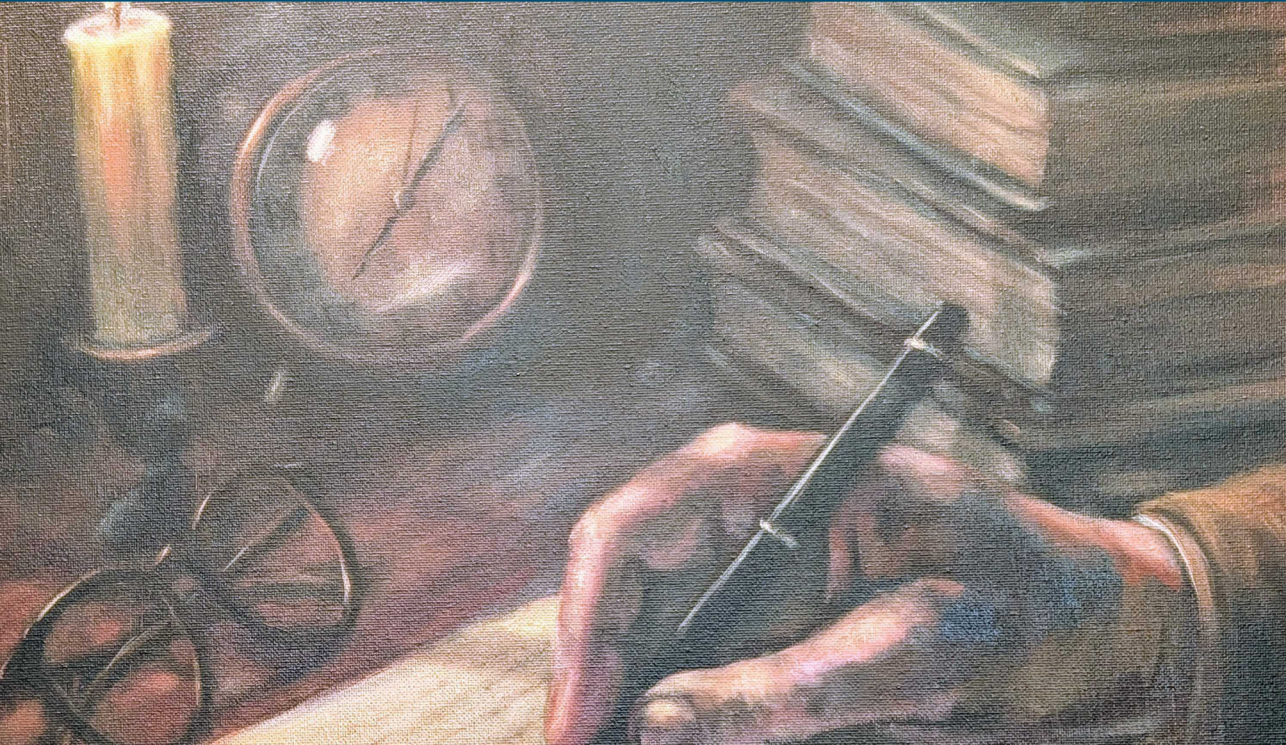


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## Article 27: “What Works” Creates Constructive (Rehabilitation) Cultures! (ACJ20-A027)



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## **"WHAT WORKS" CREATES CONSTRUCTIVE (REHABILITATION) CULTURES!**

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### Abstract

"What works" identifies practices and treatments that advance outcomes for the correctional system, staff, and the individuals involved with the system. What works can be implemented by using specific treatments and practices, using incentives (over sanctions), fostering procedural justice, and creating a culture that supports growth and development. A focus on the leaders and staff that work in the correctional system is imperative to effectively implement "what works" practices and treatments.

Rehabilitation goals facilitate the use of "what works".

**Keywords:** rehabilitation, cultures, what works

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## Introduction

Since the early 1990's, researchers have identified "what works" in institutional and/or community corrections to reduce further involvement in the justice system (recidivism). The underlying theme of the "what works" research is that rehabilitation over incapacitation or deterrence is more effective in changing the behavior of offenders—which serves the greater good of public safety. In other words, if we want to reduce recidivism, then we will have to pursue rehabilitation-based treatments and practices. Of course, this is an oxymoron because, while the science points to rehabilitation, the public and politicians view correctional agencies as tools of punishment, emphasizing punishment, accountability, and retribution—the tools of punishment differ from those of rehabilitation. While it is uncertain whether punishment and rehabilitation can co-exist, it is feasible to transform punishment efforts into humane, rehabilitation-focused correctional settings (Robinson & McNeill, 2008; Ward, et al., 2022). This is doable—it should be a priority for action.

### *What is "what works"*

Both treatment interventions and certain practices "work"—meaning that they contribute to reduced recidivism as well as to improvements in the justice culture to be more procedurally just and fair. The treatment interventions that work are cognitive behavioral therapy and interventions, therapeutic communities, contingency management, and drug courts (problem solving courts). The practices that work are use of a validated risk and need assessment tool, matching individuals to treatment programs relevant to their needs, use of incentives to shape behavior, and minimal use of sanctions. These are defined in Table 1. Collectively, these can serve to create a correctional culture that addresses the drivers of criminal behavior, assists individuals in learning new behaviors, and is fair and just (Andrews and Bonta, 2010; Taxman, 2002). That is, the punishment culture can be transformed into a social learning environment where staff serve in both a security role and as facilitators of behavioral change (Taxman, 2008). The social learning environment is beneficial to both staff and individuals in the correctional system through humane interactions that focus on positive, prosocial behaviors and attitudes.

This is a "short-list" of treatments and practices, but these are challenging in a punitive environment that considers the "clients" to be second class citizens due to their justice involvement (Viglione, Rudes, & Taxman, 2015). But the advantages are worthwhile given the benefits to staff and to individuals in the correctional system—in fact, just the benefits to staff make these even more worthwhile since they reinforce the professionalism of staff.

### *Why is "what works" procedurally just?*

The concept of procedural justice is that individuals will obey rules and regulations if they believe these are fair and consistently applied to all individuals (Blasko & Taxman, 2018; Tyler, 2006). That is, compliance is a product of the culture or environment that ensures that the rules are equally applied. When certain people are subjected to the rules (and others are not), then it suggests that the rules are flexible and only apply to certain people. It colors the environment to be unjust and unfair, and it contributes to chaos as individuals try to "game" the system to test which and what rules will be applied to them. The certainty of when the "rules" will be applied creates a sense of fairness. In a punitive environment, certainty in the application of the rules sets the tone for what is considered preferred behavior. It increases consistency across staff by reducing discretion. It is fundamental to a social learning environment.

### *Incentives are Culture Changes*

The correctional system assumes that order (and security) can be achieved by sanctioning certain behaviors—that is, the system is run by threats that certain behaviors will result in more punishments in the form of restrictions on behavior. The dominant theme of sanctioning as a tool to reinforce prosocial behaviors negates the reality that order can actually be created by consistency and incentives. In fact, operative conditioning emphasizes that incentives are important to define goals for individuals to achieve to get the pleasurable reward. That is, incentives identify target behaviors and/or attitudes that are considerably valuable and that are rewarded. Desirable, prosocial behaviors and attitudes are defined by placing a reward on such behaviors/attitudes and therefore it is possible to shape behaviors in this process. Punishments tend to dissuade learning desired behaviors/attitudes since the recipient cannot identify what they *should* do when the emphasis is on what they should not do (see Sloas, et al., 2019; Wodahl, et al., 2011).

Table 1: Overview of the "What Works" Findings

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| <p><b>What Works: Evidence-Based Treatments</b></p> <p><i>Cognitive Behavioral Therapy</i> helps individuals learn skills to restructure cognition (emotions and responses), to actualize behavior to achieve pleasure, and to use techniques to address negative experiences and thoughts. The process teaches strategies for self-monitoring experiences and feelings, problem-solving by assessing options and considering benefits, and developing strategies to handle life's challenges.</p> <p><i>Therapeutic Community</i> is a therapeutic process that creates a community where individuals gradually assume more leadership roles. The goal is to help individuals learn responsibility while also mentoring or teaching others prosocial behavior.</p> <p><i>Contingency Management</i> is the use of operant conditioning to reinforce positive behaviors. The goal is to reward the achievement of behaviors through social or material rewards for achieving that behavior. The process provides for swift and certain responses, which need to be clearly understood by the individual to be effective</p> <p><i>Problem Solving Court</i>. A special court process that involves the use of case management by judges (with the assistance of justice and health actors) which focuses on establishing target behaviors, use of sanctions and incentives, and frequent check-ins. The emphasis is on providing treatment services to address drivers of criminal behaviors.</p> |
| <p><b>What Works: Practices</b></p> <p><i>Validated risk and need assessment tool</i> to identify the static and dynamic risk factors to address in treatment or other services.</p> <p><i>Matching individuals to treatment programs</i> involves the use of case management to identify and place them in suitable treatments, services, educational programs, and/or employment programs tailored to their needs.</p> <p><i>Minimize the use of sanctions</i>. Punishment is used to discourage negative behaviors. However, too much punishment can also lead to defiance.</p> <p><i>Procedural Justice</i> uses clear, consistent decisions regarding how situations are handled. Procedural justice ensures that the decisions are uniformly applied.</p>   |

The question is, what incentives are most effective? Contingency management is the science of incentives where the emphasis is only on rewarding certain key behaviors and not responding to other behaviors (see Petry, 2000; Rash, et al., 2025). By identifying the desired behaviors, one also defines prosocial behaviors. The general formula for an effective contingency management system is: 1) identify target behaviors, preferably up to three; 2) identify what incentive will be given which can be social (i.e., affirmation, increase privilege, etc.) or material (i.e., money, vouchers, gift cards, etc.); 3) identify the frequency of when the incentive will be given; and 4) ensure that the system is doable (i.e., give incentives within some period of time instead of everytime a behavior occurs). An example is three target behaviors (i.e., clean urine tests, show up at work on time, and attend treatment) which may be rewarded by extra privileges or a voucher. An important part of the system is to "reward early" meaning that when a person is exposed to the system, they should be rewarded frequently to begin to shape behavior. The frequency of giving rewards should be tapered over time, focusing on sustained behavior rather than single incidents (see Petry, 2000).

Incentives position the staff (officers) to be able to acknowledge positive behaviors. It removes the tendency to look for faults and negative behaviors, and to focus on these negative behaviors. Instead, the staff acknowledges positive behaviors, which also sets the tone for the interactions to be affirmative and upbeat—after all, who doesn't appreciate it when small but deliberate strides are taken? Typically, the negative behavior will dissipate over time, and those who engage in negative behaviors will typically be ignored since they are not engaging in the target behaviors.

A good contingency management approach is consistent with a social learning environment because it identifies and rewards prosocial behaviors/attitudes. It is also procedurally just since everyone receives the incentives for certain behaviors/attitudes.

### ***Respect Increases Ownership in Behavior Change***

Andrews and Bonta (2010), the grandfathers of some of the "what works" literature and its transformation into the risk, need, responsivity (RNR) formulae, subtly remind the readers that what works components are better suited for a human service environment. A human service environment emphasizes trust, care, and fairness, with a focus on enhancing the well-being of individuals. Implicit in this approach is the emphasis on respect of the individual in terms of how individuals are treated and the role that they have in the system. Respect serves to help an individual understand that they are not demonized due to their criminal behavior, but rather that the punishment is an opportunity for personal growth and improvement. It also sets the tone that the individual can take advantage of the treatments and services offered for the purpose of self-improvement.

Related to this concept of respect is the emphasis on *shared decision-making* (Matejkowski, 2021). Shared decision-making is a process in which the individual and the staff jointly participate in deciding which programs, interventions, and/or services an individual should engage in. The shared-decision process involves: 1) Learn about the drivers of criminal behavior with opportunities for the individual to identify triggers or factors that affect their involvement in criminal behavior, such as reviewing the results from the risk and need assessment tool or any tools that have been used. 2) Consider all the options in terms of response, with an emphasis on identifying what options are better suited for the individual. This involves a discussion about the components of each response, how it may benefit or affect the individual, and what commitments are required to effectively engage with the option. 3) The

individual and staff person (officer) can then prioritize which options are best for the individual. This process helps the individual feel a sense of ownership over the option, which facilitates motivation to change, engagement, and overall success.

Respect and shared decision-making collectively serve to empower individuals by fostering a social learning environment by providing individuals with options regarding which treatment or service to receive, allowing them to freely discuss the pros and cons of each option. The individual feels validated and valued as well as vested in their own goals. The shared decision-making process is consistent with social learning.

### ***Staff Wellness Is Key***

Correctional work is often considered a challenging and demanding profession, characterized by a toxic environment (Chenault & Collins, 2019) marked by dysfunction, negativity, and distrust. This stems from an unhealthy culture that emanates from stress determinants, job stressors related to the job, organizational stressors resulting from structural and goal-related issues, and is further complicated by the characteristics of leaders and staff. The punishment culture is often perpetuated by low-resourced environments, poorly trained staff, ineffective leadership, distrust among leaders and staff, and limited expectations about the role of corrections (Ricciardelli, et al., 2020). A punishment environment overemphasizes accountability, where staff look for noncompliance behavior, even small infractions are identified and sanctioned, which tends to set a tone (Taxman, 2024). The fixes are easy in a rehabilitation mindset where positive goals of growth and development dominate, even for leaders and staff.

The perils of the environment create a need to explore how to transform a toxic environment into a healthy, productive environment. Adapting a rehabilitation goal as the sole purpose of institutional and/or community corrections initiates that pathway by acknowledging to the public, leaders, staff, and others that the system exists to foster desistance, and the best way to achieve this is for leaders and staff to cultivate cultures that support human development. It also means that we might need to consider the qualifications of those employed by the correctional system. In fact, Henderson and Taxman (2009) found that leaders with human service backgrounds (instead of law enforcement or the military) tend to adopt evidence-based practices and treatments. Coaching can be offered to line staff to develop skills and establish a tone that is conducive to behavioral change (Lovins, et al., 2018). In other words, techniques exist for this transformation, but they require a different attitude towards the goal of corrections.

### ***Rehabilitation Creates A Productive Environment***

Adopting the "what works" practices and treatments can be transformative. The use of these practices and treatments positions staff to focus on positive behaviors, to support the growth and development of those they are working with, and to create just and fair approaches. Incentives enhance how well "what works" works. The only purpose that facilitates what works is rehabilitation. It is within the reach of most correctional systems.

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**Faye S. Taxman, Ph.D.**, is a University Professor at the Schar School of Policy and Government at George Mason University. She is a health service criminologist. She is recognized for her work in the development of seamless systems-of-care models that link the criminal justice system with other health care and other service delivery systems and reengineering probation and parole supervision services. She pioneered the development of translational tools to ease the implementation of research findings into practice such as the RNR Simulation Tool ([www.gmuace.org/tools](http://www.gmuace.org/tools)) to improve utilization of assessments in practice and treatment matching protocols and the Cascade of Care planning and system measures toolkit (<https://www.jcoinctc.org/cascade-of-care>). Dr. Taxman has published more than 230 articles. She is the current Principal Investigator for the National Institute on Drug Abuse's Justice Community Overdose Innovation Network (JCOIN) Coordination and Translation Center. She is author of numerous books including such as *Implementing Evidence-Based Community Corrections and Addiction Treatment* (Springer, 2012 with Steven Belenko) and *Handbook on Moving Corrections and Sentencing Forward: Building on the Record* (with Pamela Lattimore and Beth Huebner, Routledge Press, 2020). The American Society of Criminology's Division of Sentencing and Corrections has recognized her as Distinguished Scholar twice as well as the Rita Warren and Ted Palmer Differential Intervention Treatment award. She received the Joan McCord Award in 2017 from the Division of Experimental Criminology. In 2018, she was appointed a Fellow of the American Society of Criminology. In 2019, she received the lifetime achievement award from the American Society of Criminology's Division of Sentencing and Corrections. In 2023, she won the August Vollmer Award from the American Society of Criminology. The Society for Implementation Research Collaboration (SIRC) in 2022 identified Dr. Taxman and her team for their work on collaborative and engaged research with the Mission Award.

