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## The Role of Probation and Parole Officers in the Collaborative Response to Sex Offenders

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**IN JUNE 2007**, the American Probation and Parole Association was awarded a cooperative agreement from the National Institute of Corrections to develop a curriculum for training community corrections professionals on how to deal with low-level/low-risk sex offenders from a collaborative framework. The training module included two components: 1) a module focusing on how to define, identify, and supervise low-level sex offenders, and 2) a module focusing on strategies to promote collaboration in working with these sex offenders. In this article, the authors introduce the collaborative response to sex offenders, with a specific focus on the role of probation and parole officials in this collaborative response system.

When considering the importance of collaboration, the adage “three heads are better than one” comes to mind. This phrase points to the benefits of working together. Regrettably, when individuals are asked about their perceptions of collaboration, negative responses are common. Practitioners tend to want to work with members of their own agencies, but may be resistant to working with individuals from other agencies. This resistance stems from two sources: 1) a lack of understanding about those who are involved in the collaborative response, and 2) a lack of understanding about the principles of collaboration. To address these issues, the curriculum introduces training participants to the parties involved in responding to sex offenses and the principles of collaboration. Below is an overview of the role of probation and parole officials in the response to these cases, and a discussion of the parties with whom probation and parole officers will collaborate in sex offense cases, as described in the curriculum.

### **Individuals/Agencies in the Collaborative Network**

Much of the curriculum focuses on identifying the roles of various agencies involved in the collaborative response to low-level sex offenders. While many sex offenses may go unreported, when they are reported to criminal justice officials, several different agencies are called upon to assist with the response to the crime. As noted in the curriculum, these agencies include the following:

- Probation and parole officers
- Law enforcement (police and sheriff’s investigators)
- Jail staff

Court Staff—Prosecutors, Defense attorneys, Judges

- Prison staff
- Treatment staff
- Health care professionals
- Victim advocates

**Probation and parole officers** have become increasingly involved in the collaborative response to sex offenses in recent years. It has been said that probation and parole officers serve as the sex offender's "external conscience" (Jenuwine et al., 2002). What this means is that, as one source of external control in the collaborative response to sex offenses, probation and parole officers will work closely with sex offenders in an effort to make sure that offenders abide by the conditions of their probation/parole. In terms of collaboration in preventing sex offenses, probation officers are encouraged to:

- Participate in efforts by your local sexual assault program and other violence prevention groups to prevent sexual violence.
- Volunteer to assist law enforcement agencies with community notification proceedings. Work to make these meetings nonthreatening and educational.
- Offer to educate school boards, neighborhood associations, chambers of commerce, faith communities, and other interested people about sex offenders, risk factors, and prevention ideas.
- Use your influence with your clients to help them develop respectful attitudes and behaviors.
- By your own actions, model for your supervisees skills such as self-esteem, communication, assertiveness, limit setting, and conflict resolution.
- Learn about resources in your community from perpetrators, victims, and families of both. Share the information with your supervisees and their families.
- Continue to meet regularly with family members as necessary.
- Educate the family members or significant others of your supervisees about sexual violence and suggest ways they can support treatment and prevent relapse.
- If necessary, find programs that meet the needs of non-English speaking, illiterate, developmentally disabled, or mentally ill offenders, or those who are from a different culture than other participants.
- Strongly advocate expansion of treatment options for sex offenders, especially approaches that succeed in preventing further offenses and promoting treatment.
- Develop a supervision plan so victims are protected from further abuse.
- Volunteer to help train advocates from sexual assault programs about sexual offense issues. Tell them about your experience with offenders (Minnesota Department of Health, 2007).

In reviewing these items, three things become clear. First, probation and parole officials have a central role in responding to and preventing sex offenses. Second, their role is not limited to supervising sex offenders, but also includes performing activities designed to prevent sex offenses in the community and protect members of the public. Third, in reviewing each of these items, it is clear that probation and parole officers do not operate alone in their efforts to supervise low-level sex offenders. Instead, they work with other officials to perform each of these tasks. The roles of these other officials and the way probation and parole officials interact with each of them are discussed below.

**Law enforcement** (police and sheriff's investigators) are typically the first responders in cases of sexual offenses. The duties of law enforcement officers in responding to sex offenses are often well-defined. Officers arrive at the scene, secure the scene, gather evidence, and interview different parties (e.g. victims, witnesses, and offenders). After conducting an investigation, law enforcement officers decide if probable cause exists for an arrest. In cases where an arrest is made, officers then begin booking and intake procedures. In terms of collaboration, officers will typically communicate with their administrators, prosecutors, jail staff, and victim advocates as they process the case through the justice system.

Law enforcement administrators (sheriffs and police chiefs) also have a role in preventing sex offenses. Their involvement should include 1) providing continuing education about sex offenses to all staff, 2) reviewing sexual assault policies, 3) sharing information with the community about these policies, 4) seeking community support for improved sex offender legislation, and 5) hiring staff who can respond to the needs of sexual assault victims and the dynamics of sex offenders (Minnesota Department of Health, 2007).

Probation and parole officers can work with law enforcement officers in at least three different ways in their efforts to respond to sex offenders. First, probation officers might seek out information from law enforcement about specific offenders as they develop case plans for specific sex offenders. Second, probation and parole officials might join law enforcement officers in conducting ongoing investigations of sex offenders who are currently under some form of community supervision. Third, probation and parole officials will often serve along with law enforcement officials on sex offender supervision teams.

**Jail staff** become involved in responding to (and preventing) sex offenses after a defendant is identified and arrested by law enforcement. Jail staff are involved with sex offenses in at least three different ways. First, jail staff supervise those defendants who are not granted bail while they remain in jail pending trial. Second, lower-level sex offenders may be sentenced to jail after they are convicted. Common sentences for low-level sex offenders include short periods of incarceration in jail or prison. Third, during incarceration of sex defendants/offenders, jail staff are required to protect the offenders from being victimized themselves.

- Beyond these specific interactions with sex offenders, jail staff can also be involved in preventing sex offenses in other ways. For example, jail staff are encouraged to:
- Be a role model. Jail workers' practice of respectful treatment of others and limit-setting can serve as an example for the detainees.
- Help make the system work. Jail workers represent the community by supervising the detainee and by holding the detainee accountable.
- Aid in treatment. A jail worker's interaction with the sex offender detainees and participation in the treatment process can help treatment providers best meet the needs of these individuals.
- Support victims. All justice officials have a role to play in ensuring that certain victims' rights are upheld (adapted from Minnesota Department of Health, 2007).

Probation and parole officials work with jail officials in at least three different ways when responding to low-level sex offenders. First, when developing pre-sentence reports, probation officials may need to solicit information from jail staff. Second, when preparing offenders for release back to the community, probation and parole officials may find it useful to seek input from jail staff. Third, when working on community-wide prevention strategies, probation and parole officials may work with jail staff to develop prevention plans and programs.

**Court staff** (prosecutors, defense attorneys, court clerks and judges) also have a role in the collaborative response to sex offenses. Prosecutors decide which cases to prosecute, help to protect victims' rights, and use their position to send the community messages about the inappropriateness of sex offenses. Defense attorneys safeguard the rights of the accused and may work with treatment staff to ensure that offenders receive the appropriate treatment. Court clerks become involved in sex offenses by overseeing restitution collection and disbursement. Judges are the referees of the adjudication process. They decide the sentence given to offenders, the conditions for probation, treatment placement, and so on. Judges are also responsible for making sure that victims' rights are protected.

Probation and parole officials work with each of these groups in responding to sex offenses. They seek information from prosecutors and provide sentencing recommendations to judges. Also, probation and parole officials routinely share updates about offender progress, or lack of progress, under community supervision. In addition, probation and parole officials ensure that sex offenders are abiding by their release conditions and report any necessary deviations to the appropriate court officials.

**Prison staff** are also involved in the response to sex offenses. Like jail staff, their involvement includes supervising convicted offenders and serving as a role model to offenders. Also similar to jail staff, they have a role in promoting treatment, protecting offenders from abuse, and holding offenders accountable for their behavior. Unlike jail staff, prison staff are likely to supervise higher-risk sex offenders. Prison staff also work closely with treatment providers in an effort to rehabilitate incarcerated sex offenders.

Probation and parole officials work with prison staff to classify offenders for incarceration and assist in the re-entry of sex offenders back into the community. Given that convicted and incarcerated sex offenders are highly stigmatized (Tewksbury, 2005), re-entry strategies are particularly important for this offender group. Note also that recent state policy changes mandating prison sentences followed by long, if not lifetime, sentences of probation/parole have formalized a relationship between prison staff and probation/parole officials responding to sex offenses.

**Treatment providers** are also involved in the collaborative response to sex offenses. These providers include counselors, social workers, psychiatrists, psychologists, and other treatment professionals. Treatment providers work with both incarcerated and non-incarcerated sex offenders. Some also work with victims of sex offenses. Treatment providers and justice officials may appear to have divergent views about sex offenders. Many justice officials may view sex offenders as in need of strict punishment, while treatment providers are clearly supportive of rehabilitative ideals.

In many ways, probation and parole officials bridge the gap between the retributive orientation of criminal justice professionals and the rehabilitative orientation of treatment providers. While public safety is the main goal of probation and parole officials responding to sex offenders, the most effective probation/parole strategies call for integrating treatment into the sex offender's treatment plan (English et al., 1997). With low-level sex offenders, in fact, it is plausible to argue that rehabilitative ideals are particularly important. In promoting these ideals, probation/parole officials must have open lines of communication with treatment providers.

**Health care professionals** are also involved in the collaborative response to sexual assault. From a strict medical perspective, health care professionals are involved in sex offenses in the following ways:

[Health care professionals] assess patients for acute medical needs and provide stabilization, treatment, and/or consultation. Ideally, sexual assault forensic examiners perform the medical forensic exam, gather information for the medical forensic history, and collect and document forensic evidence from patients. They offer information, treatment, and referrals for sexually transmitted infections (STIs) and other nonacute medical concerns; assess pregnancy risk and discuss treatment options with the patient, including reproductive health services; and testify in court if needed. They typically coordinate with advocates to ensure patients are offered crisis intervention, support, and advocacy during and after the exam process and encourage use of other victim services. They may follow up with patients for medical and forensic purposes. Other health care personnel that may be involved include, but are not limited to, emergency medical technicians, staff at hospital emergency departments, gynecologists, surgeons, private physicians, and/or local, tribal, campus, or military health services personnel (United States Department of Justice, 2004, p. 2).

From this framework, one can suggest that health care professionals are involved in the collaborative response to sex offenses in at least five different ways. First, health care providers may suspect sexual assault and report it to the appropriate authorities. Second, health care providers may be called upon to help victims deal with their immediate physical injuries. Third, health care professionals (Sexual Assault Nurse Examiners in particular) may be involved in gathering evidence from the victim. Fourth, if the victim allows it, health care professionals may

serve as witnesses in criminal trials. Finally, health care professionals are often involved in educating the community about sexual assault prevention.

In terms of interactions between probation/parole officials and health care workers, four potential scenarios exist. First, probation officers preparing presentence reports may need to seek information from health care professionals who have information about the offender or victim. Second, probation/parole officials may need to work with mental health professionals in developing assessment plans for sex offenders. Third, probation and parole officials may need to gather information from health care professionals if offenders violate certain conditions of their release. Finally, the two groups may find themselves working together on collaborative teams developed to prevent sex offending in local communities.

**Victim advocates** are also involved in the collaborative response to sexual assault. According to Lonsway (2006), two types of victim advocates exist—community-based advocates and system-based advocates. Community-based advocates typically work for some sort of agency that is not affiliated with the justice system. These often include non-profit private agencies. System-based advocates typically work for a specific agency in the justice system. They are often referred to as “victim-witness” advocates because they work with victims who are willing to be witnesses in the justice processing of their cases. While different issues arise for each type of advocate, both groups provide an array of services in preventing or responding to sexual assaults. These services include crisis intervention, facilitating decision making, accompanying victims, serving as a liaison between agencies, safety planning, and referrals.

Probation and parole officials work with victim advocates in several different ways. First, in some cases, advocates might be the point of contact for probation/parole officials needing information from victims. Second, probation and parole officials might need to contact victim advocates in developing and arranging restitution payments to victims. Third, given that advocates routinely provide training about sex offenses, probation and parole officials might participate in training programs offered by advocates. Finally, as with the other groups, probation and parole officials often serve on collaborative teams with probation and parole officers.

**Researchers** are also involved in the collaborative response to sex offenses, albeit of a different nature than other professionals. Collaborative efforts must be evaluated to determine whether changes need to be made. Researchers interested in studying sex offenses and responses to these offenses can use their skills and abilities to inform our understanding about the most appropriate collaborative tools and strategies.

Probation and parole officials are in an excellent position to work with researchers in this collaborative response system. For example, probation and parole officials can help researchers gain access to data and potential research samples. Probation and parole officials can also work with researchers to develop appropriate lines of inquiry. Through forming researcher/practitioner partnerships, researchers and probation officers can formalize strategies to increase understanding about sex offenders of all types. Most important, the two groups work together by sharing, and using, relevant information. In particular, probation and parole officials provide researchers with insight into the response to sex offenders, while researchers use this information to develop recommendations for responding to and preventing sex offenses.

### **Concluding Remarks**

A number of other individuals/agencies may be involved in the collaborative response to sexual offenses. These include mental health care professionals, public health professionals, victim service providers, elected officials, funders, neighborhood associations, the media, employers, child care providers, parents, school personnel, sports/recreation leaders, victims, and college students. Table 1 shows how all of the groups discussed above and these ancillary groups can be involved in the collaborative response to sex offenses.

**TABLE 1. Roles of Different Groups Involved in Collaborative Efforts**

<b>GROUP</b>	<b>Role in Responding to Sexual Assault</b>
Law enforcement	<ul style="list-style-type: none"> <li>-use leadership role to show how power can be used in healthy ways</li> <li>-cooperate with violence prevention programs</li> </ul>
Jail staff	<ul style="list-style-type: none"> <li>-use leadership role to serve as role models for prevention of sex offenses</li> <li>-support community efforts to get involved in violence prevention efforts</li> </ul>
Prison staff	<ul style="list-style-type: none"> <li>-serve as role models to inmates</li> <li>-facilitate treatment</li> </ul>
Prosecutors	<ul style="list-style-type: none"> <li>-set example by showing respect to victims</li> <li>-recommend sentences that include treatment for sex offenders</li> </ul>
Defense attorneys	<ul style="list-style-type: none"> <li>-learn about treatment programs for sex offenders</li> <li>-work with system to build prevention initiatives</li> </ul>
Court officials	<ul style="list-style-type: none"> <li>-review laws and keep other staff informed</li> <li>-make sure court staff is aware of effective sentences for sex offenders</li> </ul>
Probation/Parole officers	<ul style="list-style-type: none"> <li>-serve as role model to sex offenders</li> <li>-participate in community awareness campaigns</li> </ul>
Health care providers	<ul style="list-style-type: none"> <li>-talk to patients about human development, healthy sexuality, sex offenses</li> <li>-watch for signs of sex offenses</li> <li>-make referrals and participate on prevention/response teams</li> </ul>
Helping professionals	<ul style="list-style-type: none"> <li>-work with clients to reduce risks of sex offenses</li> <li>-meet with different professionals involved in response to sex offenses</li> </ul>
Mental health professionals	<ul style="list-style-type: none"> <li>-watch for signs of sex offenses</li> <li>-help clients build strengths</li> <li>-communicate best ways to help victims and offenders with others</li> </ul>
Public health professionals	<ul style="list-style-type: none"> <li>-teach community about healthy development</li> <li>-meet with community partners to plan prevention efforts</li> </ul>
Victim service providers	<ul style="list-style-type: none"> <li>-extend services to underserved groups</li> <li>-educate about healthy sexuality</li> <li>-serve on sex offense prevention coalitions</li> </ul>
Elected officials	<ul style="list-style-type: none"> <li>-encourage constituents to take a role in preventing sex offenses</li> <li>-sponsor research on sex offenses and the justice system's response</li> <li>-communicate the costs of sex offenses to the community</li> </ul>
Funders	<ul style="list-style-type: none"> <li>-participate in awareness campaigns</li> <li>-support and fund programs to prevent sex offenses</li> <li>-assist efforts that seek to explain sex offenses</li> </ul>
Neighborhood	<ul style="list-style-type: none"> <li>-conduct needs assessment for prevention of sex offenses</li> </ul>

groups	-work with other groups to prevent sex offenses
Media	-present messages opposing sex offenses -use public service ads to support collaborative efforts
Employers	-ensure workplace is free from sexual harassment -support well-being and healthy development -support collaborative efforts with funds or staff
Child care providers	-serve as a role model -communicate ways to identify sex offenses to others
Parents	-promote non-violence -talk to children about healthy sexual development
School personnel	-serve as a role model -work with parents to promote healthy development -participate in prevention efforts with other community agencies
Victims	-serve as role model to others -participate in justice process to the extent that they feel comfortable
College students	-serve as mentor to younger student -participate in sexual assault prevention efforts

SOURCE: Adapted from Minnesota Department of Health (2007).

No one group alone can solve any crime problem. This is especially true for sex offenses. While the curriculum was developed with an aim towards increasing understanding about low-level sex offenders, the parties called upon to respond to these offenses also collaborate on other forms of crimes. The types of interactions, however, tend to be dictated by offense type rather than occupation type. Probation officers working with law enforcement officers to address drug offenses, for example, will engage in different forms of interactions than they would when responding to sex offenses. In this sense, it is imperative that these groups understand their roles, their collaborative partners' roles, and the dynamics of sex offending. They must not assume that all sex offenses are the same. As noted in the curriculum, the wide range of sex offenses warrants that different response strategies be used for different types of sex offenders. By recognizing these roles and the need to dictate responses according to offense type, probation and parole officials place themselves in a better position to participate in the collaborative response to sex offenders. The NIC-APPA curriculum provides all community corrections professionals the opportunity to understand these roles and better prepare themselves for the response to these offenses.

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[Publishing Information](#)



Van Voorhis, P. (2007). An overview of offender classification systems. In P. Van Voorhis, D. Lester, & M. Braswell (Eds.) *Correctional Counseling and Rehabilitation*. Cincinnati, OH: Anderson Publishing.

Wright, K., Clear, T. R. & Dickerson, P. (1984). Universal application of probation risk assessment instruments: A critique. *Criminology* 22: 113-134.

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English, K., Pullen, S., & Jones, L. (1997). *Managing adult sex offenders in the community: A containment approach*. Washington D.C.: U.S. Department of Justice.

Jenuwine, M.J., Simmons, R., & Swies, E. (2003). Community supervision of sex offenders—Integrating probation and clinical treatment. *Federal Probation*, 67(3), 20-27.

Lonsway, K. (2006). Advocates and law enforcement: Oil and water? Available online at [www.sane-sart.com/filemgmt/visit.php?lid=48](http://www.sane-sart.com/filemgmt/visit.php?lid=48).

Minnesota Department of Health. (2007). *A Place to Start: A Resource Kit for Preventing Sexual Violence*. Available online.

U.S. Department of Justice. (2004). *A national protocol for sexual assault medical forensic examinations*. Washington D.C.: U.S. Government Printing Office.

Tewksbury, R. (2005). Collateral consequences of sex offender registration. *Journal of Contemporary Criminal Justice*, 21, 67-81.

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## **Pretrial Diversion: The Overlooked Pretrial Services Evidence-Based Practice**

18 U.S.C. § 3154(10).

Administrative Office of the U.S. Courts. *The Guide to Judiciary Policy and Procedures*. Vol 12 Pretrial Services Manual. Washington, D.C.

Bellassi J. 2008. "A Short History of the Pretrial Diversion of Adult Defendants From Criminal Justice Processing Part I: The Early Years." National Association of Pretrial Services Agencies. Online. Available: [www.napsa.org](http://www.napsa.org). Accessed February 9, 2009.

Clark, J. 2007a. Pretrial Diversion and the Law: A Sampling of Four Decades of Appellate Court Rulings. The Pretrial Justice Institute. Online. Available: [www.pretrial.org](http://www.pretrial.org). Accessed February 10, 2009.

Clark, J. 2007b. "The Role of Pretrial Diversion in the Age of Specialty Treatment Courts: Expanding the Range of Problem Solving Options at the Pretrial Stage." The Pretrial Justice Institute. Online. Available: [www.pretrial.org](http://www.pretrial.org). Accessed February 10, 2009.

Hartford, K.; Carey, R.; Mendonca, J. 2007. "Pretrial Court Diversion of People with Mental Illness." *Journal of Behavioral Health Services and Research*. Vol 34, 2.

Hillsman, S. 1982. Pretrial Diversion of Youthful Adults: A Decade of Reform and Research." *The Justice System Journal*. Vol. 7, 3.

Moriarty, G. 1993. "Pretrial Services Includes Diversion." *Federal Probation*. Vol. 57, 1.