

# The Condition of Probation

## The Condition of Probation

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### Special points of interest:

- Cultural Responsiveness Committee
- Evidence-Based and Best Practice Efforts in Our Department

## Cultural Responsiveness Committee

By Marissa Wertheimer and My Tran

The Cultural Responsiveness Committee was a product of our Department's annual Organizational Development, which brings together employees from all levels of the Probation Department ranging from Management to line-staff. In 2007, the theme was "Managing for Change." At the end of the first session, the participants identified two issues within the department that would benefit from change. One focus group addressed Communication within the Department, and the other group's focus was the external issue of Diversity.

The Diversity Committee was created with staff from the 2007 Org Day participants. When our committee first met we wanted to examine the issue of Disproportionate Minority Contact (DMC) within Juvenile

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Some of the committee members Betty Jackson, Nicki Kuhn, Teri Taketa-Graham, My Tran, Maria Figueroa, Nuvia Urizar, Terry Wright, and Marissa Wertheimer

## The Chief's Corner

By Michael Daly

Since the last edition of the Condition of Probation newsletter, our Chief Probation Officer, Bill Burke has retired. Bill spent over thirty three years in the field of probation, with his last three and a half years as Chief Probation Officer of Marin. Bill put the Department in a competitive advantage to obtain grants, introduced us to Organizational Development and was deeply involved with the Chief Probations Officers of California (CPOC). His involvement with CPOC, particularly in the legislative and budgeting arena, benefited all of us in Marin. Thank you Chief Burke for your vital contributions, both to our Department and to the field of probation as a whole.

On March 31, 2009, I was appointed

Acting Chief Probation for the County of Marin, pending a permanent appointment by our Board of Supervisors. I would like to first point out my appreciation to the whole Department for really stepping up and making sure our work gets done during this interim period. We have not missed a beat and by the time we go to print, we will have completed Motivational Interviewing for Managers on May 18-19, completed the first phase of our Workload Analysis with Brad Bogue on May 21<sup>st</sup> and will be completing our third year of Organizational Development.

I would like to first comment on one of our Department initiatives, the Diversity Committee, that came about through our Organizational Development Team. The

Diversity Committee has made huge strides lately. About a month ago, we invited the Burns Institute <http://www.burnsinstitute.org/> to come join us at our Juvenile Hall. As some of you may know, our Department has been working hard on the issue of Disproportionate Minority Confinement (DMC). We also invited Congresswoman Lynn Woolsey that same day for a tour of our Juvenile Hall and to discuss DMC. Both the Burns Institute and our Diversity Committee, led by Juvenile Director Nicki Kuhn, were able to convey to Congresswoman Woolsey the importance of addressing DMC via federal legislation. Congresswoman Woolsey was very supportive of our

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### Mission Statement

*The mission of the Marin County Probation Department is to reduce the impact of crime in the community by providing accurate and comprehensive information to the courts, by providing community based sanctions and treatment for offenders, and by working cooperatively with law enforcement agencies and community organizations with similar objectives.*

## Motivational Interviewing for Managers Training

By Kevin Lynch

In an ongoing effort to affirm our Department's commitment to the use of Motivational Interviewing (MI), the management team underwent a two-day training in its practice. Our facilitator for the event was Liz Barnett, a MINT-certified trainer (Motivational Interviewing Network of Trainers), who has conducted training in both the LSCMI and MI for other probation departments in California and across the country. Liz brought an interesting perspective to the use of MI which was different from the initial training the Department received. When first introduced to MI, staff underwent extensive training in the skills of the practice, which are primarily "O.A.R.S.," using open-ended questions, affirmations, reflections and summarizations. Liz's presentation focused less on the application of these techniques and more on the "spirit of MI," which relates to concepts such as autonomy, collaboration and evocation.

Perhaps the simplest but most powerful message Liz left the group with, however, was one that relates to the three styles of communication: Directing, guiding and following. The team agreed that at least some of our work with probationers has used a "directing" style, and that if we truly want to obtain the benefits promised by adopting MI, we will need to move towards a "guiding"

style. This may be a challenge for many of us, as we have been hired, trained and expected to perform our tasks using a directive approach; many of us have been comfortable using this approach for most if not all of our careers in criminal justice. The use of a directive approach is not conducive to encouraging probationers to make positive, long term changes in their lives. The research that supports MI has shown that each individual ultimately makes a choice to change or not to change their behavior, and that we will be more effective in obtaining behavior change when we use these techniques to motivate, encourage and guide probationers towards change. A helpful tool in assessing a person's readiness for change is the "Stages of Change Wheel" (see last page for an image of this concept). The theory behind this concept is that people generally pass through various stages in their efforts to make substantial, permanent and behavioral changes. Given that most probationers are in either the "pre-contemplation" or "contemplation" the stage of change, the use of MI can be particularly effective in assisting people to continue further along the continuum of change.

Acknowledging that probation officers can not "force" a probationer to make a change in their life represents a cultural

shift in the organization. In addition, it was stated throughout the training that to expedite probation officers' use of MI with probationers, managers must demonstrate a capacity and value of the tool by employing the technique in interactions with one another. The management team made the commitment to employ MI techniques where possible in interactions with both each other and their staff, and to encourage the adoption of a guiding style of communication in our interactions with probationers. Other ideas suggested to expand the use of MI were:

- Incorporate MI as an agenda item in unit and division meetings
- Conduct periodic MI events where staff can meet together to discuss and practice their use of the techniques
- Share "tips" on MI through regular communication, either via e-mail or posting in a visible area

Our Department has some significant advantages for implementing the use of MI in encouraging behavior change among our probationers. A large portion of the sworn staff has undergone an intensive foundational course in the practice of MI skills, and four of our

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## The Chief's Corner (from pg. 1)...

efforts and offered guidance to that end. We then took Congresswoman Woolsey on a tour of our Juvenile Hall. She was impressed with our services and asked to come back for a high school graduation of one of our wards in the Juvenile Hall. We are hoping that this will be a graduation to remember that gives hope and motivation to everyone (please see My Tran and Marissa Wertheimer's article that discusses the focus and history of this Committee).

Lastly, our County is bracing for the

upcoming budgetary issues. The looming issues are the May 19<sup>th</sup> election results, the County's responsibility to fund the retirement system in a fiscally responsible manner and the lack of tax revenue due to a slumping housing market. Our Department has been working closely with the County Administrator's Office in developing a long term (3-5 years) restructuring plan that will help the County manage these difficult times. It is clear that our County government will get smaller and we need to find creative ways to maintain excellent

service. The entire management team will be meeting on June 8<sup>th</sup> to start this process. The County's values and principles of decision making will be highlighted for this discussion. Our own Mission Statement will be used as a guide as well. I am confident that our Department will still provide public safety through appropriate rehabilitative services, quality work for the Courts and continue to reduce the impact of crime and conflict with victims at the end of this process.

## In Loving Memory of Venise Nahmens



**“It’s not how short you are, but how tall you play.”**

With great sadness, the Probation Department said their goodbyes to Venise Nahmens, a very dear co-worker and friend. We are sad, yet in a bigger picture, we also recognize how lucky we are to have known someone like Vinnie. Over half of her life was spent working for with the Marin County Probation Department and we are eternally grateful for her contributions. She was everything you would want when choosing

someone to work in your organization.

Venise Nahmens joined the Marin County Probation Department on May 7, 1984 as a Group Counselor 1 making \$8.23 per hour. She worked in Juvenile Hall for over a decade, earning the respect of her co-workers and management. Vinnie promoted to a Deputy Probation Officer in 1995 and was transferred to the Adult Division. She worked in the County Parole Unit, as well as in the Supervision Unit, working with mentally ill offenders. However, it was her work with the Prop 36 Team that really set Vinnie into the next level of County service. Vinnie had a caseload of over 200 clients, yet she managed to know every one of them. She built relationships and the clients knew she cared. You could not ask for anything more...she cared... and that means everything when you are dealing with another human being. The Department received numerous e-mails over the last few years from our co-workers at the Office of Alcohol and Drug, the District Attorney, the Public Defender and Commissioner Beverly Wood praising the efforts Vinnie made with her clients. They all said she was the glue of that team.

Vinnie was quick witted, funny, and she had fun at her job. She made sure her co-workers had fun as well. Vinnie was named Marin County’s Employee of the Month in July 2007. On Wednesday, March 25, 2009, Judge Boren’s Court in Department C, Commissioner Chernus’ Court in Department A and Commissioner Wood’s Court in Department O of the Marin County Superior Court, were all adjourned in Vinnie’s honor. Those transcripts and the client testimony on the record regarding Vinnie will remain forever. She was just that good.

The “Vinnie Memorial Saints Fund” has been set up in honor of Vinnie. This is a memorial incentive fund for participants in Prop. 36. Items such as bus passes and gift cards will be given to participants for their positive progress in the program. Contributions may be mailed or dropped off to staff in the Accounting Unit of the Probation Department. If you wish to make a contribution by check, please make the check out to the Marin County Probation Department.

Vinnie was a light that shined brightly upon all that knew her. She is and will continue to be missed. Her spirit remains strong among all of us. We love you Vinnie.

## Goodbye to Robert Garcia

**By Joanne Buckwalter**



**Rich Howell, Fredi Bloom, Robert Garcia and Tim Farrell pose at Robert’s retirement party.**

Robert Garcia retired from the Marin County Probation Department, effective April 30, 2009. Robert was a deputy probation officer for San Francisco for 7 years before being hired by our Department in the early 1980s. Initially, Robert worked in the Supervision Unit, but he spent most of his career in the Parole Unit. The Department relied on Robert to help maintain the inordinately high success rate of the program, because of both his longevity and his disposition. Robert’s tenure with the program ensured that there was an understanding of the changes and modifica-

tions to Parole over the years, which helped those of us who worked in it to make decisions. Perhaps most importantly, though, was how Robert treated probationers and their families. Robert’s disposition was respectful, friendly and effective; he used motivational interviewing before any of us had even heard of the term. I remember him telling me that a 4 year old son of one of our parolees used to draw pictures for Robert and give them to him when he did a house visit. When the 4 year old heard that he

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## Cultural Responsiveness Committee (from pg. 1)...

Hall and eventually in the Adult Division. We turned to Santa Cruz Probation Department, a county designated by the state as a model for instituting cultural competency and reducing DMC in the juvenile system. The Committee spent a day with Santa Cruz Probation learning about their model of Cultural Competency and their commitment to continually work on this issue. Santa Cruz Probation came to the conclusion that they must remain vigilant in their efforts to decrease DMC, including measuring outcomes, in order to ensure that DMC does not revert back to the status quo.

Upon returning from Santa Cruz, we were inspired to look at and ultimately institute changes within our Department. Our committee wrote a Policy Statement that has been incorporated into our Department manual, and reads as follows:

*The Probation Department values differences and will strive to be responsive to cultural, ethnic, and linguistic diversity at all levels of our organization. We will promote skills, practices, and interactions which ensure culturally responsive services. We will train staff and we will conduct self-assessments of our organization. We will be open to community input. We will*



*implement goals and objectives to ensure policy, procedures, skill, and practices are responsive to the diversity of the population we serve.*

As a result of our Santa Cruz visit, Juvenile Hall staff applied the Department detention scale on each minor booked into the Hall to review criteria required for further detention. James Bell, founder of the Burns Institute, a nationally renowned organization in the field of DMC, conducted a training for all Juvenile Hall and Juvenile Services staff on how to implement change in our system that will help to reduce DMC.

Our committee also recruited two new members for the 2008/2009 year from staff within our Department. In addition, we began community outreach with Marin City and the Canal area of San Rafael, where many of our two targeted populations of African American and Hispanic clients reside. We understand that working with the community is a critical component of our mission to incorporate positive changes within our Department that improve our ability to achieve successful outcomes with clients.

In 2009, we added celebrations of various cultural events to build community and promote understanding and cultural responsiveness within our Department.

In March, we held a Department potluck with delicious soul food in celebration of Black History Month. Keynote speaker Noah Griffin, Marin County Historian, gave an engaging presentation at the event. His capacity to recollect historical events and connect them to issues affecting the African American community was inspiring. One of our Committee's goals is to be able to acknowledge the cultures of our diverse department. We are in the planning process of celebrating Hispanic Heritage Month in September with speakers and possibly a dance presentation.

Our Committee is working on a Policy Plan with five principles as our focus:

- 1) Reduce DMC
- 2) Ensure a diverse work force in the Probation Department
- 3) Conduct self assessments of our Department
- 4) Establish community outreach
- 5) Develop and provide training in the area of diversity, DMC, etc. to our staff

One visionary goal is to have an Evening Reporting Center for minors to attend instead of detention. We understand that our issue is broad and could take time to accomplish; however, we are taking incremental steps to help make a differ-



**Noah Griffin speaking at the Department potluck recognizing Black History Month.**

## Evidence-Based and Best Practice Efforts in Our Department

### Where Are They Now ?

By Kevin Lynch

The Department published the first edition of the newsletter *The Condition of Probation* in February of 2006. Leafing through the 13 editions that have been published prior to this one is an interesting exercise, as it reminds the reader of the significant changes that have taken place over the last three plus years. A recurring theme throughout the newsletters has been the importance of adopting "evidence-based," or "best" practices in our field to improve our effectiveness in working with probationers. Since so many efforts have been made in so many places in the Department, it seemed worthwhile to review each of the important initiatives we have undertaken in this regard, and to update readers of the status of each.

#### Risk/Needs Assessments and Targeting Interventions

Two of the eight principles in "what works" are to "assess risk and needs of probationers," and to "target interventions" to those probationers presenting the highest risk to re-offend. The Department has had mixed success in incorporating these efforts into our practice. On the positive side, the Department has successfully implemented "intensive" supervision units in both Divisions and routinely uses validated instruments to assess risk for recidivism of its cases. The "what works" literature clearly states, however, that having an intensive supervision unit may in fact reduce effectiveness if it is not operating using the other principles, particularly:

- enhance intrinsic motivation
- skill train with directed practice (using cognitive behavioral interventions)
- increase positive reinforcement
- engage ongoing support in natural communities

In addition, the Department's next steps

in this effort must include working with a probationer's identified needs, not simply classifying the person's risk for recidivism. This will require the development of a structured case plan, including identifying a particular need, developing a strategy for meeting those needs, and creating a schedule for how this will be accomplished. These are the major gaps in our effort to implement "what works" principles.

#### Motivational Interviewing

The primary method for "enhancing intrinsic motivation" is the use of Motivational Interviewing (MI) as a tool for communicating with probationers. This was the Department's first venture into the world of "what works," and likely represents the greatest investment the Department has made. In addition to providing fundamental training in MI for all staff, the Department also invested in training four line staff as trainers in the technique. There is a "coaching exercise" underway, in which each of the four trainers in the Department are working with interested staff individually to improve skills. In addition, all managers completed a two-day refresher in the practice (see accompanying article). The idea is to encourage the use of MI throughout the organization, not just between probationers and line officers.

The Department recognizes the significant shift the use of this communication technique represents for many staff. Part of the success in utilizing MI depends on the capacity to change the nature of our working relationship with probationers, which may require a shift for some staff. In addition, mastering the techniques and skills associated with MI is something which takes time and practice, both of which are in short supply with the increasing workload. The Department remains committed to the use of MI, and will be patient as we find ways to increase its use in our work with probationers.

#### Use of Evidence-Based Programs

Throughout the newsletter editions, the Department has made references to both practices (such as those described above, in which the Department does something) and programs (in which the Department refers a probationer to a program that does something). Some of the evidence-based programs we have referenced are updated below.

#### **Girls' Circle**

Girls' Circle is a program that provides a structured forum for girls to develop skills and to give each other support to confront issues that adolescent girls face, such as body image, friendships, trust and decision-making. While not an evidence-base practice yet, this program has been identified as a "promising practice." The Department presently has a group operating in Juvenile Hall whenever there are enough girls detained to form a group. Data regarding participants' re-arrest rates will be tracked for those girls who complete a sufficient number of sessions. This information will be forwarded to the Girls' Circle organization so they can continue their effort to have the program's effectiveness documented and increase its position in the "what works" continuum.

#### **Aggression Replacement Training (ART) aka Teaching Pro-Social Skills (TPS)**

ART is a cognitive behavioral intervention that trains youth to respond in a pro-social manner to every day interactions. The program relies heavily on role-playing and practicing skills in moral reasoning and anger control. Juvenile Hall, Phoenix Academy and County Community School continue to operate their own ART programs. Often, youth will move from one of these locations to another, and to the degree

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## Evidence-Based and Best Practice Efforts in Our Department Where Are They Now ? (from pg. 6)...

possible, the programs attempt to coordinate services to meet their needs. ART has become a mandatory component for any child who is on probation and attends either County Community School or Phoenix Academy. What is missing to ensure ART becomes a long term fixture in the array of services offered is to develop an in-house "master trainer." This position would both assure fidelity to the model by conducting periodic reviews of ART sessions, and expand the use of ART by developing new instructors. The investment of staffing required to develop this position is something that may have to wait until funding is available.

### **Functional Family Therapy (FFT)**

FFT is an evidence-based family ther-

apy program that has been shown through research to be particularly effective with youth at risk of juvenile justice involvement. FFT was introduced to Marin County through PORTAL (Programs of Responsive Treatment and Linkages) via the Mentally Ill Offender Crime Reduction (MIOCR) grant. Although the original grant was cut short by the State budget crisis, the Department reallocated resources because of its commitment to evidence-based programs, and the encouraging early outcomes associated with the program. Although scaled down from what was funded by the grant, PORTAL has been able to maintain its core services of providing family therapy to high risk youth and their families, and collaborating with both deputy probation officers and other

providers in the community.

### **Multi-Dimensional Family Therapy (MDFT)**

The MDFT is in its third and final year of Title II (federal) funding, and the program is operating under the name of Family Connections. Family Connections provides services to youth and families confronting substance abuse, and the program coordinates closely with the County's Juvenile Drug Court program. The Probation Department is collaborating with Bay Area Community Resources, the umbrella organization that operates Family Connections, to develop a strategy for sustaining the program beyond March 31, 2010, when the grant will end.

## Recipe of the Quarter

### Green Salad with Strawberries & Goat Cheese

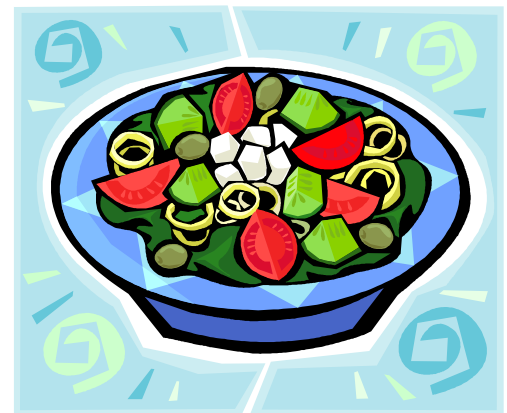
By Kevin Lynch

I PROMISE YOU THAT EATING THIS SALAD WILL CHANGE YOUR LIFE FOR THE BETTER ....

Makes 4 servings of about 1 1/2 cups each

- 1 tablespoon pure maple syrup or brown sugar
- 2 tablespoons red-wine vinegar
- 1 tablespoon extra-virgin olive oil
- 1/4 teaspoon salt
- Freshly ground pepper to taste
- 3 cups baby spinach
- 3 cups watercress, tough stems removed
- 2 1/2 cups sliced fresh strawberries (about 12 ounces)
- 1/3 cup fresh chives, cut into 2-inch pieces
- 1/2 cup toasted chopped pecans
- 1/4 cup crumbled goat cheese

Whisk maple syrup or brown sugar, vinegar, oil, salt, and pepper in a large bowl. Add spinach, watercress, strawberries, and chives; toss to coat. Divide the salad among 4 plates and top with pecans and goat cheese.





## News from the Bleachers



This is a newsworthy announcement and a Department wide advisory. The VIOLATORS have played three games so far this season, resulting in one win and two losses.

We started off strong with a win and a BBQ to celebrate! Now we need to get some homeruns and show how strong the Violators are! It means a great deal to the team to see the people they work with cheering on the sidelines and encouraging them to succeed. Please continue to make your presence known and support your co-workers! See y'all at the ballpark!



**Team mascot, Milhouse**

### Violators Game Schedule:

Date	Day	Playing
June 3	Wednesday	Public Defender
June 9	Tuesday	Department of Public Works
June 25	Thursday	Sheriff
July 8	Wednesday	Assessor
July 15	Wednesday	Public Defender

### Tentative Playoff Schedule

Game A	July 21	3 <sup>rd</sup> place vs. 6 <sup>th</sup> place
Game B	July 23	4 <sup>th</sup> place vs. 5 <sup>th</sup> place
Game C	July 28	1 <sup>st</sup> place vs. winner of game A
Game D	July 30	2 <sup>nd</sup> place vs. winner of game B
Championship game on August 6, winner of game C and Game D will play for the title!		

### Goodbye to Robert Garcia (from pg. 3)...

would not be coming to the house anymore, he said, "I'm going to miss you, Robert."

The Department will truly miss Robert's love of books, learning in general, his interest in other cultures and religions, and his soothing disposition. Robert was a great contributor to the success of this Department in helping people make changes in their lives. We wish Robert all the best for a well-deserved and happy retirement.



### On the Look Out!

To all of those who will be enjoying vacation adventures this summer we need your stories! We will be compiling tales of your journeys and explorations for the next newsletter.

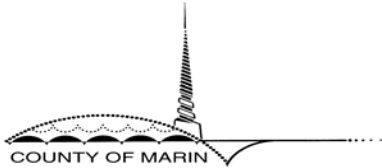
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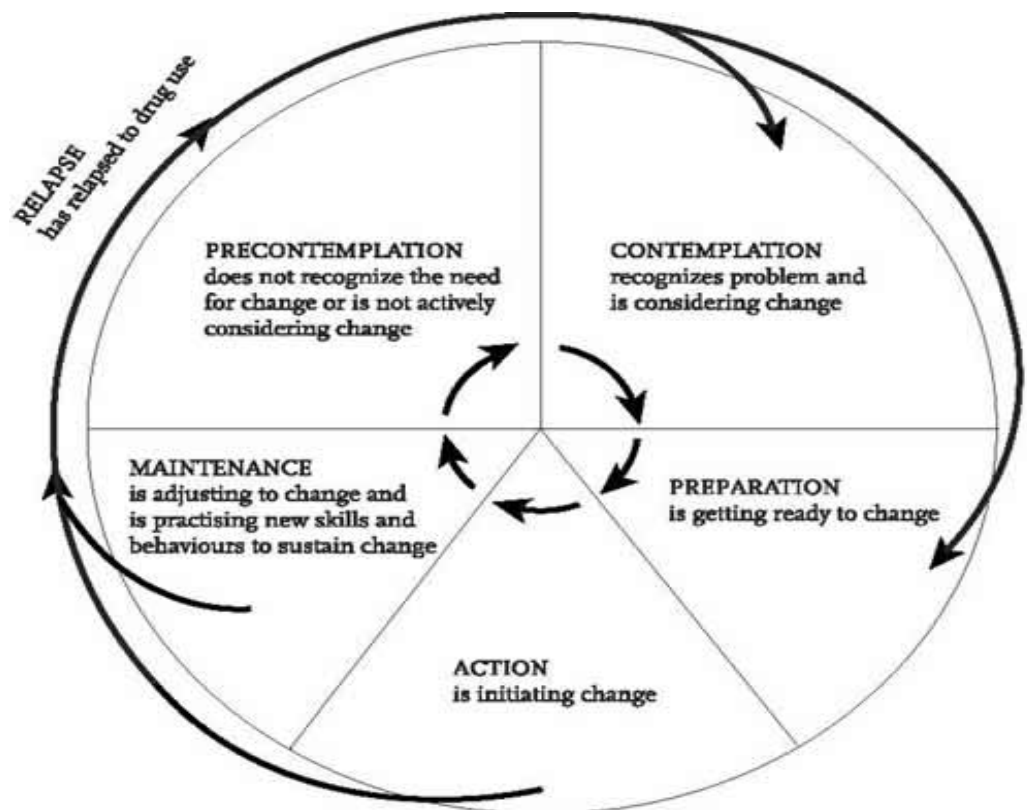
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Michael Daly, Steve Blair, Kevin Lynch, Michele Boyer, Cynthia Fix, Neva Smith, My Tran, Matt Murphy, Alisha Krupinsky, Matt Perry, Sean Crimmins, Nancy Hillman and Abby Dennett

**Motivational Interviewing for Managers Training (from pg. 2)...**

staff are trained as trainers. Now that managers have made a commitment to encouraging staff to adopt more of the spirit behind the practice of MI, we have taken one more step towards enjoying the benefits of this evidence-based practice to create long-term changes in behavior.



Adapted from Prochaska & DiClemente (1982)