More importantly, offenders under the supervision of EPICS-trained staff reoffend at markedly lower rates than offenders supervised by staff not similarly trained.

The Board of Probation and Parole looks forward to merging operations with our colleagues at the Department of Corrections. I have made it a personal priority to help facilitate that merger. I am optimistic that the increased opportunities to reduce recidivism, by using evidence-based practices to change offender behavior, will allow us to continue to enhance public safety. I am encouraged by Governor Wolf’s leadership in this area, and share the Governor’s belief that a safer, more united Pennsylvania is a better Pennsylvania.

Chairman Adolph, Chairman Markosek, and honorable committee members, thank you for your time and consideration of these additional resources.