

# Technical Assistance Report

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## Facilitation of an EBPP Orientation for NYC-DOP Branch Chiefs

NIC Technical Assistance Report #13C1011

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## **DISCLAIMER**

RE: NIC Technical Assistance No. 13C1011

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## NIC NYCDOP TA 13C1011

Under NIC TA 12C1034, I planned, with NYCDOP Managers, a two day “orientation” on EBPP for NYCDOP Branch Chiefs. The earlier TA also allowed me to spend two days meeting Branch Chiefs in their offices as well as a luncheon meeting with the ACs to whom BCs report.

As I indicated in my earlier report, this is a very senior group of managers having been in the DOP from 17-28 years and with some having been a BC for more than a decade. They have lived through many different Commissioners and have had to adjust to significant shifts in operational culture, if not mission as well. I expected a significant number to be cynical about yet another Commissioner who would only be around for a short time. If I had to describe the people I met in a couple of words they would be: skeptical rather than cynical, cautiously optimistic, committed, still personally engaged.

Based on the planning with Senior DOP Managers and the interviews with the BCs, I was asked to develop a two day symposium to explore what is meant by EBPP and the role of the BCs in making it the operational practice of the NYCDOP. The symposium was expected to be highly interactive. BCs were to be engaged in a dialogue, not lectured. While the substance was NYCDOP becoming an Evidence-Based Organization, the process of the symposium was to promote a culture that encouraged BCs to be critical thinkers with a constructive voice. This required providing them with an operational definition of and information on EBPP while expecting them to work through practical exercises to demonstrate they can have a meaningful role in this Organizational Development effort.

As a practical matter, the approximately two dozen BCs (including individuals in this position designation but assigned to “Headquarters,” 33 Beaver) were to be divided into two equal size groups so that daily operations would continue within the Branches. It also meant there were to be BCs from all of the Boroughs and Headquarters in each of the two sessions. This last condition did not materialize as all of the BCs assigned to Headquarters ended up in the second session. This caused no insurmountable problem for the facilitator but created different dynamics in the two sessions. Venues outside of the 33 Beaver Building were identified to put the groups in neutral, upscale settings for the events.

The first of these venues, the conference room at The Vera Institute of Justice, served the purpose of the symposium well. The size of the room established the group work area at a round table and allowed small work groups to pull away to corners of the room for their assignments. One of the participants expressed the idea that the session had

gone well because of the role of the facilitator, the trust among the participants and the roundtable format. Just one of the thoughtful insights expressed by this person.

The second session was held at a New NYC Public Health building. The venue was not as conducive to supporting the work process. It was necessary to move between rooms on the two days of the session. The size and configuration of the room on day one did not promote the same collegial feel as the round table setting at Vera had. It was also far more challenging to have adequate space for the small group work. The room on Day two provided far more room with which to work though by then the “tone” was set. To the participants credit they made it work, a hallmark of who they are.

Bob Costello, Assistant Commissioner for Training and Quality Assurance, introduced the sessions and provided logistical information for each session. Clint Lacey, Deputy Commissioner for Operations, opened each session with why this work had been scheduled and why he saw it as important. The first group did not engage Clint beyond his introduction, and we moved quickly into the agenda I had prepared. (The attached page of “learning objectives” reflects what I proposed to accomplish and how I intended to accomplish it.)

While not wanting to lecture, it was necessary to identify what is meant by EBP and why I was giving it an extra P (EBPP). I also had the first group prepare a timeline which demonstrated the DOP had been involved in some of the earliest introduction of EBP in the US. The content moved from the conceptual in the morning to the applied and NYC specific for the remainder of the session.

It quickly became apparent that the Assessment (LSI-R) Implementation Pilot, a first tangible step in the DOP’s EBP Strategic Plan was upper most on everyone’s mind. We also had in this session the only BC actually on the DOP’s Implementation Team for the Manhattan Pilot. I took advantage of her experience to create a dialogue for the entire group about what was decided and not yet decided as it related to the Pilot. This provided very real, relevant intelligence data for the small group work assignments. I asked the Manhattan BC on the Implementation Committee if she could attend the first afternoon of the second session, long enough to serve as resource person for their small group exercises. She sought and was granted permission to do so.

The Commissioner stopped by late on day 1 of the first session. He demonstrated his comfort with coming to reinforce the importance of this work and to acknowledge his own short comings. He told the group that some of the programmatic initiatives undertaken during his administration might go away over time, but he explained why he thought it would be impossible to walk away from the EBPP Probation Business Model. He was obviously hoping for some dialogue and the group was reticent to engage. I tossed out a couple of questions that I knew were on the minds of his audience even if they were reluctant to voice them. The Commissioner is very open and works at being transparent in these settings. While the group had expressed their irritation with his

referring to “do no harm,” as they felt it demeaned the job they do, he was very willing to take the time to patiently explain why it is an important value to him. While I’m certain he has provided this explanation numerous times, he remained relaxed and non-argumentative in his response. This then led to a broader dialogue with the entire audience. The second day of the first session took advantage of the comfort level among the participants. The work focused on small work groups creating products shared with the group of the whole.

In moving to the second session, the dynamics were somewhat different from the first group, in part because the first session did not have anyone from Headquarters. The agenda also had to be modified because of a couple of important departures from the first session.

During the second session, Clint Lacey’s introduction was extended when BCs took the initiative to ask him questions and carry on a dialogue. I was able to identify some key indicators of how this dialogue demonstrated Clint’s commitment to what he had been telling his audience. As Clint was leaving, the Commissioner arrived to have his time with the group. His comments, while similar to the earlier session, demonstrated his “take-aways” from the earlier session. He introduced some of the questions that I or others had raised with him during the first session. As a result, this group was more willing to engage in the dialogue. While extremely important contributions to the intent of engaging BCs in a meaningful way, these two expanded dialogues used most of the morning timeframe. Given I had scheduled the Manhattan BC to be available in the afternoon as a resource person, we dispensed with what had been the morning work for the first session. I don’t think the group lost any significant information but again it influenced the flow of the work in a way we just needed to live with. For me the expanded time the audience had in dialogue with Clint and the Commissioner outweighed the work exercise missed.

With a brief introduction to EBPP, the participants were asked to move into small groups for the same small group assignments the first session had completed. Each small group had a person from Headquarters assigned to it.

The small work groups from the two sessions went through a series of table exercises to identify:

- 1) What will BCs need throughout the implementation of EBPP, beginning with the Manhattan Pilot? The participants focused on BCs in the Manhattan Pilot and then considered what the BCs in other Boroughs need to know as they will eventually move into implementation based on the Pilot.
- 2) The first exercise caused the group to identify basic questions regarding the implementation in Manhattan and the implications for the other Boroughs.
- 3) The next table exercise challenged them to identify what they think will be learned from the Pilot and then needs to be communicated to the rest of the Department.

- 4) They identified what they thought are training needs for staff at different levels in the Department.
- 5) They proposed communication strategies to keep all staff informed on the progress of the Implementation.

The detail of these five categories is found following the Recommendation section.

## **IMPRESSIONS**

This is an agency, whose Commissioner is a very decent person. He is passionate about two ultimate outcomes that require further operational definition in order to measure effectiveness and efficiency of accomplishment – Producing Public Safety and Demonstrating Human Respect. He is open, transparent and energized. By his own admission he doesn't know all the detail of producing the outcomes he desires through this organization. He doesn't have to. His first line managers give him high marks for his skill at marketing the outcomes.

The portion of his Top Management Team with whom I have worked are open to learning how they can more effectively put in place the Evidence-Based probation business practices that will make the Commissioner's vision a measurable reality. They, some more than others, appear to have to come to the reality that EBPP is not a program but a way of doing business. Most of these people have not "grown up" in this agency or this industry. In their zeal, some have inadvertently undermined their own efforts by assuming long term BCs wouldn't get this new idea or didn't possess the skills to accomplish it. They have now come to the understanding that the BCs are the means to making the vision the reality.

I find the BCs a remarkably resilient group of people. As I distinguished earlier they may at times be skeptical, but by no means are they cynical. They care deeply about the same outcomes expressed by the Commissioner. They bristle at some of his way of describing the vision because they believe they have been at that same work for a long time. They are remarkable for the breadth of experience not just their length of service. This is a group that is ripe for the challenge to be authentically involved in crafting the means to the goal. They need information about methods other jurisdictions had the time to develop and improve upon that produce the measurable outcomes. They need some specific skills to more effectively and efficiently produce results through the staff they manage. They need to be actively involved, confronted when they are not productive and acknowledged when they do produce. They are not fragile; they are up to the challenge.

This is a group well worth further investment if they stay focused on implementing the business model using the science of implementation and do not get diverted to extraneous projects!



## **RECOMMENDATIONS**

- 1) The first order of business is to review the work products created by the BCs. There may be a need to seek clarification. The lists were consolidated from the flipcharts prepared by the small groups. Editing was kept to a minimum in order not to impose the facilitator's interpretation on the product. Because of hand writing or initials used as internal departmental language, clarification may have to be sought. Even this can encourage dialogue.
- 2) Some of the BC proposals are long term strategies (i.e. activities of the "Top Management"), some are short term tactics (i.e. answering some of the "basic questions" and communicating those answers broadly) and some are the use of tools (i.e. how to employ the Intranet productively). There is a need to review these lists in a timely manner and decide which are worth pursuing. Letting BCs know their input has been received and will be employed would be an important first step.
- 3) Given limited resources, Top Management needs to prioritize the list of Strategies and Tactics to insure they don't just bless all the suggestions. BCs need to be engaged in developing the details that will go into the implementation process for fulfilling the suggested tasks. BCs are ready to be involved in what they believe is meaningful development. They don't want to just be handed orders. BCs greatest contributions can be around the issue of keeping the progress of the Implementation of the Pilot communicated to and in front of all BCs.
- 4) Given the Manhattan Implementation has been postponed because of the storm, the Implementation Team would do well to sit down with all of the Manhattan BCs and go through the list of "basic questions." In some instances the answers may be easily identified, others may require the verification of information by a specific person and yet others may require some additional work by designated staff. This task should include all of the Implementation Team (not just the AC) and all of the Manhattan BCs as each person has a different role in a shared responsibility of making the Implementation of the Pilot a success.
- 5) Top Management needs to deliberately decide on which of the suggestions they will pursue jointly with the BCs (not do for or to them). This will go a long way to changing the culture as perceived from the position of the BCs. That has been a perceived culture of 33 Beaver formulating and imposing Initiatives without sufficiently involving BCs in planning the details necessary to make the Initiative work. When/if the Initiatives falter the BCs perceive they are then brought in to rescue it. If they are involved in the planning up front they own a stake in the success of the Initiative and cannot afford to see it fail.
- 6) The BCs wisely identify existing tools (i.e. meetings, intranet, etc) as the means to accomplish their suggestions. Make the BCs suggestions the substance of your existing forums.

### **What will BCs need throughout the implementation of EBPP?**

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Top Management needs to communicate systematically, through various communication mechanisms, what being Evidence-Based entails.

Top Management needs to convey this way of doing business calls for a balance between enforcement of court orders and assisting clientele to adopt a legal life style.

Top Management needs to describe frequently and consistently the anticipated changes and their anticipated impact on staff. Management needs to also describe the unanticipated changes as they are experienced and involve the BCs in rectifying those consequences.

Top Management needs to lead in an Evidence-Based decision making manner.

Top Management needs to deliberately build competence and capacity within the organization, taking into account the number of staff, current skill levels and the stigma of being assigned to specific units.

Top Management needs to involve BCs in the detailed implementation planning that provides for staff inclusion, realistic timetables, IT support, and policy and protocol articulation.

BCs need access to relevant research conducted on similar offender populations, demonstrating measurable results of EBP, results graphically portrayed.

BCs want to observe actual LSI-R interviewing in the Pilot.

BCs outside Manhattan want to connect with Manhattan BCs on a weekly basis to track the progress of the Pilot. (What is going well; what isn't; what needs to be modified?)

BCs want to learn from the Pilot the actual time it will take to conduct and score the assessment tools in order to anticipate staff deployment.

BCs need to be apprised of the realignment as it relates to caseload size and reporting requirements.

BCs outside the Pilot need full preparation in order to prepare staff of their Branches for the implementation.

BCs want to track the progress of the Pilot implementation and the integration of the assessment and Caseload Explorer.

BCs want to share suggestions and recommendations for crafting solutions for the unanticipated or unacceptable consequences that arise in the Pilot.

BCs outside of Manhattan would like to hear from the staff of the Pilot directly regarding their experience with the implementation.

**Proposed communication strategies:**

To build common awareness among the BCs of the "what & why" of the implementation Pilot use the Intranet, Email/Memo and the AC/BC monthly meeting restructured.

Post major milestones, task, timelines on the Intranet and update at least weekly to demonstrate timeliness and transparency.

To accomplish specific tasks, use the same communication tools (AC/BC Mtgs, Email & Intranet in reverse order). Build in checks of fidelity between AC/BC; BC/SPO; SPO/PO Meetings and communication.

Use video and teleconferences to reach targeted audiences with specific information, knowledge or to work through issues that have arisen.

Transmit Bodies of Knowledge to specific staff audiences using Email groups. Post for General Purpose on the Intranet.

Communicate using multi media, both written word and visual presentations.

- Provide Internet links to relevant resources

- Post video demonstrations

- Identify relevant e-learning sites

- Schedule future presentations by service providers, committed to being Evidence Based, that demonstrate the linkage between the LSI, IAP and services actually provided.

Messages need to be consistent and reinforcing.

**Basic questions raised regarding LSI implementation in Manhattan, with implications for the other Boroughs.**

Is Google Chrome loaded on each of the desktops?

Do all staff have Caseload Explorer Connect and password access to the system?

Do all staff have actual experience on how to log in to the system and actually complete their work (LSI-R both SV & LV) on the system?

Who will conduct the Quality Assurance on the implementation of the LSI, both SV & LV?

When will Interim Cases be assessed?

Who will replace Persio M at Rikers for interface?

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What does the Standard Operating Procedure look like beginning 11/01/12?  
(i.e. a C.O.I. Comes in. Who looks at it keeping the LSI-R/SV in mind?)

Is it C.I.U. Cases assigned or sentenced on or after 11/01/12?

Can we get reports from Caseload Explorer re: LSI-R/SV?

When in the process is the LSI-R/SV expected to be done by Investigations?

If there is a "waiver" on 11/01/12, where does Investigations assign cases given the new structure?

Given the new Supervision structure, what will be the process by which issues of staffing allocations, transfers, skill training will be determined?

What is the anticipated timeframe for the Pilot?

What is the level of proficiency to be demonstrated by Investigations, Intake and Supervision before moving the implementation to the next Borough?

Is the implementation schedule city wide being set by DOP or being imposed by forces outside the DOP?

### **Communicate what is being learned from the Pilot to the DOP via Intranet**

Communicate Department Wide, update weekly, status & experience with the Pilot.

#### Things to cover regarding Investigations

How does the time required for the new process compare with previous experience?

Where in the PSI process will the questions be administered?

Was the training/preparation sufficient or are there recommendations for modification?  
(Jail vs Bail Interview)

What about RAC?

What is the impact on sentence recommendation; do we incorporate reference to any questions?

Was the computer application easy to navigate?

Did it save printing?

#### Things to cover regarding Intake:

What is the accuracy of scoring (Q/A)?

How do staff "feel" about scoring;

Is there face validity to the results;

% of overrides proposed;

How long is the new process taking by comparison to the former;  
How are the assignments breaking out against the anticipated 39-61% split;  
Are there any problems experienced with the questions themselves, scoring process;

Things to cover regarding supervision:

What is the range of time experienced administering an interview using the 54 questions?

How are interviews being scheduled?

Is the assessment process having an impact on staff time for field work?

With the new classification, what is the impact of the contact ratio per case?

Is it manageable?

Are the questions/responses completed during Intake and Investigation helpful in completing the the 54 question version?

What are issues experienced with the restructuring?

How do the profiles obtained from the LSI compare with scores from the previous classification tool?

Does the LSI profile improve the referral process?

Do staff think the "needs" are accurately identified?

How do clients respond to the new interview process?

What is the fidelity of "fit" between the information gathered from the 54 question interview and what is required for the IAP?

**Training needs identified:**

Intense training on interviewing techniques.

Ongoing coaching of the skill requirements for the various components of Investigation, Intake and Supervision levels.

BCs want all staff trained on the most effective practices to implement Evidence-Based Practices.

BCs need training to build skills on how to effectively coach experienced staff.

BCs want peer training/consulting from experienced probation manager(s) of a comparable organizational level in a major jurisdiction that has been involved in this work for some time.

BCs want information and training for the initial implementation provided to each Borough as a unit.

BCs want DSOD trainers assigned to each Borough to provide training, coaching, debriefing, feedback and assistance with quality assurance.

# Learning Objectives and Proposed Methodology

## Evidence-Based Symposium for Branch Chiefs

### Week of October 22, 2012

#### Branch Chiefs Will:

Understand what is meant by being an Evidence-Based Organization;

*Dialogue with Q&A between the leader and BCs defines an E-B Organization*

*Identify the significance of this concept having not originated in Criminal Justice*

*I propose using a brief segment of the book Blink to identify professional resistance*

Review NYCDOP's introduction to foundational elements of Evidence-Based Practice

*The leader will acknowledge the introduction during the Mike Jacobson administration*

*Interview a BC who was part of the early design team during the "color teams era"*

*The leader will introduce NIC's EBP Elements reflecting no agency ever "arrives"*

Identify how to maintain the discipline of being an Evidence-Based Organization

*Table exercise on how to assure integrity in the implementation process*

*Table exercise insuring case plans addresses Responsivity*

*Table exercise using quality assurance to expand Evidence*

Identify how to use the LSI for individual case planning & aggregate business planning

*Presentation by NYCDOP Trainer on what the LSI does and does not tell us*

*Table exercise on how to use this tool as the key, not only, case plan building block*

*Table exercise aggregating individual case information for agency planning*

Identify how BCs will continue to develop experienced staff

*Leader facilitates dialogue on coaching behavior change as staff development tactic*

*Table exercise on what BCs will need in order to further develop their coaching skills*

*Table exercise on recognition of staff advancing EBP*

Explore how to improve external consistency with internal EBPP

*Table exercise on identifying whether referral services are Evidence-Based*

*Table exercise identifying additional external resources that fit an E-B case plan*

*Table exercise identifying new bodies of knowledge to incorporate*

