

**CRIMINAL JUSTICE
SOCIAL WORK IN THE
UNITED STATES:
ADAPTING TO
NEW CHALLENGES**

NATIONAL ASSOCIATION OF SOCIAL WORKERS

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OVERVIEW

Social workers have had a defined role in providing services to incarcerated individuals since the inception of the profession in 1904 (Roberts & Springer, 2007). Social work has since evolved as an essential component of the nation's criminal justice system. For the most part, social work practice as performed in the various criminal (and juvenile) justice systems in the United States is variously referred to as *criminal justice social work*, *correctional social work*, or *forensic social work*. The term *criminal justice social work* (CJSW) will be used throughout this discussion.

Criminal justice social workers serve as frontline staff and administrators in criminal justice settings. The criminal justice system encompasses a broad spectrum of public and private agencies, and settings including (but not limited to):

- State and federal correctional facilities;
- City and county jails;
- Federal, state, and city parole and probation agencies;
- Federal, state, and local court systems (including drug courts and mental health courts);
- Community-based nonprofit agencies serving ex-offenders or reentrants;
- Faith-based agencies; and
- Primary health and behavioral health care providers serving low-income people, including ex-offenders.

Many professional disciplines and paraprofessionals make up the criminal justice workforce, including:

- Public safety personnel such as policemen and parole or probation officers;
- Court (judicial) personnel, including judges, public defenders, prosecutors, and defense lawyers; and
- Bio-psychosocial providers such as medical professionals, mental health professionals, and social workers.

There are many thousands of social workers working in criminal justice settings, working with criminal justice populations, or both. It is likely that most criminal justice social workers also practice in the areas of behavioral health and case management.

Much of the contextual framework of the following analysis draws heavily from the criminal justice social work model that has existed in Scotland for over 20 years. The Scottish criminal justice social work system is a valuable information resource due to its extensive history, stringent research and evaluation efforts, and its highly structured policies and procedures that are integrated into the larger Scottish criminal justice system.

This paper will explore the capacity of the social work profession to influence policies, program planning, and service delivery in the U.S. criminal justice system. The underlying premise of this discussion is that although social workers are significantly represented in the criminal (and juvenile) justice workforce, the profession has had limited impact on shaping criminal justice policies and assuming leadership roles in coordinating psychosocial service delivery throughout the nation's criminal justice system.

Clearly, the social work profession has the requisite history and experience in providing services to the criminal and juvenile justice populations to effect meaningful change in the criminal justice system. Schools of social work across the nation provide practical and academic training that prepares their graduates to address the complex psychosocial needs of individuals in the criminal justice system.

As is true with other professions, social work is being asked to adapt to the evolving changes in the country's philosophy on the best ways to balance the sometimes conflicted dichotomy between the need for public safety and the need to address the bio-psychosocial needs of offenders.

The ethical challenge to social workers is to weigh the needs of the justice system against those of the offender. The social worker should take on the challenge by participating in legislative action to mold social policy to create a balance between the justice system and the offender. Thus, the social worker can help the justice system provide more effective services to the offender, their families, and their communities as professionals by participating in the process of public policy development (Roberts & Springer, 2007, p. 46).

Two competing, dichotomous schools of thought drive the discussion related to crime prevention. One, the pro-punishment school of thought postulates that punishment is the means to preventing

crime (Roberts & Springer, 2007); whereas the positivist (pro-treatment) philosophy suggests that some instances of criminal behavior is determined by factors, such as mental illness, that offenders find difficult to control. Therefore, treatment becomes a means of preventing future criminal behaviors. Social work has historically been strongly associated with the positivist school of thought of crime prevention. Roberts and Springer (2007) posit that to be effective in the current criminal justice environment, social work must begin to move away from such a one dimensional view of offenders, particularly in light of significant changes in sentencing guidelines.

During the late 1980s, judges in both state and federal judicial systems were required to follow sentencing guidelines. These guidelines significantly limited judges' discretion to consider psychosocial factors during the sentencing phase of the trial:

In other words, instead of the sentence being decided by the judge, the prosecutor has now been given the authority to implicitly incorporate sentencing into the charges. The importance of meaningful psychosocial information from the probation officer's pre-sentencing report under fixed sentencing is reduced (Roberts & Springer, 2007, p. 46).

These changes in the judicial policy for sentencing forced the social work profession to examine new realities and develop a more multidimensional approach to its role as a major part of the criminal justice system. Roberts and Springer (2007) suggested that the profession should:

- Recognize its professional obligation both to the offender and to the community (from a public safety perspective); and
- Participate in the process of developing crime reduction policies that reflect social work's commitment to both the offender and the community (Roberts & Springer, 2007).

Important steps towards broadening social work's role in developing policies and plans for service delivery within the criminal justice system could include:

- Making the case that social work, as a profession, is well qualified and historically prepared to take a leadership role in coordinating services in an integrated service delivery system; and
- Advocating for national standards for bio-psychosocial service delivery.

DEFINING THE AMERICAN CRIMINAL JUSTICE SYSTEM

According to the *American Heritage Dictionary*, the criminal justice system is defined as "the system of law enforcement, the bar, the judiciary, corrections, and probation that is directly involved in the apprehension, prosecution, defense, sentencing, incarceration, and supervision of those suspected of

or charged with criminal offenses. Operationally, the U.S. criminal justice system consists of three main parts: (1) law enforcement; (2) adjudication (courts); and (3) corrections.

If one were to ask most professionals who work in the criminal justice system to identify the system's highest priority, he or she would likely respond, "Maintaining public safety." No one would argue against that priority. However, one of the constant challenges for the criminal justice system is implementing policies and programs that recognize the importance of balancing fairly applied punishment and rehabilitation. The tension between the punishment model and the rehabilitation model for preventing and reducing re-arrests and recidivism has been a topic for discussion for many years.

In the United States, the nation is also at a crossroads about the direction of its criminal justice system. Given the realities that the system will inevitably broaden the range of psychosocial services aimed at preventing re-arrests and recidivism, the social work profession has an opportunity to reestablish its leadership role in offering evidence-based models for effective psychosocial service delivery to offenders and victims of crime that will help achieve the objectives of the criminal justice system of the 21st century.

THE HISTORIC LEADERSHIP ROLE OF THE SOCIAL WORK PROFESSION

Criminal justice social work (CJSW) is a broad definition that unifies the collective activities of social workers in various parts of the criminal justice system in the United States. For the most part, social work has limited representation as leaders in formulating service delivery policies, procedures, and long-term reforms at high level national (or state-level) strategic planning for system-wide service delivery. CJSW must assert its leadership at all levels of the system, including juvenile justice. This assertion of leadership requires a re-examination of how CJSW functions within the American criminal justice system, and how the profession's leadership voice can be heard as the criminal justice system goes through its own self-examination.

DRAMATIC GROWTH OF THE PRISON/JAIL POPULATION

One of the overarching issues that have driven the recent reevaluation of the criminal justice system has been the dramatic increase in the prison/jail population. Over the past 10 to 15 years, there has been an expansion in the number of inmates being housed in a state or federal prison (and in local jails). The increase in the prison/jail population has led to a corresponding increase in the number of incarcerated people who reenter their communities on an annual basis. Unfortunately, approximately 60 percent of those released from prison are rearrested within three years of their release (Urban Institute, 2005).

Until 1975, the United States' criminal justice system was roughly in line with much of Europe's. For 50 years preceding 1975, the U.S. incarceration rate consistently hovered around 100 inmates per 100,000; criminologists made careers out of theorizing that the incarceration rate would never change. Around 1975, however, they were proved wrong, as the United States became radically more punitive. In 35 years, the incarceration rate ballooned to over 700 per 100,000, far outstripping all other countries.

This growth is not attributable to increased offending rates, but to increased punitiveness. Being "tough on crime" became a political mandate. State and federal legislatures imposed mandatory minimum sentences; abolished or radically restricted parole; and adopted "three strikes" laws that exact life imprisonment for a third offense, even when the offense is as minor as stealing a slice of pizza. Comparing the ratio of convictions to "index crimes" such as murder, rape, and burglary between 1975 and 1999 reveals that, holding crime constant, the United States became five times more punitive. Harvard sociologist Bruce Western estimates that the increase in incarceration rates since 1975 can take credit for only about 10 percent of the drop in crime over the same period (Cole, 2009).

Consider:

- There were 2,310,984 prisoners held in federal or state prisons or in local jails—an increase of 0.8 percent from year-end 2007, less than the average annual growth of 2.4 percent from 2000 to 2007;
- There are 7,300,000 Americans incarcerated or on parole or probation;
- There were 1,540,805 sentenced prisoners under state or federal jurisdiction.
- There were an estimated 509 sentenced prisoners per 100,000 U.S. residents—up from 506 at year-end 2007.
- The number of women under the jurisdiction of state or federal prison authorities increased 1.2 percent from year-end 2007, reaching 115,779, and the number of men rose 0.7 percent, totaling 1,494,805.
- By mid-year 2008, there were 4,777 black male inmates per 100,000 black men held in state and federal prisons and local jails compared with 1,760 Hispanic male inmates per 100,000 Hispanic men and 727 white male inmates per 100,000 white men (Bureau of Justice Statistics, 2008).

JAIL FACILITIES

Jails are locally operated correctional facilities that confine people before or after adjudication. Inmates sentenced to jail usually have a sentence of a year or less, but jails also incarcerate people in a wide variety of other categories.

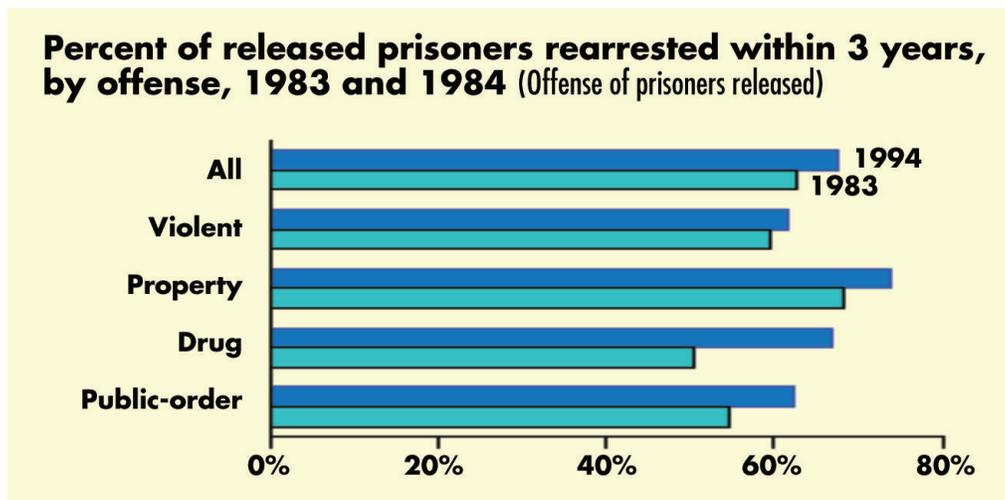
- As of mid-year 2008, 785,556 inmates were held in the nation's local jails, up from 780,174 at mid-year 2007.
- In 2008, jails reported adding 14,911 beds during the previous 12 months, bringing the total capacity to 828,413.
- Of the rated capacity, 95 percent was occupied at mid-year 2008.
- On June 30, 2008, local jails were operating at five percent below their capacity.
- At mid-year 2007, jail facilities (83) in Indian country (in the American Southwest) were operating with the capacity to hold 2,900 persons. These jails held 2,163 inmates and were operating at 75 percent of their capacity (Bureau of Justice Statistics, 2008).

REENTRY

- Each year, nearly 750,000 people are released from U.S. prisons, and more than seven million are released from jails (Reentry Policy Council, 2009).
- Approximately two out of every three people released from prison in the United States are rearrested within three years of their release (Reentry Policy Council)
- The number of people released from prison has increased 350 percent over the past 20 years (Reentry Policy Council, 2009).

The nation's re-arrest and recidivism rates mean that many of those released from jail or prison will return as inmates relatively soon after their release (Figure 1).

FIGURE 1. PERCENT OF RELEASED PRISONERS REARRESTED WITHIN 3 YEARS, BY OFFENSE, 1983 AND 1994



Source: Department of Justice Statistics. www.doj.gov

These factors have led federal and state criminal justice systems to search for answers that will result in reduced re-arrests and recidivism rates, thereby ending this negative cycle. One possible solution is to improve access to evidence-based bio-psychosocial services during the period of incarceration, and to ensure access to similar services once the inmate reenters his or her community. Other countries in the industrial world have similarly grappled with this dilemma. In particular, Scotland's approach to its criminal justice crisis, and how the social work profession figured into the country's attempts to resolve the problem, is worth exploring.

THE SCOTLAND PARADIGM: CRIMINAL JUSTICE SOCIAL WORK

A number of years ago, Scotland looked at its criminal justice system and made a strategic decision that criminal justice prevention and psychosocial services offered by CJSW are not only necessary components of its criminal justice system, but also central and integrated components of its overall system of psychosocial service delivery. The integration of CJSW into criminal justice systems resulted from the need for strategies to address the conditions that led to the cycle of arrests, re-arrests, and eventual recidivism. The problem was particularly challenging in Scotland, which has one of Europe's highest rates of drug-related violent crimes (The Guardian 2005).

The Scottish Crime and Justice Survey: First Findings 2008/09 (SCJS) is a large-scale continuous survey measuring people's experience and perceptions of crime in Scotland, based on 16,000 face-to-face interviews conducted annually with adults (aged 16 or over) living in private households in Scotland. The SCJS 2008/09 provides a complementary measure of crime compared with police recorded crime statistics. One of the main purposes of the 2008/09 SCJS was to estimate of the extent of crime among the adult population living in private households in Scotland. Findings included:

- Seventy-three million property crimes (70 percent of all crime measured by the SCJS in 2008/09) involving theft or damage to personal or household property/vehicles).
- Thirty-two million violent crimes of assault or robbery (30 percent of all SCJS crime).
- Thirty-four percent of crime measured by the SCJS in 2008/09 was vandalism; 17 percent was other household theft (including bicycle theft); nine percent was personal theft (excluding robbery); seven percent was all motor vehicle theft and two percent was housebreaking;
- Twenty-eight percent of crime measured by the SCJS in 2008/09 was assault (including two percent which was serious assault) and two percent was robbery;
- One in five (20.4%) adults aged 16 or over was the victim of at least one crime as measured by the SCJS; and
- Thirty percent of the crime in Scotland was classified as violent. This compares with a 20 percent violent crime rate as measured by the British Crime Statistics (BCS) for England and Wales in the same period. (The Scottish Government. 2009).

In addition, a World Health Organization (WHO) report stated that Scotland was one of the most violent countries in the developed world. In fact, more than 2,000 people were subject to a violent attack each week, (“Scotland Has the Second Highest Murder Rate,” 2005). Consider:

- Scotland has the second highest murder rate in western Europe, and Scots are more than three times more likely to be murdered than people in England and Wales, according to a study by the World Health Organization.
- Almost half of murders in Scotland are committed by people under the influence of alcohol or drugs.
- Much of the violence is caused by gangs vying to control the city’s drug trade. (The Guardian Newspaper, 2005).

THE SCOTTISH CRIMINAL JUSTICE SYSTEM

Unlike the United States, Scotland has a relative degree of ethnic-racial homogeneity of the offender population. For example, Scottish offenders are 98 percent white, with the remaining two percent being collectively comprised of African blacks, Caribbean blacks, Indians, Pakistani, and other Asians; (Scottish Government Crime and Justice Publications, 2009). The following is a brief description of the main interrelated parts of the Scottish criminal justice system (Scottish Government, 2003).

KEY AGENCIES

➤ Police

There are eight regional police forces in Scotland, whose force areas reflect former Regional Council boundaries. The Scottish Drug Enforcement Agency was formally established in 2001.

➤ Prosecution

Prosecution is a department of the Scottish Executive and is headed by the Lord Advocate, assisted by the Solicitor General for Scotland, who is the Scottish Law Officer and a member of the Scottish Executive.

➤ Scottish Court Service

The Scottish Court Service is an executive agency of the Scottish Executive Justice Department, established in 1995. The SCS is divided into three operational areas, consisting of the Supreme Courts, the Sheriff Courts, and the District Courts:

- The Supreme Courts consist of the Court of Session and the High Court of Justiciary (respectively, the supreme civil and criminal courts in Scotland), plus the Accountant of Court’s Office and the

Office of the Public Guardian. The High Court sits in cities and large towns throughout Scotland.

- There are 49 Sheriff Courts located in six Sheriffdoms with each being headed by the sheriff principal. Each Sheriff Court has one or more sheriffs, who are legally qualified and salaried judges.
- District Courts in their present form deal with minor summary offenses. With the exception of Glasgow, where salaried stipendiary magistrates sit with the powers of a sheriff, the judiciary in the District Courts consists of lay justices of the peace. Legally qualified clerks who are local authority employees support justices.

➤ The Scottish Prison Service

The Scottish Prison Service is an Executive Agency of the Scottish Executive, accountable to the minister for justice. It has the responsibility of keeping in custody prisoners on remand, awaiting sentence, and serving sentences and presenting the first two categories of prisoner for trial or sentence in court.

➤ Criminal Justice Social Work Services (CJSW)

Local authorities generally provide CJSW services. However, other government and nongovernmental agencies also play a part. A number of geographically adjacent authorities formed eight partnerships or consortia to provide CJSW services, with a further three mainland authorities and each of the Islands Councils providing CJSW services unilaterally. There is therefore no national service or central administration. However, the Criminal Justice Services Standing Committee of the Association of Directors of Social Work can express views on behalf of CJSW practitioners.

CJSW has a number of functions and mandates within the Scotland criminal justice system. While CJSW is an independent entity, it works in close coordination with the Scottish court and prison systems to:

- Promote and enhance the range and quality of community based social work [services] available to the courts, and ensure that they are managed and supervised in such a manner that they have the confidence of courts, the police and the public at large;
- Ensure that the social work [services] is provided to the courts or other agencies so that the full range is available when required to that the most appropriate one can be used.
- Give priority to the development of community based social work [services] and other interventions for young adult offenders;
- Promote the development of [plans] to enable the courts to grant bail in an increased number of cases;

- Provide and facilitate services for prisoners, and their families, to help them prepare for release from custody and to assist them resettle in the community;
- Help offenders tackle their offending behaviors and assist them to live socially responsible lives through social integration and the involvement/support of their families, and other resources in their community;
- Assist families of offenders that suffer as a consequence of offending behavior;
- Promote, provide and facilitate the development of [plans] for diverting accused persons from prosecution in those cases where there is sufficient evidence to prosecute, but it is not deemed necessary to do so in the public interest;
- Promote and assist the development of services to the victims of crime; and
- Promote and assist action to reduce and prevent crime.

OBJECTIVES OF COMMUNITY-BASED CRIMINAL JUSTICE SOCIAL WORK IN SCOTLAND

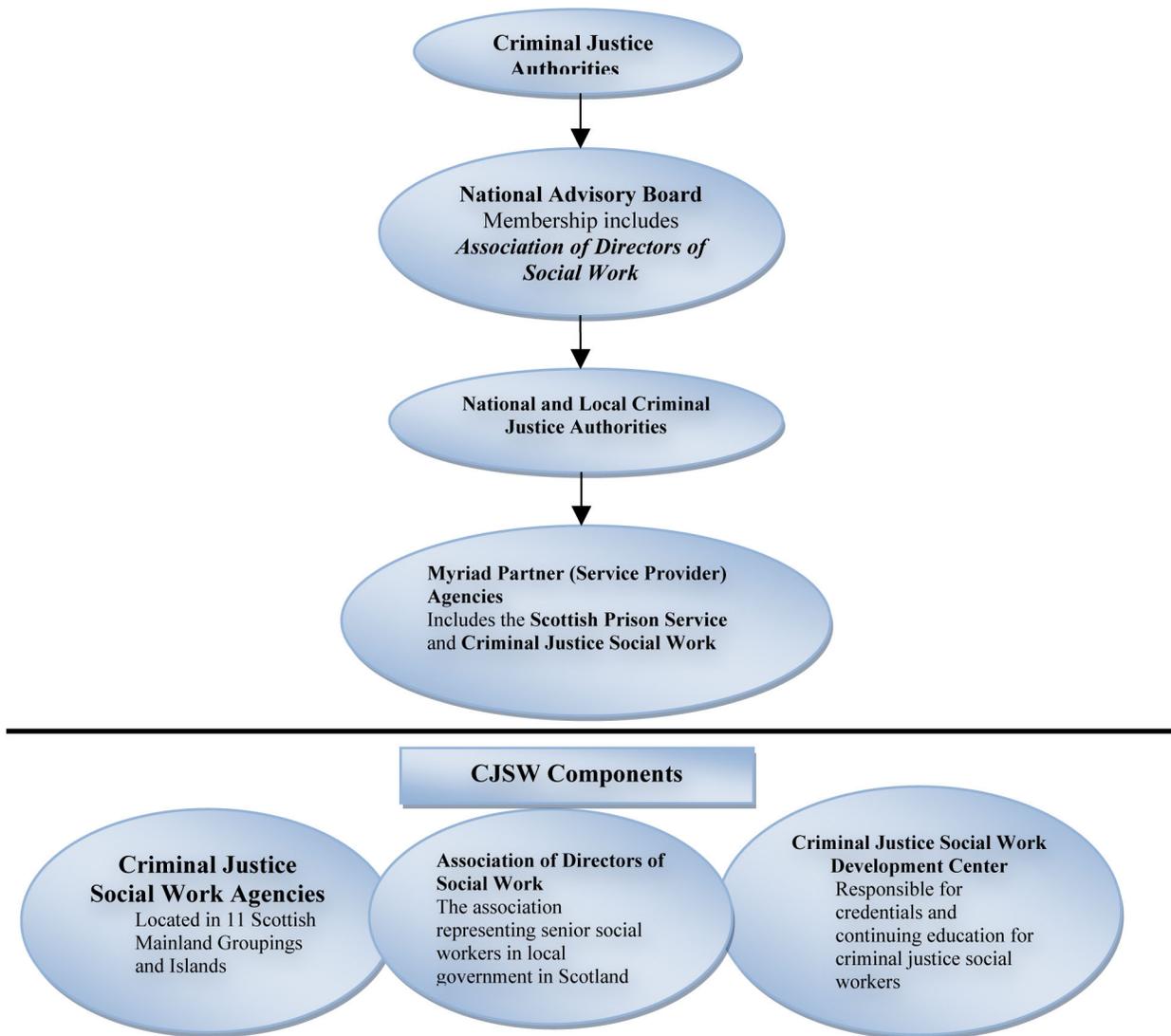
Research has suggested that to be effective, services for released prisoners must be well focused, consistent, and adapted to both the characteristics of the offender and the type of offending (*National Objectives for Social Work Services in the Criminal Justice System: Standards - General Issues 2004a*).

Discharge planning services must be based on:

- Coordinated provision of appropriate services to offenders in custody and following release involving, as necessary, services provided by staff in the prison and specialists, services staff based in the community;
- The nature, causes, and consequences of the offender's offending behavior;
- Helping the offender to face up to his or her offense and its consequences for the victim, the offender, and the offender's family and the community;
- Helping to motivate the offender to change and helping the offender to find ways of avoiding this offending behavior in the future; problems of alcohol abuse and illegal drug misuse must also be tackled if the risk of the offending is to be reduced;
- Action to assist reintegration into the community, including action to address underlying problems experienced by the offender:
- Helping the offender to obtain suitable accommodation where necessary;
- Helping the offender to gain employment, employment-related skills, or access to further training;
- Facilitating access to, and management of, personal income and expenditure; and
- Address problems associated with the breakdown of family relationships (Scottish Government, 2004b).

The comprehensive standards and defined roles for CJSW in Scotland demonstrate the importance of identifying the essential functions of each component of large evolving systems. Such details mitigate against ambiguities and overlapping/duplicative responsibilities among agencies along the criminal justice continuum. Ultimately, standards greatly facilitate service coordination and service integration.

NATIONAL OVERSIGHT STRUCTURE OF SCOTTISH CRIMINAL JUSTICE SYSTEM



(www.scotland.gov.uk/Publications/2004/12/20471/49274)

WHAT WORKS? OUTCOMES AND RESEARCH ON CJSW IN SCOTLAND

The central question about CJSW, as described earlier, is whether this approach is effective in producing changes in the patterns of criminal behavior among those who receive supervision in a CJSW system. A number of studies have looked at the effectiveness of CJSW. For example, the Criminal Justice Social Work Development Centre for Scotland has published a series of briefing papers focusing on what works relative to CJSW interventions and approaches. In a 2002 briefing paper titled “Beyond ‘What Works’: How and Why Do People Stop Offending?” (McNeill, 2002). The author explored a comparative analysis of social work models for engendering change in criminal behaviors among offenders in Scotland. The author identified several social work factors that have been demonstrated to have facilitated positive change in offenders. Those factors include:

- **Role clarification:** involving frequent and open discussions about roles, purposes, expectations, the use of authority, negotiable and non-negotiable aspects of intervention and confidentiality.
- **Pro-social modeling and reinforcement:** involving the identification, reward and modeling of behaviors to be promoted and the identification, discouragement and confrontation of behaviors to be changed.
- **Problem solving:** involving the survey, ranking and exploration of problems, goal setting and contracting, the development of strategies and ongoing monitoring.
- **Relationship:** involving the worker being open and honest, empathic, able to challenge and not minimize rationalizations, non-blaming, optimistic, able to articulate the client’s and family members’ feelings and problems, using appropriate self-disclosure and humor.

Research studies affirm the efficacy of integrating social work concepts into community supervision without compromising public safety. Outcome data that is more recent seem to support the notion that social work models can be effective in reducing reoffending, re-arrests, and eventual recidivism. For example, in “Is Custody an Effective Sentencing Option for the UK? Evidence From a Meta-Analysis of Existing Studies” (Marsh, Fox, & Sarmah, 2009), the authors make the point that intervention strategies that include both supervision and services have proven to be effective in reducing reoffending and recidivism in the United Kingdom.

AMERICAN CRIMINAL JUSTICE SOCIAL WORK IN COMPARISON TO THE SCOTTISH MODEL

On some levels, there are similarities between CJSW in the United States and in Scotland. One major similarity is the increased need for social services professionals because of expanded use of alternative sentencing and the provision of more comprehensive community-based programs. The service

expansion was triggered by burgeoning incarceration rates over the past 10 years. Another similarity is that Scotland and the United States have existing models for instituting highly developed integrated systems of service delivery that allow for relatively easy approaches to introducing new or revised intervention strategies and program models.

The difficulty of making a direct comparison of American and Scottish CJSW approaches is that such a comparison is an “apples-and-oranges” association on a couple of important levels. Criminal justice social workers in Scotland have the responsibility for both community supervision (similar to probation officers in this country) and the provision of community-based psychosocial services to the offender under their supervision. Additionally, CJSW in Scotland is a government-sponsored component of the national criminal justice system; it has equal standing in policymaking and policy development with other components such as the managers of the nation’s prison system and the law enforcement and judicial branches. Neither of these features of the Scottish criminal justice system, vis-à-vis CJSW is found in the American system.

Nonetheless, the wealth of knowledge that can be gained from comparing the two systems should not be minimized. In that the U.S. system of service delivery and service priorities is evolving, would seem advisable to look at how CJSW is practiced in Scotland as opposed to that in this country.

SERVICE INTEGRATION AND COORDINATION

When viewed from the perspective of training, experience, and historical knowledge of criminal justice (and juvenile justice) issues, the social work profession in the U.S has the capacity to join other professions in a leadership role in the country’s efforts to maintain public safety through crime prevention and addressing factors that will reduce reoffending and eventual recidivism.

The challenge for the profession is to make the case to the key decision makers in the criminal justice system that the social workers can play more significant and prominent roles in helping to improve public safety through psychosocial service delivery. The social work profession can (and should) make a strong case that its fundamental values, education, and skill sets are immediately transferable to meet the needs of the U.S. justice system. In addition, the profession should reinforce its long-term historical experience with providing comprehensive psychosocial services to the criminal and juvenile justice systems.

MOVING TOWARD A MORE COHERENT SERVICE DELIVERY SYSTEM

Because of the aforementioned burgeoning of the prison and jail census, it is clear that system is inexorably moving toward a rehabilitation services–oriented approach to managing criminal justice programs. It is nearly certain that there will be a continued growth of prison-based and community-based psychosocial services as an outgrowth of federal initiatives such as the Second Chance Act (Reentry Policy Council, n.d.). Given the rapid increase in services and programs (especially community-based expansions), it is important to guard against an emergence of an unmanageable, incoherent system of service delivery that defeats its purpose by becoming duplicative and lacking in national standards. Over its long history, the social work profession has demonstrated leadership in developing standards for coordinating services that are based on uniform standards using evidence-based service delivery models. Therefore, it is in the areas of policy formulation, enhancement of service delivery models in a continuum-of-care framework, and establishing national standards for service delivery that the social work profession can exert its leadership.

SERVICE COORDINATION

Since its inception, the profession has established formal standards for case management–based service delivery. Many of the existing and proposed services targeting criminal justice (and juvenile justice) populations are provided within a case management coordinating model. Many of the approaches in the Scottish CJSW model apply practices and standards that have long been the standard of the social work profession.

From a systemic perspective, the greatest benefit of service coordination and integration is to eliminate duplication of services, which can be costly both from a dollars-and-cents standpoint and in terms of wasted resources. Additionally, increased communication among and between agencies along the service delivery continuum enhances ability to:

- Reduce barriers to services;
- Effectively respond to problems within the service delivery system;
- Effectively implement standards and quality improvement measures; and
- Perform evaluations of service delivery outcomes.

In the past three years, millions of federal, state, and local dollars have been made available to the private nonprofit sector to provide services to recently released offenders. This expansion has led to an increase in the number of small community-based organizations that are receiving grants to work with this population. The U.S. House of Representatives approved more than \$133 million for prisoner reentry in fiscal year 2009–2010, including \$40 million for the Second Chance Act (Reentry Policy Council., n.d.). Although most of the small nonprofit provider organizations are committed to their mandates to bring needed services to the criminal justice population, this sudden expansion of funds (on a national scale) can also present challenges that include:

- Fragmentation of services;
- Duplication of services;
- Absence of standards for service delivery such as case management and behavioral health interventions;
- Unclear lines of decision-making and planning among providers (including government agencies) serving the same population in the same geographical area;
- Difficulties in ensuring that quality;
- Absence of standards for staff and direct service programs; and
- Absence of a uniform data tracking system that facilitates program evaluation and outcomes analysis.

A CASE FOR UNIFORM NATIONAL SERVICES DELIVERY STANDARDS

The social work profession, National Association of Social Workers and other bodies such as state licensing boards, have long-established policies and procedures for credentialing social workers and accrediting social work programs. The profession has many years of experience in developing professional standards. It is therefore positioned to contribute this expertise in the national effort to improve outcomes in the criminal justice system.

Given the social work profession is a major stakeholder in the existing system, there are several definable roles that it can play in a nationally standardized service delivery model. The roles include:

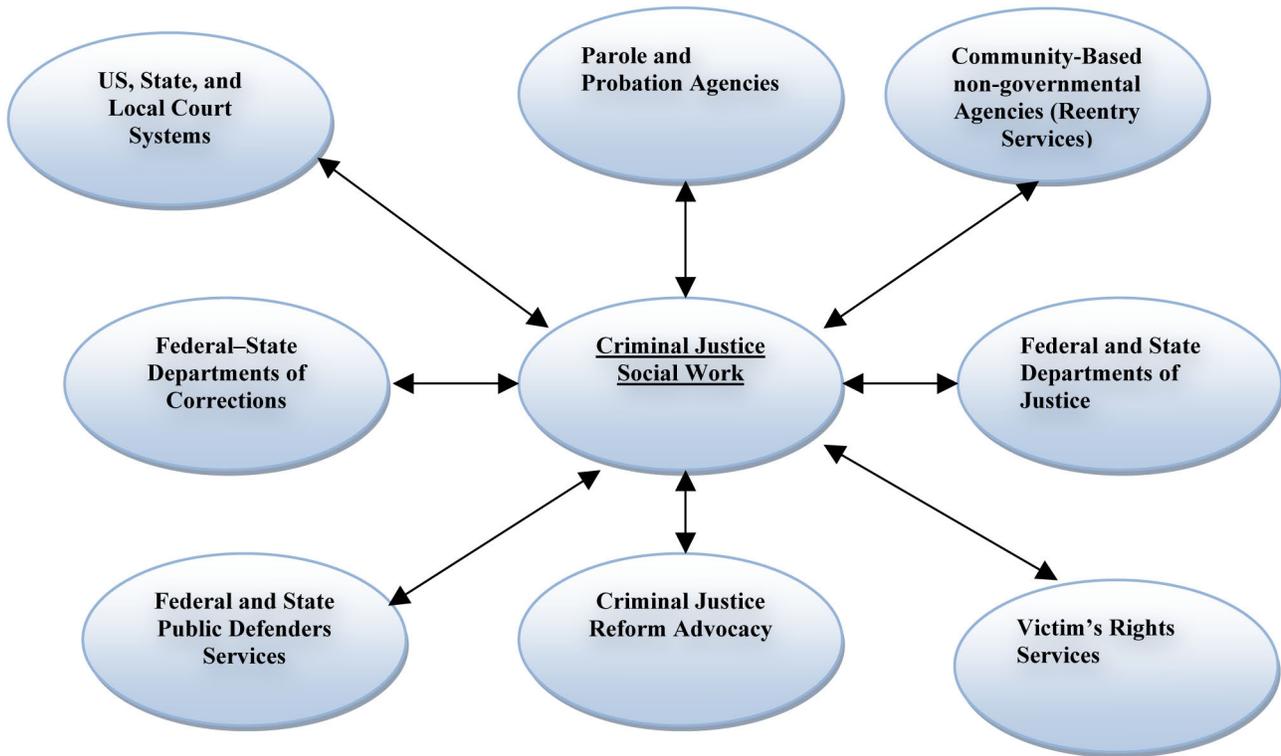
- Taking the lead in developing national standards for the delivery of psychosocial services in the criminal justice system;
- Taking a lead in developing a service delivery accreditation process that ensures that providers adhere to national standards for psychosocial services; and
- Developing a CJSW credential for social workers who practice in a criminal justice and juvenile justice setting.

There are benefits to moving toward a more standardized delivery model in the U.S. criminal justice system. For example, the primary goal of case management is to optimize the client's ability to become a self-sustaining member of his or her community. To maximize that goal, it is essential that services be delivered in the most efficient and effective manner as possible, especially for individuals with multiple complex needs.

A movement toward adopting national standards and protocols for providing psychosocial services throughout the American criminal justice system at both the state and federal levels would seem to be a logical direction to take. The present approach to service delivery standards in the United States is far too fragmented, and lacking in nationally recognized uniform credentialing and accreditation principles.

As depicted in the relational model below, CJSW in the United States functionally interfaces with most major components of the country's criminal system. This interface demonstrates a broad connectivity to service delivery that CJSW has with other stakeholders. It also presents an opportunity for CJSW experts to work with governmental and non-governmental stakeholders on issues such as developing national uniform standards, credentialing guidelines, evidence-based accreditation of psychosocial services, policies related to criminal justice reform, and developing essential evaluation and research on the effectiveness of service delivery in producing the desired outcomes of reducing criminal behaviors and the level of recidivism that is of common concern.

AMERICAN CRIMINAL JUSTICE SOCIAL WORK COLLABORATIVE INTERFACE MODEL



CONCLUSION

In conclusion, when comparing the Scottish criminal justice social work approach to that in America, a german question that can be asked is to what degree can the American social work counterpart adopt aspects of the Scottish model? In answering that question, one area in particular stands out. The Scottish CJSW's strong emphasis on implementing and institutionalizing national standards which serve as comprehensive guidelines for providing social services in a complex criminal justice system. The absence of such a national consensus on service delivery standards in the United States lead to a hodgepodge of approaches to providing core psychosocial services for a population that have multiple needs. For example, it may be useful to adopt the Scottish model's best practices approach to:

1. Setting national credential standards for determining the qualifications of all professionals who provide clinical and non-clinical psychosocial services;

2. Achieving national consensus about the set of essential core evidence-based psychosocial services that must be in place to achieve the goal of reducing circumstances and behaviors that can lead to criminal activities; and
3. Developing national standards for developing outcome measures and assessing outcomes data to gauge the impact of psychosocial services on reducing re-offending behaviors.

The ability of the social work profession to influence national policies within the federal and state criminal justice systems has gotten a boost from an apparent consensus by advocates for criminal justice reform and government leaders that significant reforms are essential for meeting the challenges facing the criminal justice system. Because it was an active participant in the national discussions about reform, NASW has been able to have significant input into the following key legislative initiatives.

Criminal Justice Reform and Increased Support for Social Services

While many changes are being suggested for the criminal justice system, perhaps two initiatives at the federal level could be of particular significance for social workers. They include, the ***National Criminal Justice Commission Act of 2009*** (introduced by Senator James Webb (D, VA)) would create a blue-ribbon commission to look at every aspect of the criminal justice system with an eye towards identifying areas in need of improvement. A number of provisions proposed in the act call for greatly expanded psychosocial services, especially related to substance abuse treatment and mental health treatment. Social workers at the state and national level have an opportunity to collaborate with governmental and non-governmental supporters of reform to ensure that the National Criminal Justice Commission Act is passed. The social work profession also has an opportunity to ensure that one or more of the commissioners represent the interests of social workers and other service provider stakeholders in the criminal justice system.

Additionally, the **Second Chance Act**, which was first authorized in 2007, was reauthorized in 2010 at a \$100 million funding level. The importance of the Second Chance Act to this report is that it provides for program services (such as mental health, substance abuse treatment and case management) that are in the areas of practice for many social workers, thereby opening up new career and entrepreneurial the opportunities for practitioners.

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