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Exploring the Roles of Redemption, Agency, and Motivation in Two Groups of High-Risk Felony Probationers

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ABSTRACT

Problem-solving courts were developed in the 1980s and 1990s to reduce recidivism and probation revocations. The first problem-solving courts focused primarily on treating drug abuse, but the missions have expanded to include issues such as domestic violence and the problems faced by returning war veterans. Research has found these courts to be generally effective, but there is wide variation in their outcomes, and there are questions about the perceptions of problem-solving court participants compared to other probationers. This study presents qualitative analysis of interview data for a group of problem-solving court probationers (n=19) and a similar group of regular probationers (n=19) that explore the differences and similarities in how these groups describe the probation experience in regard to the constructs of redemption, agency, and motivation. In general, the two groups' descriptions are more similar than they are different, but those small differences suggest that the participants from a problem-solving court may receive better support than regular probationers in regard to perceptions that are favorable to desistance.

Introduction

Since John Augustus first began intervening in the sentencing of criminals in 1841 (Dressler, 1962), probation has grown to play the dominant role in criminal sentencing. Today, over four million offenders are serving probated sentences in their communities, with over half of them convicted of felonies (Maruschak & Bonczar, 2013). Community supervision, as probation has come to be known, has gained an elevated public profile in recent years as empirical evidence mounts that it can be effectively used to monitor offenders' behavior and to reduce the costs associated with more expensive incarceration (Petersilia, 1997; Zhang, Roberts, & Callanan, 2006). While the tough-on-crime mentality and its emphasis on prisons still dominates much of the criminal justice conversation, there is a growing realization that community supervision can be not only safe and cost-effective, but it may produce an additional benefit by excluding some offenders from the criminogenic environment of prison and thus reduce future offending (Cid, 2009; Gates & Camp, 2009; Lipsey & Cullen, 2007; Vieraitis, Kovandzic, & Marvell, 2007).

Problem-solving courts, an innovative approach to boosting the effectiveness of probation, began in the late 1980s. They rely on the cooperative efforts of court actors, probation departments, and social service agencies. These courts usually specialize in particular types of offenders and target their individual needs to reduce the likelihood that they will reoffend after the completion of their probated sentence (Berman & Feinblatt, 2001). These pioneering efforts began with drug treatment courts and have now expanded to address problems such as domestic violence and the challenges faced by returning war veterans (Huddleston, Marlowe, & Casebolt, 2008). Despite their growing popularity, problem-solving courts still handle only a small fraction of probation cases (Farole, 2006).

Evaluations of problem-solving courts have found consistent evidence of their effectiveness in increasing exposure to treatment and in reducing costs and recidivism (Belenko, 2001; Davidson, Pasko, & Chesney-Lind, 2011; Kalich & Evans, 2006; Rossman et al., 2011), but specialty courts are not without their critics. Some question the role that judges play in these courts and suggest that issues regarding due process and coercion are inadequately addressed (Bozza, 2007; Jensen, Parsons, & Mosher, 2007). There are also questions about the process of cognitive change that participants undergo if they desist from offending, and how programs can best support those positive changes (Maruna, 1999; Maruna, Lebel, Mitchell, & Naples, 2004; Wiener, Winick, Georges, & Castro, 2010).

This study investigates whether problem-solving court probationers are more likely than a comparison group to view their criminal pasts as preludes to a redeemed future (Maruna, 2001; Radzik, 2009), to express a stronger sense of agency (Lloyd & Serin, 2012; Maruna, 2004; McAdams, 2001), and to see themselves as being more motivated to desist from crime (Giordano, Cernkovich, & Rudolph, 2002; Healy & O'Donnell, 2008; Sellen, McMurren, Cox, Theodosi, & Klinger, 2006). The three constructs are seen as occurring on a continuum (redemption v. condemnation; agency v. fatalism; motivation v. complacency), with a stronger sense of redemption, agency, and motivation associated with desistance from offending.

Therapeutic justice and problem solving courts

The development of better risk/need assessment instruments and the refining of intensive supervision probation practices have led to improved probation outcomes, and following this trend of innovation is the therapeutic justice movement. Rooted in the work of David Wexler and Bruce Winick (1991), therapeutic justice emerged in the late 1980s in response to frustrations with the business as usual style of justice and its emphasis on efficiency and expediency. The traditional emphasis produced high numbers of processed cases but also produced high numbers of repeat offenders (Hora, 2002).

Problem-solving courts are a concrete manifestation of the philosophy of therapeutic jurisprudence. These courts do not follow a strict rational actor model of crime and deterrence, nor do they adopt a narrow disease model that emphasizes some form of cure. Rather, in problem-solving courts, offenders are invited to participate in their own rehabilitation. These courts arose out of a sense of frustration with the lack of progress in addressing problems such as drug abuse and domestic violence (Berman & Feinblatt, 2001; Jensen et al., 2007; Mirchandani, 2008; Payne, 2006). Problem-solving courts attempt to address the roots of crime and the underlying social and personal issues that cause criminal behaviors (Mirchandani, 2008).

In problem-solving courts, cases are closely monitored by individual judges, and there is a close collaboration between the legal system actors and social service providers. These non-traditional roles

for legal professionals emphasize teamwork and cooperation rather than the usual adversarial relationship with its emphasis on punishment (Green, Furrer, Worcel, Burrus, & Finigan, 2007; Jensen et al., 2007; Wexler & Winick, 1991). The different approach is seen in the emphasis on counseling; attention to emotional issues; a view of offenders as having an illness; graduation ceremonies; and a focus on increasing social bonds (Green et al., 2007; Mirchandani, 2008).

Judges play distinctive roles in problem-solving courts. Rather than being the neutral arbiter between the prosecutor and the defense attorneys, judges are active participants in probationers' treatment as they impose sanctions for violations and reward good behavior (Bozza, 2007). In problem-solving courts, probation officers still play a crucial role, but judges are the "chief behavior modifier" (p. 113). The authority of judges gives them a level of influence that other criminal justice agents may lack (Berman & Feinblatt, 2005).

Evaluation of problem-solving courts

While the ideals of the problem-solving courts may sound to some like a soft-on-crime approach, much of the impetus for their creation came from practical concerns. Stinchcomb (2010) noted that drug treatment courts are the products of the drug war that led to a clogged court system. They represent a pragmatic way to address the revolving door of incarceration and recidivism (Hora, 2002). One analysis of a drug treatment court (DTC) indicated that it was more cost-effective than the \$25,000 cost of a year's incarceration (Kalich & Evans, 2006). In a comparison of nonviolent drug offenders who were processed through the traditional courts system with those who went through a drug treatment court, one Oregon county saw a cost savings of 19% for the drug treatment court (Carey & Finigan, 2004). Aos, Miller, and Drake (2006) found that drug court saved an average of \$4767 per individual compared to traditional court.

The cost savings of DTCs are attributed to a combination of not using jail and prison resources and a reduction in long-term criminality (Lurigio, 2008). Belenko's meta-analyses (1998, 1999, 2001) of drug court studies reported that they produce lower rates of recidivism in both the short and the long term compared to traditional courts.

In a study where subjects were randomly assigned to either a drug treatment court or a traditional court, there were fewer rearrests and fewer incarcerations for the drug court participants (Deschenes, Turner, Greenwood, & Chiesa, 1996). Similar results were found in a study of Dade County, Florida's drug treatment court (Goldcamp & Wieland, 1993), which also reported that for those who were rearrested, those who did not go through drug treatment court were rearrested two to three times sooner than those who did. In their meta-analysis, Jensen et al. (2007) concluded that drug courts effectively reduce future contact with the formal criminal justice system and also reduce costs to the system. These findings mirror those of other researchers (Carey & Finigan, 2004; Kalich & Evans,

2006), leading to the general conclusion that DTCs have more positive outcomes than do traditional courts.

Constructs associated with desistance

While evidence is mounting that problem-solving courts can be effective in reducing reoffending, there is a lack of understanding of exactly how the courts achieve those improved outcomes. One possibility is that problem-solving courts foster a shift in offender perceptions that promote rehabilitation.

Research has identified qualities among offender populations that are associated with desistance from offending.

Redemption versus condemnation

Maruna (2001) argued that the stories people tell about themselves reveal not only their history; these subjective autobiographies have a strong influence on the choices and direction their lives will take in the future. Desisters tend to tell their stories as redemption scripts. They view past transgressions as learning opportunities that have taught hard but important lessons that have prepared them for the road ahead (McAdams, 2006; Radzik, 2009). In contrast, persisters see their lives as condemnation scripts and tend to see the future as a series of obstacles that will inevitably block their path to success (Maruna, 2001).

Agency versus fatalism

Agency can be defined as the degree to which people accept personal responsibility for their actions and see themselves as being in control of their lives. Research suggests that offenders who hold a fatalistic attitude toward their behavior tend to persist in criminal behaviors, while those who believe they control their actions and have a strong sense of agency are more likely to desist from criminal acts (Healy & O'Donnell, 2008; Maruna, 2001; McAdams, 2001; McNeill, Batchelor, Burnett, & Knox, 2005).

In drug treatment courts, offenders are encouraged and supported by judges, probation officers, and social service providers in their efforts to ward rehabilitation. The immediate sanctions that may be imposed force offenders to acknowledge their counter-productive criminal behaviors (Hora, Schma, & Rosenthal, 1999). As the offenders take responsibility for their choices and actions, their sense of self-efficacy, or agency, is reinforced (Fischer & Geiger, 2011). McAdams (2001) identified empowerment as an element of agency and suggested that empowerment is “enhanced by association with someone or something larger than the self” (p. 7). He included authority figures and therapists among those viewed as supporting the development of a stronger sense of agency. In problem-solving courts, the judge may act as this authority figure.

Motivation versus complacency

Offenders' level of motivation to desist from crime has been posited to be an important variable in predicting recidivism (Giordano, Cernkovich, & Rudolph, 2002; Sellen et al., 2006). While there are questions about whether a desire to desist from crime actually translates into a crime-free future, there is evidence that motivation to change is an important element in the initial stages of desistance (Healy & O'Donnell, 2008).

McNeill et al. (2005) suggested that "desistance may be provoked by someone 'believing in' the offender" (p. 3). Similarly, Wexler (2001) suggested that when support for change comes from a professional authority figure, it is likely to have a stronger motivating influence than when such support, important as it may be, comes from peers and family. In problem-solving courts, judges play an active role in motivating offenders to steer their lives onto a new path. Support and encouragement from such a powerful authority figure may play a significant role in changing offenders' perceptions of themselves and their motivation to change.

Maruna et al. (2004) pointed out the difficulty of distinguishing between true desistance and a temporary lull from offending. While it may be impossible to know whether an offender will ever offend again, if people undergo a shift in self-perception to the extent that they no longer think of themselves as offenders (redemption), if they see themselves as being in control of their own destiny (agency), and if they are encouraged and supported in their efforts toward desistance (motivation), these qualities may be the best predictors of long-term desistance (Giordano et al., 2002; Maruna, 2001).

Methods

The goal of this research was to determine whether participants in a specialized High-Risk Probation (HRP) court have perceptions more conducive to desistance from offending than similarly situated probationers who do not participate in HRP court. To this end, this study used an empirical phenomenological approach for gathering and analysis of qualitative data (Aspers, 2009; Moustakas, 1994). Based on Aspers' recommendations, a set of questions was used to guide semi-structured interviews designed to explore the six identified constructs (redemption, condemnation, agency, fatalism, motivation, complacency). The intentionally loose interview structure allowed for unexpected themes to emerge that could then be explored in the intentional analytical step of searching for unanticipated outcomes. This process mitigated against the threat that the researcher might be blind to data that emerged unexpectedly (Aspers, 2009).

The data were from a convenience sample of volunteer participants from the problem-solving court and from a similar regular probation caseload. After each interview was conducted and transcribed, the text was imported into the NVivo program for coding and analysis. No coding was conducted until

all the interviews were completed. This practice went against the recommendation of Miles and Huberman (1994) who suggested coding be done continuously during the data collection process. However, Agar (1980) recommended that researchers become thoroughly familiar with their data before beginning the analysis.

A two-step coding strategy was used. First, each interview was analyzed to find patterns in the data. Coding categories were created as significant statements were identified. This process was not focused on capturing each significant statement; rather, its purpose was the identification of constructs that regularly appeared in the data. As significant statements were found that did not fit into one of the pre-identified constructs, other categories were created and modified to capture the essence of the data in a meaningful and manageable way. Discussion of these other constructs is not included in this article.

This initial coding process identified 12 main constructs (including the original 6). In order to create a more subtle and nuanced coding scheme that captured more detail, 7 of the constructs were subdivided into subconstructs. For example, “work ethic” was classified as a sub-construct of “agency” based on work-related statements that reflected respondents’ desire to provide for themselves and not be dependent on others. After the initial coding and construct identification, each interview was coded again. This involved a more painstaking effort to classify each significant statement into one of the identified constructs or sub-constructs. A general description of the main constructs and examples of representative statements are presented in Table 1.

Table 1. Description of constructs and example statements

Construct description	Examples
Redemption (the opposite of Condemnation): Statements that see past negative behaviors as lessons learned and as regrettable errors not to be repeated.	<p>“I used to be irresponsible. Now I’m way more responsible than I’ve ever been.”</p> <p>“I felt bad about what I did to her. The way I handled her that night was wrong.”</p>
Condemnation (the opposite of Redemption): Statements that see negative behaviors as rooted in fundamental character flaws that are unlikely to change and see the future as a series of insurmountable obstacles.	<p>“I know I’m always pissed off. I’m an asshole.”</p> <p>“If I found a purse with \$10,000 in it, I might not be the guy to turn it in.”</p>

Agency (the opposite of Fatalism): Statements that reflect personal control and taking responsibility for their past, current, and future situations and behaviors.	<p>"I don't call 'em mistakes no more 'cause I figure a mistake is once or twice, and after that you already know that you're doing something wrong."</p> <p>"The only thing that stands between me and my goals is myself."</p>
Fatalism (the opposite of Agency): Statements that place responsibility for situations and behaviors on some other person or external condition.	<p>"I can be an asshole. It just depends on what's going on around me."</p> <p>"He got me into hot checks."</p>
Motivation (the opposite of Complacency): Statements that reflect a desire for a better future and the attainment of goals.	<p>"I just hope to have my own place, my own car, have somebody who cares about me as I care for them."</p> <p>"A lot of people recommitted their crime. I don't want to be that statistic. I'm going to show them that I'm different."</p>
Complacency (the opposite of Motivation): Statements that reflect hopelessness or lack of interest in bettering themselves.	<p>"I just pulled 10 years for the same thing, evading arrest."</p> <p>"I just kinda keep myself from doing what I need to do."</p>

This table summarizes only the six constructs discussed in this article. Other constructs that emerged during coding included the effects of the felon label, attitudes toward probation officers, and seeing probation as a priority.

Description of the research setting

This research studied the differences between similar groups of felony offenders sentenced to probation who were assessed as having a high risk of failing to successfully complete the terms of their probation. The subjects of this study were on probation in a county that is served by three district judges. The HRP court is administered by one of the judges.

One of the strengths of this study is the use of a comparison group of similarly situated offenders. The three judges all have the authority to use the HRP court, but only one of them does so on a regular and frequent basis. While there is some selection bias in the HRP court judge having discretion in assigning his own cases to the specialized court, it is a matter of chance whether a case is handled by the judge who favors HRP court or one who does not.

The HRP court is registered as a drug court, but its probationers' offenses go beyond drug charges (see Table 2). The common elements are that all respondents were convicted of felonies, scored 15 or above on the Texas Case Classification and Risk Assessment tool that is administered by the probation office, and had been on probation for at least three months prior to the interviews. Factors that lead to high risk scores include residential instability, unstable employment history, drug and alcohol use, criminal history, and a low level of motivation to change.

According to the chief probation officer where the data were gathered, HRP probation practices differ from standard probation in several ways. HRP probationers are supervised more closely by specialized probation officers who have more experience and who carry a smaller caseload. They are subject to more frequent reporting in addition to their mandatory meetings with the judge. When the judge orders sanctions, they are applied immediately. Probationers are usually assigned to the HRP court for one year, after which they complete their sentences under regular probation protocols. HRP court probationers are required to perform 20 monthly hours of community service compared to the 10 hours assigned to regular probationers.

An incentive was offered to encourage voluntary participation. All three judges allowed probationers from their courts to count interview time toward their community service requirement. This incentive was of value to some of the respondents, but many had completed their community service and were, therefore, participating for other reasons. Several respondents commented that the giving of their time to someone who requested it was simply a part of their identity of being a helpful person. Some made a point of mentioning that personal changes led them to agree to the interview, and that they would not have done so in the recent past.

Analysis

Data collection began in late January 2013 and continued through mid-June 2013. Thirty-eight interviews were conducted with 19 HRP court probationers and 19 regular probationers. All respondents agreed to allow the interviews to be recorded on a digital voice recorder. Interviews ranged from 12.5 minutes to 69.5 minutes, with an average of 30.2 minutes. Demographics and qualifying offenses of the sample are detailed in Table 2.

Table 2. Description of sample

Racial/ethnic	Hispanics: 21
	Whites: 14
	Blacks: 3

Sex	Males: 33
	Females: 5
Average age	35.1 years
Average time on probation	30.4 months
Qualifying charges (total exceeds sample size due to two respondents with multiple charges)	Drug possession: 10
	Three or more DWI: 7
	Assault: 7
	Theft: 3
	Evading arrest: 3
	Arson: 2
	Injury to child, elderly, or disabled: 2
	Robbery: 2
	Deadly conduct with firearm: 2
	Forgery: 1
	Endangering child: 1

Drug and alcohol offenses predominate, but they represent fewer than half of the cases in the sample. Assault is the other most common offense. The sample demographics do not mirror the demographics of the county where the study was conducted. The sample was 55% Hispanic, 37% white, and 8% black, while the county is 37% Hispanic, 53% white, and 8% black (United States Census Bureau, 2013). The sample demographics are at considerable variance with the state probation population, as illustrated in Table 3.

The local probation office where the study was conducted could not provide demographic data for their caseload. The program director said that the state no longer requires them to track this information so the current system does not track it, and the historical data are unavailable due to a computer system change. He also pointed out that local probation offices are not concerned with demographic

information because they are more interested in programming that can change an offender's behavior. Given that the convenience sample was composed of volunteer respondents, it cannot be assumed to represent the demographics of the local felony probation population.

Table 3. State and sample probation demographics

	HRP (n=19)	Regular (n=19)
Redemption	95%	84%
Condemnation	0%	11%
Positive self-image	89%	68%
Agency	100%	84%
Fatalism	84%	79%
Motivation	100%	89%

The problem-solving court group and the regular probation group were compared in terms of the prevalence of identified constructs. Table 4 summarizes these differences.

Table 4. Group comparisons

	HRP (n=19)	Regular (n=19)
Redemption	95%	84%
Condemnation	0%	11%
Positive self-image	89%	68%
Agency	100%	84%
Fatalism	84%	79%
Motivation	100%	89%
Complacency	5%	5%

The two groups' response patterns were similar, but problem-solving probationers were generally more likely than regular probationers to express perceptions associated with desistance. While there is no basis for a causal claim, the results suggest that the special court may play a role in supporting participants' efforts toward rehabilitation.

Findings

Redemption

Redemptive statements are those that refer to changes in attitudes and behaviors and lead away from offending and that express regret for past transgressions. Given that personal change is involved in redemption, most of these statements involve a time element that compares the past to the present. In this study, redemption is viewed as being on a continuum with condemnation at the other end.

Redemptive statements were made by 34 of the 38 respondents (89%). Respondents made a total of 142 statements that were identified as redemptive. This was the third highest number of references for the six preidentified constructs. Four types of redemptive statements were identified: general redemptive statements; statements that expressed regret for their offending; statements that reflected changes in attitude or behavior that respondents attributed to maturation and aging; and statements that reflected an interest in using their experiences in the criminal justice system as a basis for teaching others to avoid their mistakes. While regret for past actions may not be indicative of a redeemed self-image, it is argued that the change that leads to redemption often begins with an acknowledgement that past actions were wrong and regrettable. General redemptive statements were made by 25 of the 38 respondents (66%).

After seeing other people in that program, the HRP program, and the way they changed, I said to myself, I could change that way too, 'cause I was seeing their life, you know, I seen them coming up from their life, and they were more of a drug addict than what I was. So I said, well if they could change I could change, and I did. — Bill

I've been working hard to change my life. It's going to help me at work and everything, so I think I've changed big time. I used to be irresponsible. Now I'm way more responsible than I've ever been. I'm trying to be accountable for my actions, when I used to not, I used to just sweep everything under the rug. — Stuart

I'm not saying I'm perfect, but I'm trying to change my old ways. In these past three years I've done a pretty good damn good job. I stopped drug usage, I stopped drinking, I stopped all my negative activity. — Patsy

I remember I used to tell my P.O. that it sucks to be me. Well, now it's good to be me. — Norman

Twenty-five respondents (66%) made statements that attributed behavioral and attitudinal changes to maturation and aging.

I have a different mind. I'm through with it. I'm not a teenager no more. I've actually grown up. It took me 25 years to grow up, and I finally grew up. —Bill

I'm almost 40 years old now, and I've gotta let go of all that stuff, because I can't go on another 40 years like this. I've gotta change something drastically because that negative attitude is really what brings me down. I've gotta stay positive. —Arthel

As a younger man I was not a very law abiding citizen. But with age comes wisdom, and as I grew up, I literally grew up. After my last stint at the penitentiary, I decided that's it, I'm done, you know, the drugs, the alcohol, the abuse, all that other stuff, I mean I decided to leave it all behind. —Norman

I was badass back in the day, but not no more. I'm getting old. I had a birthday just a while ago. I'm 40 years old, and I ain't trying to go back [prison] when I'm old. —Tony

Statements that reflected regret for their offending behavior were made by 18 respondents (47%).

I've been through a lot of money, and I think about things I could have had, should have had, and I'm thinking drugs and alcohol took everything away from me. —Ralph

I felt bad about what I did to her. She's a little bitty girl, and the way I handled her that night was wrong. No matter what she did, it was wrong. —Norman

Ever since she had my kid I was always abusive when I was drinking. I ended up getting her into that stuff. In the long run I regret everything I have done to her. —Tony

The people involved that I hurt real bad was my mother, first of all, and the girl I was with and her child. It didn't hurt me. I knew what was going to happen to me, 'cause after everything calmed down I knew what was going to happen. I just knew it. But that's who was hurt the most was her and her child and my mother. I deeply regret it every moment of my life. I regret it a lot. —Del

Statements about using their experiences in the criminal justice system to teach others were the least common redemptive statements. Only 9 of the 38 respondents (24%) made such statements. However, it should be noted that most of those statements were in response to a question that asked whether they thought they would be involved in the criminal justice system in five years. The researcher did not anticipate responses that indicated a future positive engagement with the criminal justice system.

I would one day hope to become successful enough to talk to juveniles, young kids who are at that fork. Just tell them what I went through and how much it's not working, how little mistakes turn into big consequences. I want to help younger people who are going through problems. — Stuart

I would like to help other kids, talk to them about things, volunteer work. I would like to do that kind of stuff. — Chet

I've always shown an interest in trying to help the younger generation, trying to help kids. My own kids didn't listen to me, and I didn't listen to my father. I'd like to impress on some of these at-risk kids that prison is not a rite of passage, probation is not a rite of passage, this shit ain't no joke, man. And once you've got that black "X" on your back, it does not go away. — Norman

I'd like to do some sort of like outreach to help kids. I'd like to do something like that. I thought about going back to [prison rehab program] and speaking to the guys over there, telling them hey you know don't listen to them people there, you might not be that 90%. All it takes is somebody to go and convince them to try harder. I'd like to do something like that, maybe get involved with the youth probation. — Carter

The process of desistance from crime is a complicated one, and having a redemptive narrative is only a part of this process. However, it is easy to understand how probationers without this perception of being on a path to a better future would find the way forward more difficult than those whose stories have an element of positive personal change. The prevalence of this construct in the interviews supports an optimistic view for the successful rehabilitation of these respondents, and to the degree that their efforts support and foster a redemptive identity, the courts and probation officers can play an important part in those rehabilitative processes.

Group comparisons

HRP court participants were slightly more likely to make redemptive statements than were regular probationers. Eighteen of the 19 (95%) HRP court participants made redemptive statements, compared to 16 regular probationers (84%).

Condemnation and positive self-image

Condemnation was one of the original six constructs and is viewed as being the opposite of redemption. Both condemnation and redemption imply a time element. For redemption, a person must be redeemed from past events and behaviors. Condemnation implies a failure or refusal to change and expectations of more problematic behaviors in the future.

Sometimes in research, the most interesting outcome is what is not found. Condemnatory statements were extremely rare in the data. Only 2 of the 38 respondents (5%) made statements that were coded

as condemnation, each of the 2 only made one such reference, and neither was a participant in the HRP court. Respondents generally acknowledged that their missteps were the results of bad decisions they had made, but those choices were usually perceived as being driven by a lack of thought and poor decision making rather than by fundamental flaws in their character.

For me, I'm freaking impatient. I get pissed off. People outside, they see me as the nice guy. No man, I'm always pissed off. I know I'm always pissed off. I'm an asshole. I tell my wife I'm going to live to be 100 years old because I'm a fucking asshole. I know I am, that's how I see it. My cousin tells me, "Damn I hate this. You're gonna live past all of us." Yeah, I know, I'm an ass, ain't I? — Martin

Best way I can describe me is what I am, a Libra, a balance between good and evil. I know I'm bad at times, but I'm good at times. I'm not going to go out and kill nobody, but honestly, if I found a purse with \$10,000 in it, I might not be the guy to turn it in. — Hank

As opposed to condemnation, an unanticipated construct was identified in the data that was labeled "positive self-image." These statements were elicited by an interview question that asked, "In general, how would you describe yourself as a person?" Many of the positive statements expressed a willingness to help others in need. Positive self-image is seen as distinct from redemption in that it has less of an element of change over time and is more a description of their fundamental character. Thirty of the 38 respondents (79%) made statements that express a positive self-image.

I have a big heart for everybody. If it's anybody in the streets, if I see that they need help I would help them. If I had enough money to throw out there, I would even throw money to them if I had it. That's the kind of person I am. I'm a big hearted person. — Bill

I try to be helpful. I don't judge, I don't stereotype. If I can help you I'm going to help you. If you tell me you want to better yourself and I can help you do that, I'm going to do it. — Lester

I'm an outgoing person, I'm nice, I'm funny, I'm easy to get along with, I'm caring. I don't care just about myself, I'm not selfish. I care about other people, how they feel, what they think. I'm a good person. — Jimmie

Caring, understanding, sweet-hearted, defender of the poor people, hate bullies. Real compassionate, understanding, a helpful person. If I have it, if I have a dollar, I give it to anybody to help them out. Just a real genuine person. — Oscar

Group comparison

HRP court participants were more likely to make statements that reflected a positive self-image than were regular probationers. Seventeen (89%) of the HRP court participants made positive self-image

statements compared to 13 regular probationers (68%).

Seen in combination with Redemption, most respondents see themselves in a positive light and as being on a better path than before. Future research might explore the degree to which the differences in the two groups' self-image can be attributed to the effects of the supportive efforts of the problem-solving court.

While the differences between the groups are not large and cannot be assumed to be the result of the different probation practices, the fact that so many of the respondents made statements that reflect a positive self-image may provide a useful tool to probation officers. Many probationers fail in their efforts to desist from crime, but these data indicate that clinging to a criminal identity is not a major cause of those failings. Efforts to support and reinforce a former offender's positive identity may prove to be a fruitful strategy in reducing recidivism. However, structural conditions such as employer bias against convicted felons must also be addressed, because this may lead to reoffending despite a redeemed or positive self-image.

Agency

Agency refers to people's willingness to take responsibility for their actions and to see the source of those actions as being rooted in their own personal choices. Agency is associated with desistance from crime and is seen as being on a continuum with fatalism at the opposite end. Agency was a dominant construct in the interviews with 150 total statements coded; 35 of the 38 respondents (92%) made at least one statement that was coded as agency.

Three types of agency were identified in the interviews. General agency was noted in statements that reflected respondents' ability and desire to have control over the events and direction of their lives. Such statements were made by 32 of the 38 respondents (84%).

I mean, it's your life, and it's in your hands. These people are going to watch over you, but your life is in your hands, and you can do what you want. —Earl

I've always told myself you have the ball, the ball is always on your court, yeah, but I didn't really understand that concept 'til I actually put 2 and 2 together. —Patsy

I don't call 'em mistakes no more 'cause I figure a mistake is once or twice and after that you already know that you're doing something wrong. It's more like a bad choice or a bad decision, so it's no longer a mistake no more. —Stephan

The only thing that stands between me and my goals is myself. If I let myself fall, that's the only thing that's going to stop me cause I can't blame it on anybody else. If I choose to go and do drugs, it's not your fault for being at the party and offering them to me. It's my fault for doing it. If I

choose to go out there and commit a crime, I can't say I did it because I needed the money, I could've just kept going to work. —Carter

Two sub-categories of agency were identified in the interviews. One was the expression of a work ethic, and the other was the accepting of responsibility for their offending behaviors. Seventeen respondents (45%) made statements that reflected a work ethic.

Through all the partying, I've never missed work. I'm passionate about work, I like it. I'm doing good at work, I'm moving up quick. They have high expectations and hopes for me. They sent me to school, and they paid for everything. They invested in me, so obviously they see something in me, and I put back as much as I can. —Stuart

I had a new drive, instead of doing wrong I wanted to do right. So three months later, soon after I got out of prison I immediately went to work in New Braunfels, working at a rock yard, the only white guy there, it was all Spanish guys so they didn't think I would last, but I worked twice as hard 'cause that was my new look on life. You gotta work hard. —Carter

I started working after I dropped out of school in the 11th grade. I knew I wasn't going to go to college. My parents couldn't afford no college fees. But I've always been a hard worker, so I went to work doing construction, and I'm still working out there. —Nick

Statements that reflected taking responsibility for offending behaviors were made by 25 of the 38 respondents (66%).

I put myself where I was at. I can be mad at my probation officer all day long. They didn't send me there, they have their jobs, I sent myself, I made the decision. —Patsy

I'm not blaming nobody, 'cause I chose my path. They say your path always bites you in the ass. I've been bad all my life. The judge, he's tired of us. I don't blame him. I don't blame anybody. —Tommy

But it was no decisions or influences of anybody else, it was just my stupid decision to do that, and I have to pay the consequences. —Merle

It ain't probation's fault, it ain't the court's fault. It ain't nobody's fault but yours, and once you start learning to accept that, you'll start knowing that the truth hurts, but I'd rather hear the truth now than a lie, 'cause the lies, I already know 'em. —Charles

There is no magic bullet that ensures that a former offender will make the final turn away from future offending, but like redemption, agency is one quality that is associated with desistance. If desistance is viewed as a process that occurs over a period of time (McNeill et al., 2005) and is associated with the

perception that one is in control of future events, then the connection between choices made and the consequences of those choices becomes clearer over time. This in turn leads former offenders to become more motivated to take an active role in the future direction of their lives. Probation officers and problem-solving court judges can, in their role as counselors, reinforce agency with their probationers by pointing out instances where good choices have led to good outcomes.

Group comparison

HRP court participants were more likely to make agency statements than were regular probationers, although the differences were not large. Eighteen of the 19 HRP court participants (95%) made general agency statements compared to 14 out of 19 regular probationers (74%). Nine HRP court probationers (47%) mentioned their work ethic compared to 8 regular probationers (42%). The largest difference was in statements that took responsibility for offending behaviors. Fifteen HRP court participants (79%) made such statements compared to 10 regular probationers (56%). In the aggregate, all 19 HRP court participants made at least one agency statement compared to 16 regular probationers (84%).

Fatalism

Fatalism is seen as the opposite of agency and is defined as a failure to take responsibility for one's actions and to blame personal choices and consequences on outside forces and on other people. While some may argue that dysfunctional behaviors caused by drug addictions are not always due to personal choices, classifying drug-influenced behaviors as fatalism is supported by cognitive therapeutic approaches to drug addiction treatment that focus on increasing patients' self-efficacy (Beck, Wright, Newman, & Liese, 1993; Witkiewitz & Marlatt, 2005).

Fatalism is generally viewed as a negative trait associated with reoffending, but another dimension to fatalism is the phenomenon of probationers turning their fate over to a higher power. Their own efforts to control their lives have often led to unfavorable outcomes, many probationers regularly attend Alcoholics Anonymous and Narcotics Anonymous meetings so helps explain why some respondents made reference to seeking guidance from a higher power as it is one of the tenets of these organizations. However, this was not a dominant theme in the data as only seven respondents (18%) made such comments.

Fatalism plays an important role in the data. Of the original six constructs, three are thought to foster desistance from crime (redemption, agency, and motivation), and three are associated with criminal persistence (condemnation, fatalism, and complacency). Of the three constructs thought to foster persistent criminal activities, only fatalism was mentioned by more than two respondents. Thirty-one respondents (82%) made statements that were coded as fatalistic, with a total of 71 references (the difference being due to individual respondents making multiple references).

Three types of fatalism were identified in the interviews. One type was general fatalism that was reflected in statements that expressed a general lack of ability to control events. Two other types involved assigning blame for their behaviors to other people or to drugs and alcohol. These fatalistic statements often implied that offending behavior was not within their control but was more a product of environmental factors. Ten respondents made generally fatalistic statements.

We were just in the wrong place at the wrong time, I guess. —Emmy

I'm a good person, but I can be an asshole or whatever you want to call it. It depends what happens and what's going on. It just depends on what's going on around me, my surroundings. —Vince

I'm not saying I'm going to catch any new cases, but if something goes wrong in this probation, then I can see myself being in jail for a little while. —Jimmie

Drug and alcohol offenses were the most common category of qualifying offenses (10 out of the 38 respondents were on probation for drug possession and seven were charged with a third DWI), but only 11 respondents made statements that expressed the view that drugs or alcohol had caused their offending behavior.

Alcohol was the main one. The victim, my ex-girlfriend, she's not a bad person, she's a good person too, she's got a good heart. But alcohol comes into it, and we just turn into different people, maybe. With alcohol, we just didn't go good together. —Stuart

It's really drinking that has caused all the problems in my life. —Chet

A lot of smoking marijuana and drinking alcohol will impair your judgment, so a lot of those were a lot of causes of my problems. —Hank

I kept on doing it, kept on hitting her when I was drinking. I would never do it when I was sober. —Tony

The most common fatalistic statements expressed a view that others were to blame for their offending. Of the 38 respondents, 21 (55%) made these types of statements.

I got around the wrong people and got hooked on drugs, and got caught at the wrong place at the wrong time. —Roy

My husband should have got on a plane and come got his kids instead of putting me in jail. —Alison

As an adult, the forgery charges that I have, that got me hanging out with the wrong people as well because I knew this one lady, and she introduced me to this one guy, and he got me into hot checks and stuff like that. —Jimmie

But what happened, I started going more and more to the horse races with my brother, and he got me involved in drugs. —Charles

Just as agency is associated with desistance from crime, fatalism is thought to be a factor in persistent criminal careers. Respondents frequently described the shift from blaming others to taking responsibility for their actions and choices as an important turning point in their lives. This was often coupled with statements about maturing and growing up. To the extent that probation officers and the courts can encourage this shift in perception and attitude, it suggests another way to support offenders' rehabilitative efforts. However, it may be that the most potent force in this change is the passage of time, and thus the ability of the criminal justice system to accelerate the process of desistance may be limited.

Group comparison

HRP court probationers made fatalistic references at rates comparable to regular probationers. The number of fatalistic responses was most similar between the two groups of probationers for the three main categories of fatalism (general, blaming others, blaming drugs). Sixteen HRP court probationers (84%) made fatalistic responses compared to 15 regular probationers (79%). The numbers were most similar for the sub-categories of blaming others (11 HRP court, 10 regular) and blaming drugs (6 HRP court, 5 regular). The largest difference was in the category of general fatalism. Three HRP court respondents (16%) made these types of statements compared to 7 regular probationers (37%). There was little difference between the two groups in the numbers of references to a higher power. Three HRP court respondents mentioned this construct compared to four regular probationers.

Motivation

Motivation refers to respondent statements that reflect a desire for a better future and an interest in pursuing positive goals. It was the most prevalent construct identified in the interviews. Among the pre-identified constructs, motivation was viewed as being on a continuum with complacency. Statements were coded as motivation if they offered some reason for trying to comply with probation terms, expressed a general desire for a better future, or mentioned specific goals. All but 2 respondents made statements that were coded as motivation, and motivation also had the highest number of total references (158). Four types of motivational statements were identified: general motivational statements; desire for normality; family and children; and the desire to stay out of jail or prison. General motivation was mentioned by 21 of the 38 respondents (55%).

Another thing they used to tell me is I'm never going to finish probation. I want to prove them wrong, that I can finish probation. I've never in my life finished probation. I've always revoked it. But this time I like my little folder with everything I have to do. — Ralph

My stepdad, I forgot to mention this, he's an alcoholic, but he's been sober now since 2007, and I never thought that man would be sober, never, never in my wildest dreams. And to see that, that's motivation for me to see him. — Earl

By the time I came home I called to check up with my counselor and a lot of people had overdosed. Died. A lot of people had gone back to jail. A lot of people recommitted their crime. And I was like, I don't want to be that statistic. I'm going to show them I'm different. — Patsy

It doesn't bother me to go see my PO, it does a lot of other people, the HRP court doesn't bother me. It's kinda good, because not only am I trying to do good for me, I'm trying to do good for them. So they can be proud of me. So they can be, "aw man that's the one. See that guy there, he's doing everything he's supposed to do." — Carter

Another theme that was coded as motivation was the desire for normality. While one probationer mentioned winning the lottery as a feasible path to a better future, most respondents had much more prosaic goals and means to achieve them. These types of statements which were made by 26 respondents (68%) were coded as desire for normality.

Hopefully I see myself in a home with my children, going on vacation again, baseball games, football games. We have 14 month old twins. Just living the life that I should have been living. — James

I've got three more years left, then things will be normal again. — Vince

I just hope to have my own place, my own car, have somebody who cares about me as I care for them and maybe one day have a family with them. Have a good job, be done with probation. Just living life like the rest of y'all Americans. — Chet

I can't do that until I get off probation. So that's like a little motivation for me to better so I can live a normal life. — Stephan

Family and children were often mentioned as motivating forces in respondents' lives. They were mentioned by 20 of the 38 respondents (53%).

I want to be a dad that my kids can look up to. With everything that I put my children through with me going to prison, and then me coming out, and then seeing me go through all this other crap and bullshit. I want them to have a dad that they can rely on. — Earl

I hated it [probation]. I didn't want to be here. I would rather to just go to jail, but I couldn't do that because my kids were on my mind. —Tony

I have a son on the way next month, and I just feel it's a new energy, it's a new feeling, it's keeping me motivated. —Lester

I have a brother that's been incarcerated all his life. I raised my nephew and my niece for him, and it's just something I don't want my own kids to have to go through, so that keeps me motivated to stay on the right path. It's either that, or I'll see my kids grow up from behind bars. —Ricky

The fourth notable category of motivation is the desire to stay out of jail or prison which was coded in 26 of the interviews (68%).

I knew it [probation] was going to be bad, but it couldn't have been worse than jail. —Frank

He [judge] gives you an option, either out here or in there [prison], and I would rather be out here than in there 'cause it was going to be a long, long time. —Bill

Honestly, because I don't want to be in prison. I don't want to lose my freedom. Not that I'm scared to go or nothing, that's just not for me. I don't want to be in prison, that's the bottom line. I don't want to lose my freedom. —Stuart

I would rather take probation than having to go to prison again. That's not a place for me. There's too many crazy youngsters over there. You go, and you're not sure if you're coming back out. With the background checks, you go to prison, and it looks worse on your record and on your background than probation. —Merle

The prevalence of motivation in the data may be reason for optimism about the prospects for the successful completion of probation for this sample. The expressed desires to exchange a deviant lifestyle for a normal one, to be a contributing member of their families, and to remain unincarcerated imply a readiness to leave a troubled past behind and a vision for a better future. Without these motivating forces in their lives, it is easy to imagine the respondents yielding to temptation and reverting to the old behaviors that led to their current situation. However, motivation to cease negative behaviors is likely to be inadequate if it is not coupled with a desire to move in a positive direction. In other words, while it is important to just say no to incarceration and reoffending, it is equally important to just say yes to some type of pro-social activities.

Group comparison

The differences in the numbers of HRP court respondents making motivation statements compared to regular probationers were small. All 19 of the HRP court respondents made such statements compared to 17 of the regular probationers.

Complacency

Complacency is viewed as being at the opposite end of the continuum from motivation. Statements were classified as reflecting complacency if they implied a lack of interest in making positive life changes. As with condemnation, statements that expressed a complacent attitude were extremely rare in the data. Only 2 respondents made such statements; 1 was from the HRP court group and one was a regular probationer.

I just pulled a dime out of another county, 10 years, for the same thing, evading arrest. I guess the cops don't like for me to outrun them. —Eric

I'm kind of at a standstill, and I kinda just keep myself from doing what I need to do. —Lucille

While this study cannot make the inference that probation causes probationers to be motivated versus complacent, these data do suggest that probationers often profess the desire to have a better life. Given the high rates of probation failure, we know this motivated attitude does not always translate into a positive outcome. However, if the desire to change is the first step in that process, for the most part this sample has at least taken that first step.

Discussion and policy implications

As the era of mass incarceration drags on and recidivism rates remain high, there is a growing chorus of voices from across the political spectrum to find more just, efficacious, and cost-effective ways to manage and rehabilitate the offender population (Alexander, 2012; Pew Center, 2009; Right on Crime, 2010). Seeing offenders' perceptions as a key element of the corrections system holds promise of a path to redemption not only for offenders but for corrections practices in general.

In this study, the two groups' descriptions of their probation experiences were more similar than they were different. However, for four of the original constructs (redemption, condemnation, agency, and motivation), respondents from the problem-solving court expressed perceptions more favorable for desistance from crime. While the differences between the groups are small, this outcome suggests that a larger study might be worthwhile if it focused on establishing a causal relationship between the problem-solving court and the more positive perceptions.

This study supports practices in community corrections that focus on changing offenders' perceptions via cognitive therapy (Vennard, Sugg, & Hedderman, 1997; Wilson, Bouffard, & Mackenzie, 2005).

Shifting the emphasis away from threats of punishment and toward probationers' perceptions of themselves and their circumstances helps situate the responsibility for change within the offender, as opposed to more traditional carrot and stick approaches that rely on extrinsic motivations to change.

While in many instances the probationers' stories in this study unfolded as tragedies, it often seemed as if their problems were almost inevitable given the situations they were in. With a different set of circumstances, opportunities, and obstacles, their lives might have taken very different paths. Despite the obstacles and setbacks, their outlooks are generally positive. They tend to perceive themselves as fundamentally good people who have made a few bad choices. Probation officers who recognize these existing positive perceptions may be able to build upon them to help support the cognitive changes that are associated with desistance. This is true whether or not a particular community supervision office has access to a problem-solving court. While a probation officer may not be as powerful an authority figure as a problemsolving court judge, the fact that probation officers can ask a judge to revoke probation and send an offender to prison gives them significant influence upon their probationers as they work to reshape their criminogenic perceptions (McAdams, 2001; Wexler, 2001).

The findings from this study were not definitive, however some overall trends and patterns in the data were strong enough to suggest several ways to deliver probation services more effectively. Four areas to be targeted are identified.

Expansion of HRP court

There are not dramatic differences in how the two groups of respondents describe themselves in terms of redemption, condemnation, agency, fatalism, motivation, and complacency (see Table 4). While this might lead to the conclusion that the HRP court is not a particularly effective tool to increase probation success rates, its effects do appear to be generally and consistently positive, and those small differences could yield outcomes that make a real difference for some probationers. Certainly there is no evidence that the problem-solving court has any negative impacts, and the similarities between the groups might reflect the generally positive effects of regular probation. As a practical matter, it is not necessary that HRP court participants have dramatically more positive perceptions than regular probationers. Given the expenses of incarceration compared to probation (Aos, Miller, & Drake, 2006; Carey & Finigan, 2004; Kalich & Evans, 2006), if the HRP court produces even a marginal improvement that results in fewer revocations, the financial impact would be significant.

Expanding the use of HRP court would pose logistical issues and could reduce the effectiveness of the court. Roughly a third of high-risk, felony probationers in this study participate in HRP court. If the same judge were to monitor a larger number of cases, it is likely that he would make less of an impression on each probationer because his attentions and energies would become more dispersed,

and the problem-solving court could regress to the same assembly line justice model that it was supposed to replace (Berman & Feinblatt, 2001; Jensen et al., 2007; Mirchandani, 2008; Payne, 2006).

One way to address these obstacles is to recruit a second HRP court judge. It would be important that this recruitment effort be a persuasive one and that the new judge is fully committed to the HRP court philosophy. The current judge is the originator of the HRP court and brings a level of commitment that might be difficult to match. However, if a new judge was convinced that his efforts were making a real difference in probationers' lives, then the effects of the HRP court could be maintained and even multiplied.

A second approach to expanding the effects of the HRP court follows the suggestion of Bozza (2007) who argued that most of the goals of problem-solving courts could be achieved by allowing probation officers to use a more vigorous form of probation that would include the imposition of swift and sure sanctions similar to the behavior modification efforts employed by problem-solving court judges. However, this approach comes with considerable risk. If probation officers' roles were to become more judicial and punitive and less supportive, it might produce the opposite effect upon probationers from what was intended (Bonta, Rugge, Scott, Bourgon, & Yessine, 2008).

Seeing probation as an accomplishment

The responses from this study suggest that offenders distinguish between their actions and their character. This is reflected in the predominance of statements reflecting redemption, positive self-image, and motivation, and the rarity of statements that reflect condemnation or complacency. Respondents generally acknowledge having done bad things, but they do not perceive of themselves as bad people who will inevitably reoffend. However, this positive perception of convicted felons is far from universal (Manza, Brooks, & Uggen, 2004), despite the public's general support of rehabilitation (Cullen, Fisher, & Applegate, 2000). For a convicted felon, the reality is that after successfully completing a daunting series of probation requirements that include paying substantial fees and fines, maintaining employment, getting therapeutic treatment, attending meetings, regular reporting to their probation officer, and abstaining from drugs and alcohol, successful probationers are rewarded with a life-long felon label and perhaps a wish for good luck, which they will surely need as they attempt to rebuild their lives in a society that often turns its back on them.

Given the difficulties that convicted felons face in their efforts to reintegrate into society, one way to address this issue is to work to reshape the public's perception, especially employers, of what it means to have successfully completed a probated sentence. It is probably naïve to imagine that an employer might look upon a former probationer as a more desirable hire than someone with a clean criminal record, but for many offenders, the successful completion of probation is a real accomplishment, sometimes the most substantial one in their lives, that requires exactly the types of skills and

character (motivation, positive self-image) that employers claim to desire. Completing probation could be viewed as a positive accomplishment that is indicative of one who possesses admirable qualities, especially perseverance in the face of adversity.

One way to foster this crucial change is for probation departments to develop relationships with a select group of employers who fully appreciate the risks and rewards of working with ex-offenders. While this approach might involve a large government bureaucracy, it could also be developed on the local level in a creative and informal way. This approach would allow a more tailored program that fits local residents with local employers as opposed to a bureaucratic uniform approach that would inevitably be a poor fit in some cases. A local, free-market approach is more in line with current political and economic thinking. Probation departments could be incentivized by the state to develop effective local employment initiatives with state support based upon successful job placements. These incentives would involve budgeting of public funds, but the savings would be realized as the investment yields more employed citizens and a reduced rate of reoffending.

This type of cultural change will be very challenging to bring about. The occasional rehabilitative failure that leads to reoffending, especially if the employer is the victim, will be magnified out of proportion and used as evidence that rehabilitation does not work. A tailored approach will help to reduce these instances by careful selection and placement of those probationers who show the most promise. To some degree, the culture of distrust can be changed from within as probationers who appreciate the opportunity for steady employment will serve as examples of the change that can occur given opportunity and support. While the risks of such a plan are considerable, so is the up-side potential for employers, probationers, and taxpayers.

Peer mentoring

Redemptive comments from some probationers regarding helping others learn from their experiences imply that there might be potential in a peer mentoring program wherein probationers who have successfully completed their probation could act as mentors to others who may perceive the requirements as impossible or feel that they have been set up to fail. There is very little mention of such probation peer mentoring programs in the literature, and what few there are seem to be concentrated in the United Kingdom (Fletcher & Batty, 2012).

A probation peer-mentoring program is not as much of a conceptual stretch as might first be imagined. Alcoholics Anonymous and Narcotics Anonymous have been using this approach for many years; those who struggle daily with drug and alcohol issues serve as guides to others with the same challenges (Dombeck, 2005). Just as the AA/NA model could provide guidance for such a program, it would also serve as a guide to what not to do. Participants in AA and NA are discouraged from forming relationships with other participants outside of the group due to the risk of reinforcing negative

behaviors and attitudes among participants who are tempted to regress to alcohol or drug use. A probation peer-mentoring program would need to operate under similar guidelines so that the peer mentoring leads away from reoffending rather than toward it.

The great advantage of such a program is the credibility that successful probationers would bring to the discussion. Probationers' complaints that no one understands how hard probation is could be quickly dismissed, and energies could be focused on more positive strategies for moving forward with their lives. While the focus of a mentoring program would be to support the mentees in their efforts toward rehabilitation, the other potential benefit would be the therapeutic effect upon the mentors as they bolster their redemptive identity through their efforts to help others learn from their mistakes.

Maintenance of family support

One of the purported advantages of probation over prison is that it allows the continuation of family relationships that are severely strained by incarceration. Given the important role that families play in motivating these respondents' efforts toward rehabilitation and the empirical evidence that maintenance of those ties reduces recidivism (Flavin, 2004; Hairston, 1991; Wright & Wright, 1994), there seems to be some potential to capitalize upon family ties to reinforce the goals of probation. These efforts must be judiciously applied to avoid fostering family ties that would lead to further victimization of either probationers or members of their families upon whom they have preyed in the past. However, in cases where the familial relationships are supportive, motivating, and nurturing, efforts to maintain and reinforce those ties would appear to serve the goal of leading probationers away from future offending.

Limitations and future research

Given that this research was conducted at a single community supervision office in one rural county (2010 population 131,533), the ability to generalize the results to other sites is limited. Even if the HRP court is effective at increasing probationers' sense of redemption, agency, and motivation, it may be that idiosyncrasies in the court and probation department play a large role, and those qualities may be absent in other programs that appear on the surface to mirror the HRP court. Other limitations include the possibility that all of the constructs that influence probation experiences were not captured and analyzed. For example, criminal history is known to be among the strongest predictors of recidivism (Gendreau, Little, & Goggin, 1996), but this study does not include a comparison of respondents' criminal backgrounds. Questions about the external validity of the data may also be raised by the particular racial/ethnic characteristics and sex ratio of the sample which is not typical of the state's general felony probation population.

The sample size also limits external validity. The sample is a convenience sample, and while patterns were found in the descriptive data that provide useful insight into the process of desistance, it cannot

be assumed that those same patterns will be found in other problem-solving courts which have different populations and different personnel who interact with clients.

One important unanswered question is whether the small differences between the perceptions of the HRP court participants and the regular probationers will translate into significantly different outcomes in the long run. Future longitudinal research that tracks this group of participants could help to answer that question.

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