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Source: *Federal Sentencing Reporter*, Vol. 24, No. 1 (October 2011), pp. 54-56

Published by: [University of California Press](#) on behalf of the [Vera Institute of Justice](#)

Stable URL: <http://www.jstor.org/stable/10.1525/fsr.2011.24.1.54>

Accessed: 11/10/2011 12:11

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San Francisco's Family-Focused Probation: A Conversation with Chief Adult Probation Officer Wendy Still



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I. A Family-Focused Approach

At year-end 2009, 7.23 million adults were involved in the criminal justice system—whether in jail or prison or on probation or parole.¹ These numbers on their own are disturbingly high, but they fail to reflect the millions of family members and loved ones who are affected by this involvement. Although traditionally ignored as a factor to consider when sentencing or as a reentry resource, families are slowly emerging as a critical piece in the criminal justice system puzzle.

The decision to sentence an individual to a term of imprisonment or a period of community supervision is often based on sentencing guidelines, a cursory pre-sentence investigation report, or a statutory mandate. The strengths of family and the impact of incarceration on family members, however, are often ignored in the sentencing decision. Similarly, despite decades of research demonstrating that families play an important role in the successful reentry of individuals, they are often overlooked as a reentry resource. For people leaving jail or prison, families are the most frequent provider of housing and the most common source of financial support, offer assistance in securing a job, and frequently help with child care.² Family involvement has been shown to result in better employment outcomes and reductions in the use of alcohol and other drugs.³ Family members also play a significant role in keeping formerly incarcerated individuals from returning to criminal activity: Adults who had more contact with their families while in prison and report positive family relationships overall are less likely to be arrested again or reincarcerated.⁴

A family-focused approach to sentencing and supervision would ensure that family involvement is considered at each decision point in the criminal justice system. At a convening in spring 2011, Vera's Family Justice Program⁵ brought together a group of experts who agreed that the elements of the family-focused approach to juvenile justice and criminal justice reform share common threads:⁶

- The approach should be multidisciplinary and should extend beyond the justice system to include other systems that interact with affected families.
- Defining *family* broadly helps identify a wide range of people who can provide support.

- A family-focused approach considers people's strengths and assets—not just the challenges in their lives.
- This approach should be applied throughout the spectrum of involvement in the justice system, from arrest, to sentencing, to incarceration, to reentry into the community.

Strength-based, family-focused initiatives are being applied in a number of contexts in conjunction with Vera's Family Justice Program, including Oklahoma's department of probation and parole, juvenile parole in the Ohio Department of Youth Services, and the Fox Valley Technical College's Tribal Probation Academy in Appleton, Wisconsin. Numerous other family-focused practices and policies are being adopted nationwide.

Family impact statements, modeled on environmental impact statements, provide judges with information they can consider prior to sentencing. The statements focus on the sentenced person's family details, such as the number of children, the children's living situation, the person's relationship to the caregiver, status as a primary caregiver, and the county where the children reside.⁷ These statements can be completed within the pre-sentence investigation report, a description of background information about the individual that includes past criminal history and is designed to inform sentencing.⁸ Although family impact statements are in use in the English town of Shrewsbury and perhaps in other parts of the world, San Francisco is believed to be the only U.S. jurisdiction that is using family impact statements at sentencing. The Adult Probation Department in San Francisco is committed to a family-focused approach. To discuss the department's innovative practices, the author sat down for a conversation with Wendy Still, the chief adult probation officer of the city and county of San Francisco.

II. Q&A with Chief Still, Chief Adult Probation Officer of the City and County of San Francisco

Vera: How and why did you decide that the San Francisco Adult Probation Department should concentrate more on families?

Federal Sentencing Reporter, Vol. 24, No. 1, pp. 54–56, ISSN 1053-9867 electronic ISSN 1533-8363.
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<http://www.ucpressjournals.com/reprintInfo.asp>. DOI: 10.1525/fsr.2011.24.1.54.

Chief Still: I was in corrections for a little over twenty-six years and oversaw the women's programs for the California Department of Corrections and Rehabilitation. I learned a lot from reforming their system and that has really helped in rebuilding our department. I became interested in trying to do something to break the cycle of crime, realizing that there are intergenerational patterns throughout the system. When I was hired as the chief probation officer in San Francisco, it was a priority to be able to save families from going through that and really enhance services.

When I saw all the generations of families—both in the male and female prisons—my goal was to break the cycles of crime, not only by preventing probationers from committing future offenses, but by using a family-focused supervision model to intervene with the family from a strength-based perspective and save the children from becoming involved in the justice system.

We're broadening our perspective and also the definition of improved outcomes. What we're doing is adding services, based not only on the individual, but using the family to build a strength-based model. That's a win-win. Instead of trying to catch probationers doing something wrong, you identify and build on their strengths. It's a really different way of achieving successful outcomes. You're rewarding progress. Engaging the family is probably the most rehabilitative opportunity we have.

Here in San Francisco, people want to do the right thing: They want to find the right solutions. They want to be progressive and innovative. They're concerned about reducing crime and victimization. There's a fundamental belief in humanity and it's inspiring.

Vera: What has been the biggest challenge in adopting a family-focused approach?

Chief Still: The biggest challenges have been around shifting the culture and staff attitudes. One aspect of that is educating the staff on a new definition of success that includes reduced victimization, improved public safety, and improved outcomes for both the probationer and the family. We've had to develop a comprehensive approach to changing our policies and practices—through training and by changing our mission, vision, objectives, and values statement. It means taking a top-to-bottom look at where you're at right now. The only way to achieve change that moves the organization permanently in that direction is by making sure your practices are in line with your policies. That means training not only on existing policies, but on such skill sets as motivational interviewing, so that you get improved feedback. It means encouraging staff to be out in the field so they get a sense of what's going on, what the offender's needs are.

Although comprehensive change is important for sustainability, there are a lot of things jurisdictions can do—starting with a cultural shift, then looking at your policies, and doing training to improve the outcomes. If we're

going to break the cycle of crime, we have to do business differently.

Vera: What are family impact statements and how are judges using them at sentencing?

Chief Still: Our pre-sentence investigation report uses a family-focused supervision model and the heart of it is our pre-sentence recommendation to the court. Back in 2009 we changed our pre-sentence investigation report to include a family impact statement. Now judges and probation officers are paying attention to the family and asking, "What is the impact of the recommended sentence on the individual's family?" You have the judges look at that as part of their decision making; it's an evidence-based decision-making model. In addition, family impact statements give probation, the district attorney, and the public defender a more comprehensive view of the individual being sentenced.

Another element of what we are doing is collecting more data, which will help us understand what we need to do to make systematic change. We're using a more sophisticated risk and needs assessment, the COMPAS risk and needs instrument developed by the Northpointe Institute for Public Management. We're actually creating a new pre-sentence investigation report that incorporates the criminogenic risk and needs information along with the family social factors. In fact, for all Northpointe clients who use their software, the family impact statement will automatically be in the software package. This will have an impact on cities, counties, and states that use this software nationwide.

Vera: How do family impact statements differ from victim impact statements? How do judges use and weigh them differently?

Chief Still: We're fortunate in San Francisco that we are one of four counties participating in an evidence-based sentencing program. We're including risk and needs assessments in the sentencing decision—and the family impact statement is part of that. The court is taking a holistic look at the offender—not just the crime, not just the impact on the victim, but also the needs of the offender and the risks to the community. Family strengths are factors they look at in making their decisions. They're no longer just looking at the individual, but the circumstances of the individual, what positive or negative risk factors they have—and they are incorporating that into their decision-making process.

The family-focused probation-supervision model really fits with where the field is going. Our recidivism rate demonstrates that what we did in the past is not working: In California, the recidivism rate is higher than 70 percent. Instead of taking a very myopic view, we are considering the environmental and social factors, not only in sentencing, but in supervision. And then we are demanding better

outcomes—not just for the probationer, but for their children, with the goal of breaking that cycle.

In San Francisco, victim impact statements are also part of the sentencing process. [A victim impact statement details the physical, emotional, and financial consequences of the crime on the victim and the victim's family. Some jurisdictions permit victims to provide an opinion on the sentence. These statements afford victims a way to participate in the process.]⁹ We're adding information; that's where the risk and needs instruments come in. That allows us to consider the things we haven't historically considered, including the impact on the victim but also the impact on the family.

Vera: How have partnerships with other agencies—especially the San Francisco Sheriff's Department—made these changes in probation more effective?

Chief Still: We're broadening our partnerships with community-based organizations and with foundations. Money is extremely tight these days because of all the states' and counties' fiscal situations. We've been very successful at creating partnerships with foundations to do innovative work; the city and county can't afford to do some of this work.

At the same time we're working on all of our reforms, the Sheriff's Department has implemented some very innovative programs, surrounding families of people in their jails with wraparound services and concentrating on parenting classes and visiting. We're not only focused on sentencing and probation supervision, but recognize that in jails, family is often a positive rehabilitative motivator. The Sheriff's Department is also changing its policies and procedures so that families have more access while individuals are in jail, for the same reasons.

Vera: In what ways do you collaborate with other agencies when there is overlap and your department works with the same families they see?

Chief Still: We're working on a partnership with Child Welfare—Family & Children Services. There's really a gap, a lot of unknowns about probationers whose children are in the child welfare system. We're going to do a data match with Family & Children Services so we can better understand where there is double supervision and instead create a collaborative supervision model. So when children in the child welfare system have parents in the probation system, we will have the social worker from Child Welfare working with the probation officer so that we can improve outcomes by working together.

There's one other element: We're working with juvenile probation. We're making our policies and procedures more family-focused, and so is the juvenile system. Too often the children of the offender go into the juvenile system and end up in the adult system. We want to understand who's coming to us from the juvenile system. We need better information but we can also help them access services: For example, if they're in the child welfare system, they're eligible for enhanced services.

We're taking a top-to-bottom approach in looking at every aspect of our operation. Who's missing from our table that we can *bring* to our table to create a partnership and fill a gap? Once we get things in place, we can provide better services.

Notes

- ¹ LAUREN GLAZE, CORRECTIONAL POPULATIONS IN THE UNITED STATES, 2009 (Bureau of Justice Statistics, U.S. Department of Justice, Dec. 2010).
- ² MARTA NELSON, PERRY DEESS, & CHARLOTTE ALLEN, THE FIRST MONTH OUT: POST-INCARCERATION EXPERIENCES IN NEW YORK CITY (Vera Institute of Justice, 1999).
- ³ CHRISTY VISHER ET AL., RETURNING HOME: UNDERSTANDING THE CHALLENGES OF PRISONER REENTRY (Urban Institute, 2004); EILEEN SULLIVAN ET AL., FAMILIES AS A RESOURCE IN RECOVERY FROM DRUG ABUSE: AN EVALUATION OF LA BODEGA DE LA FAMILIA (Vera Institute of Justice, 2002).
- ⁴ NANCY G. LA VIGNE ET AL., CHICAGO PRISONERS' EXPERIENCES RETURNING HOME (Justice Policy Center, Urban Institute, 2004); Damian J. Martinez & Johnna Christian, *The Familial Relationships of Former Prisoners: Examining the Link Between Residence and Informal Support Mechanisms*, 38 J. CONTEMP. ETHNOGRAPHY 201 (2009); Creasie Finney Hairston, Prisoners and Their Families: Parenting Issues During Incarceration (paper presented at From Prison to Home: The Effect of Incarceration and Reentry on Children, Families and Communities, a conference hosted by the U.S. Department of Health and Human Services and Urban Institute, Washington D.C., January 30–31, 2002); Rebecca Naser & Christy Visser, *Family Members' Experiences with Incarceration and Reentry*, 7 W. CRIMINOLOGY REV. 20 (2006).
- ⁵ The Family Justice Program's principles and strategies were developed and tested at the direct-service center La Bodega de la Familia, which was a Vera demonstration project. La Bodega operated as part of an independent nonprofit organization, Family Justice Inc., from 2001 through 2009.
- ⁶ MARGARET DI ZEREGA & JULES VERDONE, SETTING AN AGENDA FOR FAMILY-FOCUSED JUSTICE REFORM 5 (Vera Institute of Justice, 2011).
- ⁷ CAROL LIU, FACT SHEET: SENATOR LIU, FAMILY IMPACT STATEMENT, JANUARY 2, 2010.
- ⁸ CENTER ON JUVENILE AND CRIMINAL JUSTICE, THE HISTORY OF THE PRE-SENTENCE INVESTIGATION REPORT (n.d.), http://www.cjcj.org/files/the_history.pdf.
- ⁹ NATIONAL CENTER FOR VICTIMS OF CRIME, FACT SHEET: VICTIM IMPACT STATEMENTS (1999), http://www.svfreenyc.org/survivors_factsheet_83.html.