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executive director/ceo's message

Several of the excellent articles in this issue of Perspectives are a reminder of the importance of visual communication. What we see with our eyes catches our attention and sticks in our memory. A prime example is laid out in the article by Jonathan Fisher on how the New York City Department of Probation teamed up with a nonprofit organization (Seeing for Ourselves) to offer a NeON photography course to those on probation. The photographs of the NeON project have done so much to open people's eyes to the lives of individuals participating in community supervision—reaching out in a way that breaks through ingrained misconceptions and over-generalizations about the nature of probation itself and the type of people on probation. They provide a valuable window that underscores the truth of the old saying that a picture is worth a thousand words. APPA was fortunate to have some of the students from the course take photos during our annual training institute in 2023 – they did a fantastic job!

Next, consider the article by West Huddleston and Stephen K. Talpins on the need to revisit drug testing methodologies to increase ease of testing and close gaps in access. When it comes to our ability to step back from in-office urine drug testing and increasingly rely on oral fluid drug testing done remotely, the camera plays a crucial role. The individual being tested can document each step in the testing process, from opening the test package to capturing "close-up images of the results of the rapid test at multiple points in time," enabling a remote observer to verify the validity of the test with a high degree of certainty. The shift to digital cameras and their incorporation into smartphones has made photography amazingly accessible and useful as a tool in our day-to-day lives.

And, when it comes to the World Conference, I wish I could have captured in photographs what a stimulating and positive experience that turned out to be. Fortunately, William Burrell and the attendees quoted in his article have done an excellent job of presenting in words the excitement, energy, and sense of collaboration we all experienced. First-hand participation can be the best and most memorable way of learning and growing. In that regard, I urge those working in this field to make every effort to participate in training sessions and conferences, including APPA's upcoming 2025 Winter Training Institute in Las Vegas, Nevada. The synergy of working with others helps us all advance in our personal and professional lives.

Before closing I want to underscore the challenge offered in the "Looking at Probation in a Whole New Way" article to develop a parallel program in your local area--and the helping hand available from the original program staff for doing so. As always, thank you to each of the contributors of these great articles. Of course, I am grateful to those who see the value of this digest and take the time to read and grow!



VERONICA CUNNINGHAM
EXECUTIVE DIRECTOR/
CEO APPA

A handwritten signature in cursive script that reads "Veronica Cunningham".

10

**THE SIXTH WORLD CONGRESS ON PROBATION
AND PAROLE**

BY WILLIAM D. BURRELL

16

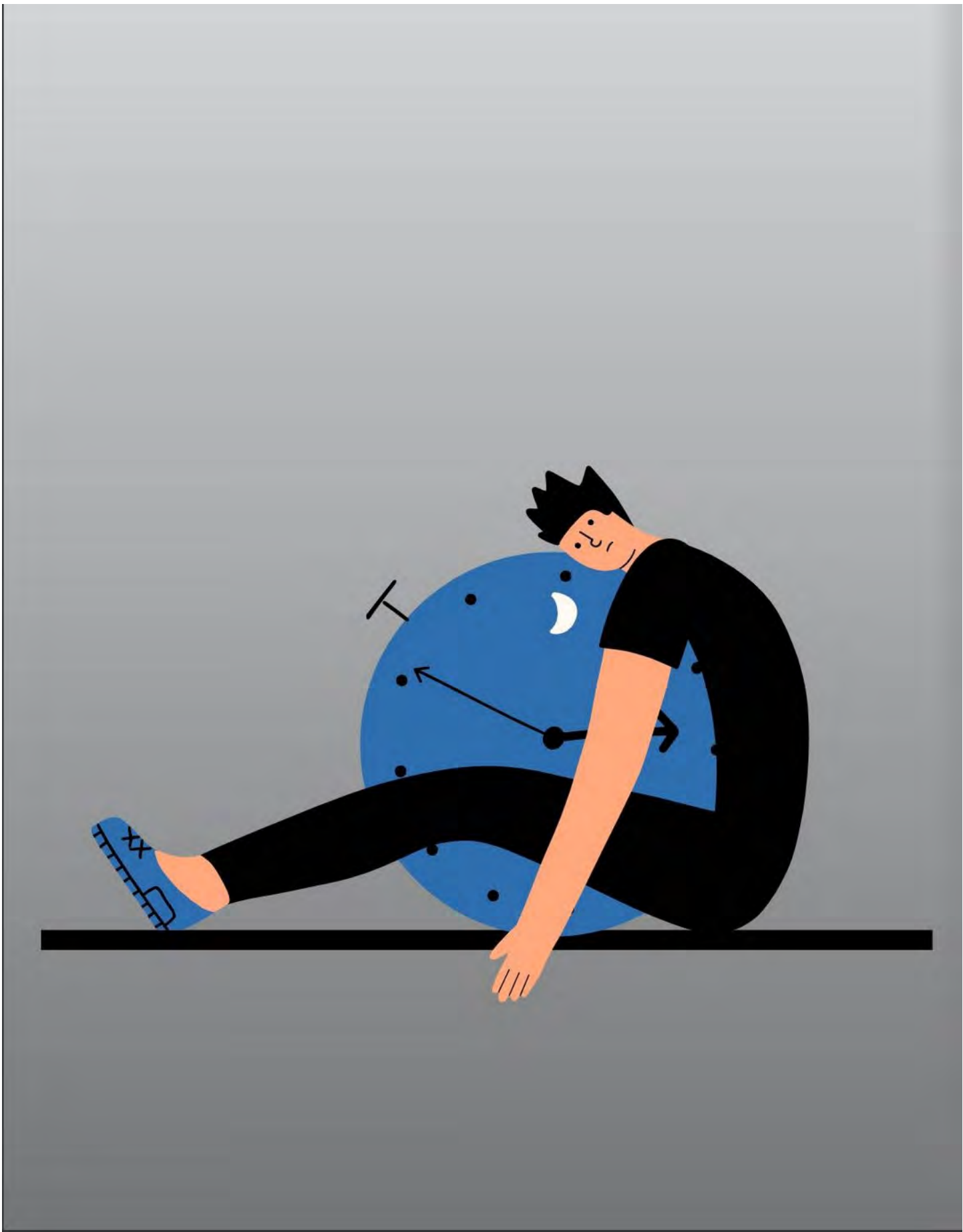
LOOKING AT PROBATION IN A WHOLE NEW WAY

BY JONATHAN FISHER

24

**SOLVING THE ACCESS GAP IN DRUG TESTING:
A CRITICAL SUPPLEMENT OF REMOTE DRUG
TESTING EVERY PROGRAM NEEDS**

BY WEST HUDDLESTON AND STEPHEN K. TALPINS



LOOKING AT PROBATION IN A WHOLE NEW WAY

by Jonathon Fisher

"Taping dog's mouth shut gets him probation in Topeka"
(*The Associated Press, 2020*)

"East Boston woman on community supervision makes off with her probation officer's wallet"
(*WISN, 2015*)

"Cold-cocking chiropractor earns Florida man probation"
(*Cooper, 2015*)

While the above news headlines have been somewhat disguised, the imagery that accompanied the original stories can easily be imagined. We have, after all, become accustomed to the photos of scowling Americans clad in orange jumpsuits illustrating stories about probation. It would also be no great stretch to consider that such imagery may kneecap one's attempt to return to a law-abiding life. And it can follow one around online forever (Lageson, 2016). Whoever has said there's no such thing as bad publicity may not have been on probation at the time.

The media scorn of probation as a sanction, along with its mockery of those serving a term, is exactly what certain New Yorkers on probation and their neighbors have been trying to undo since January 2018. It was then that a novel "participatory photography" program was brought to the city's probation agency by a nonprofit organization, Seeing for Ourselves.

Seeing for Ourselves equips and trains marginalized individuals to take control of their own public narrative by documenting their lives photographically. It delivers a 12-week college-level program in the art of visual storytelling. The nonprofit then promotes the new imagery in gallery exhibits, publications, film, and social media. Shifting the discourse about people on probation, and probation

itself, can have lasting impact on the nearly 3.1 million Americans sentenced to a term of probation in 2022—more than those in jail or prison or out on parole combined (Carrano & Fisher, 2023). This article documents how the program and the practice of participatory photography is helping to change the public image of probation.

PROBATION AND THE MEDIA

It seems no accident that the "second chance" known as probation was begun in 1841 by Boston bootmaker John Augustus (New York City Department of Probation [NYCDOP], n.d.) here in America, the country that itself was a second chance for so many. The practice entails supervision in the community, generally as an alternative to incarceration. For a century after its institutionalization in the Bay State in 1878, the practice was portrayed by the media as a legitimate criminal justice sanction (Carrano & Fisher, 2023). However, the 1972 to 1992 crime wave (Lancaster, 2017) led the media to begin characterizing probation as a slap on the wrist, if not a joke (Carrano & Fisher, 2023)—an ironic development, as in another apparent reaction to the crime wave this originally rehabilitative practice now turned punitive.

After the shift toward increasingly punitive policies took hold, untold numbers of Americans wound up pinballing between probation and prison, continually tripped up by arduous stipulations or mandatory conditions of probation (Pew Charitable Trusts, 2019). Over the ensuing decades, many jurisdictions began to walk back the harsh transformation of probation, and New York City led the way. Its many innovations have turned it into an industry leader and helped make it one of the safest large cities in the country (Carrano & Fisher, 2023; Gordon, 2024). Yet beyond the news headlines, probation remains largely unknown to the public.

Both the NYCDOP (Bermudez, 2015) and Seeing for Ourselves (Carrano & Fisher, 2023) believe that the

media's continued scornful portrayal of probation and its mockery of those immersed in this criminal justice intervention may have discouraged reforms elsewhere, preventing the practice from living up to its potential as an alternative to jail or prison. Jurisdictions may have concluded not that probation should be made more effective but that such an effort would not be worth the trouble. (To point out a parallel example of public entities walking away rather than offering obvious countermeasures, government support of New York City's public housing tended to evaporate in the face of mocking media treatment of the housing projects since the 1970s, as the city and state concluded not that more support was warranted but rather that investment was a losing hand [Carrano et al., 2015].)

Recently, a competing narrative to the media's unflattering treatment of probation has emerged and drawn attention. In this telling, rather than individuals failing probation, the justice intervention itself fails those whom it serves (Harding et al., 2022). While some see this outlook as leverage for legislative reform, others see it as a call

for abolishing the practice altogether (Schiraldi, 2023). This continued focus on failure, while characteristic of a national media that has adopted an "If it bleeds, it leads" outlook, may not be as helpful to criminal justice as a different narrative altogether.

SEEING FOR OURSELVES

Seeing for Ourselves initially brought a similar participatory photography program to the city's public housing agency from 2010 to 2013 to counter a generation-long focus by the national and local media on crime and disrepair that undermined city and state support of these beleaguered communities. The most revealing imagery was combined with a backstory about public housing in the globally acclaimed, award-winning Project Lives (Carrano et al., 2015). That work created a new visual narrative—one that brought the city and state back to the funding table (Fisher, 2021).

Evidently persuaded by this success and encouraged by an award to the nonprofit by the National Endowment for the Arts at the end of 2017, NYC asked the nonprofit



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to next deliver its programming to New Yorkers on probation. While Seeing for Ourselves had previous experience in public housing when setting out on its first initiative, it possessed no background in criminal justice. It would face a steep learning curve.

THE PROBATION PHOTOGRAPHY PROGRAM

Centered around a 12-week course delivered by the nonprofit’s embedded photography teacher, “NeON:Photography” took its place at the NYCDOP as one of a variety of programs of the agency’s Neighborhood Opportunity Network (NeON) that served the seven underserved communities where most individuals on probation live: the South Bronx, Harlem, Jamaica, Bedford-Stuyvesant, East New York, Brownsville, and the north shore of Staten Island. In the program’s inaugural implementation with those on probation, hundreds either shared high-end, digital single-lens reflex cameras donated by Sigma Corporation of America and Seeing for Ourselves or opted for the alternative of using their own smartphone. Like other NeON offerings (including music, poetry, and wellness), the course was open to community members generally, not solely those serving a term of probation. This element of NYCDOP practice aimed at reducing the stigma associated with justice involvement (Carrano & Fisher, 2023).

Starting up slowly in the spring of 2018, with the nonprofit an unknown entity in these communities, NeON:Photography would before long be swamped by applications. Reportedly, the waiting list now numbers over 500 (American Probation and Parole Association [APPA], 2023). The course has led to thousands of dollars in stipends paid to participants by the city in the interest of job readiness for engaging in the program even as Seeing for Ourselves turned over half its National Endowment for the Arts grant to the participant photographers. Meanwhile, according to NYCDOP officials, thousands of economic opportunities have been created in the form of paid teaching jobs and photo shoots along with photograph sales. This allowed for new careers to be launched, and others turbocharged (APPA, 2023).

Entire lives began to change as participatory photography drove home that everyone has a unique own point of view—a revelation to some (Fisher, 2021).



Early anecdotal evidence seems to demonstrate a lower rearrest rate for those in participating in the program (Davis, 2020). However, further evaluation and research is needed to uncover the potential impact of the program in this area.

The effort began to take on the air of the paradigmatic Hero's Journey (Voytilla, 2003). The participatory photography program started up slowly, corresponding to the Journey's stage of "refusal of the call." The photography instructor then began to teach the students, corresponding to the Journey's "aid from a mentor" stage. The participants accepted a mission to undo negative stereotypes, corresponding to the Journey's stage of "the challenge." Those students on probation were kept on the path by neighbors who were also taking the course, corresponding to the Journey's stage of "help from allies." Finally, the photographers were able to deliver brand-new imagery to the world to help reset probation's public image, corresponding to the Journey's stage of "the return."

Instead of a mug shot, the visual narrative of probation could be a bald gentleman comfortably settling down in a barber's chair for a shave. A mother proudly celebrating a child's birthday. A row of smiling probation officers offering assistance.

As the article by The Philadelphia Inquirer (Melamed, 2020) and coverage by various media outlets of the gallery exhibits, film, and book delivered by this initiative exemplify, the media narrative about probation began to change (see the Whole New Way website, n.d.). Critical of neither those immersed in it nor of the sanction itself, a new focus celebrated those who not only made probation work for them but who in turn worked while on probation to reform probation by creating a new public narrative. As noted earlier, NYCDOP and the nonprofit it worked with believe that such portrayals can do even more than just encourage change within punitive probation jurisdictions themselves; they can also promote an attitudinal shift among the population at large, especially when coupled with the gallery exhibits, film, and books that themselves seem to have a similar impact. And there's more. Keep in mind that landmark legislation such as the Civil Rights Act of 1964 and the Clean Air Act of 1970 did not appear out of the blue. The way was prepared by evolving public sentiment. Similarly, a new public view of probation might help clear a path to legislative reforms.



At the end of 2021, Seeing for Ourselves departed from the probation agency, with its programming now permanently institutionalized under the direction of the nonprofit's erstwhile photography instructor, now an NYCDOP official herself. For more information and to view the culmination of this work, see *In a Whole New Way*, a documentary that aired on PBS (Fisher, 2021). A workshop on the film was held at the APPA 47th Annual Training Institute in Chicago in 2022, which was co-hosted by the NYCDOP commissioner along with Seeing for Ourselves and was received enthusiastically by audiences. A plenary screening of the work at the APPA 48th Annual Training Institute in NYC in 2023 was co-hosted by NYCDOP's new leadership team along with the nonprofit and a key program participant. The reception here was also strongly positive.

I have two words: "inspirational"—both your personal testimony and the film. They are inspirational. There's no other way to put it. ... The other word I could use



here is just “profound”—the kind of transformation you’ve documented here that happened in the New York City probation department, and you’ve created an incredible program....I just think that we all, as professionals in the field and really wanting to make a difference, should take this lesson to heart. You work in a bureaucracy, and there are a thousand rules and restrictions: “You can’t do that. You can’t do this. There’s no hope.” All this kind of nonsense that we hear on a routine basis. This is an antidote to that. And I want to thank you from the bottom of my heart for everything you’ve done.

That is a powerful statement about making a difference and the role of attitude.

Before closing, it’s worth mentioning that the Seeing for Ourselves- NYCDOP collaboration--and the media climate that gave rise to this project--are not unique to this country (Fitzgibbon, 2017). Indeed, in a manifestation of synchronicity, a participatory photography program to address the poor public view of probation in the European Community started up there in 2014, only four years before the Seeing for Ourselves effort got underway (COST ACTION, 2016).

CONCLUSION

The involvement of the Seeing for Ourselves program with probation underscores how the voices of those directly impacted by probation—or, in this case, their imagery—can provide a much-needed counterweight to media portrayals of the practice and those it serves. Such a counterweight is crucial, as probation in the large number of still-punitive jurisdictions seems designed to fail, fueled by widespread negative perceptions. It will be a struggle to ensure that the media cover more than a token number of the people who succeed and that such individuals have an opportunity to present how they view their experience. Headlines such as those that opened this article or stories told from a victimology viewpoint will not be going away (Arvidson, 2024).

How might a probation department go about addressing this situation and breaking through the wall of negative media coverage? Pushing back against current practices and attempting to publicize success stories is no easy task but is worthwhile. One illustration of the uphill struggle ahead is what happened with the documentary *The First Step*, which focused on the successful efforts of

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21

Van Jones to secure criminal justice reform at the highest level. According to the director, Netflix did not pick up the film because it told too positive a story; the streaming platform would not know how to market it (Kramer, 2021).

A second idea is to ask NYCDOP for assistance in establishing a local version of NeON:Photography. When such interest was voiced on behalf of the American Civil Liberties Union-Delaware, NYCDOP expressed willingness to provide such help. If circumstances prevent that course of action, a third option may be to determine whether probationers in the area the local department serves can enlist in the current NeON:Photography course. The program has been conducted virtually since the pandemic, so adding students from other jurisdictions may not unduly burden NYCDOP. Several NYC nonprofits have already expressed such interest. The stage would then be set for gallery exhibits and other forms of promotion in the local area.

A fourth way to make progress is to help promote what the New Yorkers in the program have already achieved. The way a nonprofit agency teamed up with a probation department and produced this valuable collaboration is a story that deserves attention. Consider the impact on individuals and the community—the way attaining mastery of a camera and learning how to express oneself on film has played out over and over again, the proverbial “thousand words” represented by each photo resulting from the project, and the widespread capturing and sharing of memories and differing perspectives on film deserves recognition.

In conclusion, progress has been made, but further research is needed to uncover the full impact of applying participatory photography practice to those on probation. Efforts will continue in that regard. Moreover, keeping up and keeping on with the progress already made is crucial. As stated earlier, the process of helping to undo mass incarceration by changing the media narrative about probation is a marathon, not a sprint. At the end of the road, the justice system will hopefully be in a new place.

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FALL 2024

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