

Federal Judicial Center
Off Paper - Episode 16:
Creativity During COVID-19:
How Probation and Pretrial Officers
Are Managing Crisis

Mark Sherman: From the FJC in Washington, D.C., I'm Mark Sherman. And this is *Off Paper*.

On March 13, 2020, the president of the United States declared the COVID-19 pandemic a national emergency. States ordered citizens to stay home and nonessential business to shut down as millions lost jobs, hundreds of thousands became sick and tens of thousands died.

United States district courts across the federal judiciary rapidly issued orders drastically altering court operations in an effort to mitigate the spread of the disease. Essentially, Probation and Pretrial Services offices have had to maximize the use of telework among staff. Officers have had to cut back significantly on in-person contact with individuals they're investigating and supervising. They've needed to use communication technology more creatively to conduct their investigation and supervision work.

Courts have been holding hearings via video conference. And they're receiving requests from individuals in pretrial detention and the Bureau of Prisons to be released in order to

avoid the scourge of the virus that has infiltrated a number of correctional facilities.

Today is May 18th, and the pandemic continues to rage across the world. Four point three million people have been infected worldwide and over 293,000 people have died. The United States makes up a fourth of that number with over 1.4 million people infected and the number of deaths approaching 90,000.

District courts' orders are in effect indefinitely. And business as usual has become highly unusual. Even the U.S. Supreme Court has been forced to drastically alter its operations in response to the novel coronavirus for the first time hearing oral arguments via teleconference with the justices hearing and attorneys arguing from home. But working from home during a global pandemic means something else for Probation and Pretrial Services officers, the frontline workers of the federal courts. We're going to hear from Probation and Pretrial Services officers who will tell us in their own words how COVID-19 is impacting them in both their professional and personal lives.

Jennifer Simone: Even after two months, my days are still spent working through technical difficulties with my case load while trying to get used to the idea of monitoring compliance from afar. I've had to work on patience and listening a lot

more since COVID. Because everyone is struggling to adapt in different ways to the changes connected to this pandemic. This applies to everybody - defendants, coworkers, and family. We're all just doing the best we can.

Mark Sherman: The vast majority of Probation and Pretrial Services officers are now working from home and conducting investigatory and supervisory work virtually using all sorts of information and communication technology often for the first time. Individuals on probation and supervised release have also been forced to cope and adapt. It's challenging enough to be on pretrial or post-conviction supervision, especially if you have a substance use disorder or mental illness, no job or no family or community support.

Jennifer Simone: I think that they struggle with technical difficulties just as much as all of us do. It's crazy. It's like you got to find the right app. I mean, that's part of our new intake, what phone do you have.

Mark Sherman: Transitioning to and from prison is hard enough. Now, imagine the anxiety caused by leaving prison for a locked down world or entering jail or prison at the mercy of a rapidly and easily transmitted deadly disease.

Officers working from home must adapt to a radically changed work environment. In-person contact with colleagues, supervisors, and friends has been significantly curtailed, if

not eliminated. Single officers living alone must combat a greater feeling of isolation.

Female voice: I am a post-conviction supervision officer in the Midwest. I just miss people and my friends and my coworkers, the social interaction that is now missing when you stay home alone for an extended period of time. So needless to say, I'm ready to go back to work.

Mark Sherman: Officers sharing a home may have to compete with other family members also working from home for time and resources. Homes with children who are not able to go to daycare or school must now add the kids' day-to-day caring and schooling to their tasks. Caring for elderly relatives can be just as challenging. And their paid job investigating and supervising individuals to keep the community safe, which can be emotionally taxing even in the best of times, still has to be done.

Today on *Off Paper*, a conversation with two Probation and Pretrial Services officers about their responses to the pandemic and how it has impacted them both personally and professionally. These officers are, like thousands of their colleagues across the country, coping with the changed environment brought about by COVID-19, and their having to adjust their lives accordingly. Stay with us.

I'm joined by Probation and Pretrial Services officers January Welks and Jennifer Simone. January is a U.S. probation officer from the District of Connecticut conducting post-conviction supervision and has been a federal officer for ten-and-a-half years. Jennifer is a senior U.S. pretrial services officer and treatment specialist from the District of Nevada and has been a federal officer for 14 years.

Later, we'll talk with Dr. Guy Bourgon, a clinical psychologist who was worked for many years with Probation and Pretrial Services officers in both Canada and the United States. Dr. Bourgon will help us explore the impact such extreme changes to both personal and professional environments can have, and will offer his observations and ideas about how officers can cope effectively with the changed circumstances brought about by the pandemic.

We begin with January Welks and Jennifer Simone. January and Jennifer, welcome to *Off Paper*.

January Welks: Thank you so much, Mark.

Jennifer Simone: Thank you, Mark. Good to be here.

Mark Sherman: First, I want to thank you both for taking the time to join today. And just to acknowledge your dedication to your work and to your colleagues for whom you're doing a great service today by talking about what you've both been experiencing professionally and personally during the crisis.

January, how has the District of Connecticut Probation and Pretrial Services Office been conducting its work since the pandemic hit? And what has the past few weeks been like for you, both in terms of your work as an officer and your home life?

January Welks: Well, it's certainly not what I thought I signed up for when I became a probation officer, so many different hats to juggle. Specifically, in the District of Connecticut, we are now on double digits of work at home full time. So we are in week ten, which is, I think, when it started, none of us thought we would get this far with regard to where we are. So we've brought on four new officers in this pandemic, which has been a challenge in and of itself, to develop a fully electronic curriculum and welcome them to a district where we really are a family. We eat lunch together. We all spend time with each other, both in the office and out in the field, obviously, but also in our personal lives. So a lot of us feel very disconnected from each other.

In terms of personally, I've learned to juggle a lot more and find that I'm actually not great at juggling too many balls up in the air. I definitely found out that I am a great mom, a great probation officer, and the bottom of the barrel when it comes to a third grade teacher. My patience is very limited, but I'm really working on it. I think as a mom, I have more

patience than as a third grade teacher. And my type A probation officer hat gets mixed in with teaching an eight-year-old, it becomes very difficult.

Mark Sherman: So you know, it sounds like the adjustment understandably has been tricky. And you were kind enough to record for us a one-day audio diary for this episode. And in it, January, you talked about a telephone check-in that you did with a client you're supervising on location monitoring, who began to cry because of the sense of isolation he's experiencing. Let's listen to what you said about that in your audio diary and then we can discuss how you experienced it.

January Welks: Well, it's now 2:15 and the day has gotten away from me. Lunch was a huge success today. We all were fed. We all enjoyed each other's company. But then when it came to an end, I came upstairs to go into my home office instead of walking down the hall to my actual office, which meant I had a third grader coming with me for assistance on some social studies Native American work. That impacted my ability to get back to my own work. But it is the way of the times right now.

Then I had to find my own solace in my room and be careful of my environment so that I could do an electronic monitoring home visit with an individual who then proceeded to start crying on the phone about his concerns about his own isolation. Not just because of ELM but because he doesn't have very many

community members outside of his mosque, which is now closed. So we worked through that which ended up being a 40-minute call. And now I have to go check on the little one again.

So I still haven't gotten to the remote com. But hopefully I will get to that today. It's going to be another one of those long days in an effort to get through the to-do list.

Mark Sherman: In the diary, you said the call ended up lasting longer than you had intended so that you could talk through some of the issues with the client. And in normal circumstances, a longer telephone call or a longer check-in might not be that big of a deal and you'd work around it and that kind of a thing. But I wonder how that affected your life now on whether it was different than if you were sort of back at the office.

January Welks: It's much different. Now, when a call goes long, I'm plugged into that individual to help them and to make sure they are okay. But part of my thought process also is, I hope someone doesn't walk in the room who this client doesn't know exists. Most of the people I supervise don't know that I have a child. And so I worry about that. And then as soon as the call is over, I am going to check in on my son and checking to see what time it is and make sure dinner is made. And we probably have now had more screen time than I originally had allotted for that time of the day.

So it's different than when I'm in the office. I can just say, hey, I'm running a little bit late. I'm on my way home now. I open the door and I am home. There is no separation to sort of decompress and sort things through. And then even with this individual, typically, I would like to go out in the field soon and go see him. But I'm going to accomplish that but it's going to be through a FaceTime visit to try. And more increased contact through the phone is happening instead of just popping by his house to check on him.

Mark Sherman: So again, I think one of the things that this crisis is really challenging all of us with, particularly folks like yourself, January, is just sort of the boundaries get very easily muddled. And you're challenged constantly on a regular basis, especially if you're working from home, to somehow maintain those boundaries in a way that it can feel unnatural. And how do you react to something like that?

January Welks: You know, there are certain individuals that I supervise. I feel very comfortable talking to them in my home. I set up a blank wall. I've done sort of test runs with my coworkers on what they see in the background. So in that sense I feel very comforted. There are other individuals that just mentally it makes more sense for me to hop in the car, drive down the street, and do the visit in my car.

And in terms of boundaries, prior to COVID-19, I had never FaceTimed an individual that I supervised except when there was a tamper on electronic monitoring, you know, at 2:00 in the morning. At least I could see the unit and the next day I was going out to check on it. Now, I'm doing that regularly. And there are times when individuals will just FaceTime me now without us having a scheduled call.

So it's a new way of doing work. I often won't pick up the FaceTime call if they're calling randomly. And will call them over the telephone and say, can we schedule a time to do this, to make sure I'm in the proper place to facilitate that visit.

Mark Sherman: Interesting. So it's really like not only are you having to juggle boundaries at home and sort of between work and family, you're also having to deal with boundaries between yourself and your clients because this is all new and weird for them too.

And Jennifer, I wanted to bring you into the conversation. You live and work in a much different environment because you're in Reno, Nevada. You're not in Bridgeport, Connecticut like January. Yet you're also dealing with most, if not all the same challenges. So I wanted to ask you how the District of Nevada Pretrial Services Office has been conducting its work. And what that's been like for you in Reno.

Jennifer Simone: Well, we're not too dissimilar from what January had mentioned. But I do have to say that when COVID hit, it hit hard and fast. There was a lot of information that was coming at us and a lot of kind of quickness to adjust to the circumstances while being informed. I think our district wanted to make sound decisions, making sure that everyone is kept safe, and at the same time wanting to maintain the standards that we had prior to COVID.

So our district has relied a lot more heavily on telework. However, there still may be occasional things that we need to do in the office. So what they've done is they have more or less assigned a duty officer to cover the office, either by themselves in Reno or in Las Vegas. There are a couple of duty officers that will manage the Las Vegas office. And that could be anything from receiving packages or if there needs to be any location monitoring installs, those individual can do that. But we primarily just relied on technology alone.

So kind of adding to what January was saying about boundaries, for me, it's been about being flexible. Because yeah, you have to take off that type A hat because you don't know what's going to go on. And you can go in and have an expectation that this is what my day is going to be like. However, that's not the case, especially when you're managing a household.

I have two children and they're both in school. So if one child needs help, then I have to stop what I'm doing and I have to take care of their questions and their needs. So I kind of jokingly say that because most of my work that's required is through 8:00 to 5:00, that I kind of have my kids on a college student schedule in that I may give them some tasks but I'm actually doing the work. I'm going through their school work after 5:00. So I'm saying, okay. Well, what did we not get done? That's when I'm checking their papers. That's when I'm making sure that everything is being accomplished, and if there's something outstanding that they didn't do then we're attacking it after 5:00. So, you know, that's kind of how college kids work these days.

Mark Sherman: Right. So it's a brave new world for everybody, I think. And it's, again, something that you said brings me back to your one-day audio diary. In it you described that in the week that you were doing the audio diary, you happened to be the duty officer that week. You mentioned arriving at your office building's virtually empty parking lot and then being in the office by yourself. Let's listen to that.

Jennifer Simone: So after working in silence for the past few hours, I was able to complete some case work and some other tasks on my to-do list. The silence almost seems too quiet though, which can be just as distracting as when there's a lot

going on. I kind of miss the loud conversations and signs of life throughout the office. Our janitor came in this afternoon to clean up the office at 1:00. We talked for a while about how life is going and how we can't wait for things to start opening up. It's moments like these that remind me that physical presence is more meaningful than a phone or virtual call.

Mark Sherman: I was wondering if you might elaborate on what that was like for you.

Jennifer Simone: Yeah, absolutely. One thing I can say about working in the office and working at home is the grass is certainly always greener on the other side. Because when I'm working at home teleworking, I look forward to those weeks being in the office because I said, okay, I'm not going to have 15 distractions throughout the day and I can actually sit and focus.

But then I come to the office for that week and it's completely empty. Not just my office, it's almost virtually every office in the building. It's so quiet that that in itself is almost just as distracting as when you have a lot going on. And especially with the nature of us being here in the first place with COVID, there's a lot of questions about -- okay. Your mind is just racing.

So that's how it has been. I'm able to get a lot of stuff accomplished when I'm in the office. And I like the opportunity

to really focus on my work. That also gives me the opportunity to leave my work at work, right? We talked about boundaries, and when we're at home, those boundaries get blurred because I might be on a lunch break, so to speak, with my children but I'm getting phone calls. Or I might have a meeting that I have to hop into in 20 minutes.

So it's hard. And this is I'm sure the struggle of anyone that works from home. And then sometimes your 5:00 workday doesn't end at 5:00 because you still have to accomplish all those other things. And that sometimes 5:00 turns into 6:00, turns into 7:00. Before you know it, oh, my gosh, I have to make dinner. Or, I have to check on the school work that maybe I didn't get to for the last four or five hours. So that's the wonderful thing about being in the office. But the loneliness and the isolation for me really hits in when I'm actually in the office not around anyone.

Mark Sherman: You know, one of the things you also said in the audio diary is that you've discovered that you need to work on your patience and listening during this crisis, which I thought was an intriguing and interesting observation. So how did that come about?

Jennifer Simone: Well, I think one thing that I've learned is people are adjusting differently to COVID in their own ways. Some people are seeing the bright side of things and saying,

great, I don't have to do all these responsibilities. Or at least my responsibilities are less. Others are struggling. They're like January described where they're in tears because they don't know how to work through a certain problem.

So it's so easy for us in our job to get in this routine and go through your set of questions. You know what to listen for. But this is a brand new environment and everyone is coping differently. So I'm really listening to what these individuals are saying. And you kind of have to try and fill in the blanks because sometimes people struggle to say what they need. So oftentimes, it's easy to say, hey, what do you need? And they'll say, oh, I'm fine. I don't need anything. Yet they're struggling to put gas in their tank to get down to the drug test. Or they don't understand how to work through Zoom so they can meet with their counselor.

So it's a lot of really having patience and trying to figure out what exactly it is that they need. And trying to also understand where they're coming from with this new underlying issue of having COVID around.

Mark Sherman: So it's interesting to hear this observation, especially coming from a very experienced pretrial services officer who is already very good at listening and being patient. But then to hear that you've kind of got to redouble your efforts and that you're learning more is really valuable

and really sort of tells us a lot about, you know, sort of the stress of having to do this kind of work under these sorts of conditions.

So January, you also said in your audio diary that at one point in your day you had to set-up a virtual school. And then relegate your third grader to his bedroom so you could do a FaceTime check-in with a high risk individual on ELM who you are supervising. And that's certainly different than what you normally have to do on a standard workday.

January Welks: It really is, Mark. Normally, on a standard workday, I drop my son off at school and I head to work. And I don't have to compartmentalize where he is and what he's doing versus am I far enough away from the room that he is in right now so that he doesn't hear the conversations that I'm having with this individual? Is he going to abide by the knock before you enter? And if mom doesn't respond, just hang on a little bit longer? It's more scheduled, I would say. I try and block off time that I can dedicate to him so he feels valued; he gets his work done. We're having a normal household but also block off time for the individuals that I supervise who are very important and need the attention that I would normally give them in a regular eight-hour day. It's separated, a lot different, and managed to the nth degree although there's a lot more

unknowns at home than there are in the office or out in the field when stopping by.

Mark Sherman: This part of the conversation also reminds me, Jennifer, that in your audio diary, something that was present throughout was that your kids were very much on your mind. But you know, first you said that, again, you needed to work on your patience and listening. January, I want to hear from you, too, about this. Do you, Jennifer, feel like the stuff that you've learned over the course of this crisis will affect the way that you want to do your work in the future?

Jennifer Simone: Absolutely, Mark. I do think that the stuff that I have learned as far as -- I mean, using your example, the patience and the understanding. That to me has meant so much. And I definitely know that moving forward even past this pandemic, that that's probably something that I would like to continue throughout.

You mentioned that it's something that I did before. But now, I'm really seeing the importance of interpreting the things that are unsaid or at least trying to further ask more questions. There are other things that, I believe, that we've done since this pandemic that I feel are more efficient. And some of it is through technology. So there might be some things that can be accomplished through technology that may not require

an in-person consultation. So that in itself could really, I think, be useful down the road as far as workload management.

So do we need this person in the office to inspect whatever it is? Sometimes, the answer is yes. But sometimes, the answer is no. Do I need this individual to come into the office and physically see them eyeball to eyeball to just maybe ask them three or four questions? Probably not. So that, I think, is something that I'd like to consider as we move forward.

One of the other things, just personally I mentioned in my diary, was it's pretty common for me to stay in the office pretty late, 6:00 or 7:00, however late, and mainly because I want to keep that boundary. But I have learned to appreciate my family more so than I ever have with this pandemic. You appreciate the fact that right now I have a healthy family. And I actually do enjoy these weeks that I'm teleworking because I really get that connection with my children. And because of that, it's really made me reevaluate, do I need to stay as late as I have?

So I really would like to keep that a habit moving forward. I really would like -- hopefully, I say hopefully. But that's one of my goals to do because I've now realized -- I don't want to say realized. But I guess I'm seeing now the importance of being at home and being with children more so than I ever have before. Not that I never did before, but just more so.

Mark Sherman: Absolutely. January, the same question, what, if anything, have you learned either in your supervision work or you work-life - I hate to say balance because it's totally out of balance - but in the way you approach work and home. What would you like to carry forward, you know, once we're past this thing?

January Welks: My answer is very similar to Jennifer's in that there's so much technology that we've learned to utilize in such a short period of time, not only as officers, but as the court, in the system as a whole, as well as the individuals that we supervise. Everyone adapted and jumped on the ship and said, we're going to do this together.

So the fact that we all decided that we're going to push through this in a unified way, I'd like to see that continue. I find that addressing noncompliance is difficult in these times because we're not necessarily sure exactly when or how it's going to be handled. And the assignments have been different. And I've seen changes in behavior. So I'd like to see that continue in the future.

With regard to the work arena, similar to what Jennifer said as well, having a FaceTime visit with someone just to check in to make sure they're doing okay would help moving forward in the sense that they wouldn't have to travel to the office, or figure out do they have enough bus money, or can they arrange

transportation when those are things that I'd like to see them do in other areas of their life. So if I could save them that travel to see me and we could have the same connection over the phone, that would be beneficial for everyone.

Personally, I often found before COVID I would work a couple of hours here and there on the weekend to tidy things up if I wasn't staying at the office late. And it was peace of mind. I could do these ELM reports and get them done. Or I could check a few things and then my week would be simpler.

With the longer days of working at home in COVID, I find that even though the time is extended, I'm often getting up at 5:00 and really not signing out until 5:00. I am getting a lot done. And I find that my weekends are more spent and dedicated with my family, which I'm really enjoying. And I actually commented this weekend that I'm hopeful I can continue that when COVID is over.

I found in COVID that my family unifies when I take a break away from the screen. Mom, let's go play outside. Or let's play Candyland. Or let's learn a new board game, because we all need the break from the screen. So I'm very hopeful that that can continue moving forward. I think it will be a challenge. But it will be beneficial for our brain and for our overall wellbeing.

Mark Sherman: Well, Jennifer Simone and January Welks, I want to thank you so much for sharing your insights and being so candid about what this experience has been like for you.

Jennifer Simone: Thank you, Mark.

January Welks: Thank you.

Mark Sherman: We're going to take a short break. When we return, we'll be joined by Dr. Guy Bourgon, a clinical psychologist who has worked with Probation and Pretrial Services officers in both Canada and the United States on the implementation of evidence-based practices. Dr. Bourgon, who was our guest on our very first episode of *Off Paper*, has been thinking about what officers are going through during the pandemic and has developed some ideas officers might find helpful for coping with the challenges like the ones described by Jennifer Simone and January Welks.

As we move into the break, we want you to hear some of the stories of other officers who have been kind enough to share their experiences with us. Back in a moment.

Male Voice: Well, I am pre-sentence writer from the Midwest. As a pre-sentence writer, I would say I'm able to do my job pretty much seamlessly. Basically, it's my wife and I. And she actually works in a hospital, which is concerning. She does go into a hospital every day. Fortunately, she's been healthy, take her temperature every time she goes in there. She

does have some nursing friends that have been diagnosed with COVID.

Male Voice: Hello. I'm a post-conviction officer from the Midwest. COVID-19 has made me realize that I probably should get married and have children. And professionally, it's been interesting having to work from home and trying to manage all the different moving parts of the different changes due to the virus. Other than that, work is steady and very busy.

Male Voice: Support for this program comes from FJC Probation and Pretrial Services Education. At FJC Probation and Pretrial Services Education, we believe transformative education and training are essential to the administration of justice. We use proven learning methods to inform, engage, and inspire the people we serve to reach individual and organizational excellence. Visit us at fjc.dcn/p&p.

Female Voice: Support also comes from the Advisory Committee on Probation and Pretrial Services Education. The Advisory Committee consists of chief U.S. Probation and Pretrial Services officers, deputy chiefs, supervisory officers, line officers, and representatives of the AOUSC Office of Probation and Pretrial Services. It works collaboratively with FJC staff to meet the continuing professional education needs of U.S. Probation and Pretrial Services officers. For more information, go to fjc.dcn.

Mark Sherman: Dr. Guy Bourgon, welcome back to *Off Paper*.

Guy Bourgon: Thank you, Mark. It's nice to be back.

Mark Sherman: Well, we're in a very different world than we were when you were last on the program a couple of years ago.

Guy Bourgon: Definitely, it has changed dramatically over the past two months and change.

Mark Sherman: Indeed. So Guy, having heard from Jennifer Simone and January Welks about their experiences, I'm curious about your reactions and thoughts.

Guy Bourgon: Well, first off, I feel for the two of them. You know, all of us have families, and especially with young kids. We are really juggling an incredible amount of things being stuck at home and trying to do all the things we used to do before. Not just trying to juggle them all in one physical place, but now, we're trying to juggle them doing it completely differently than the way we used to do before. So it's an incredible challenge.

One of the things that really struck me was, with both of them, it was clear that when we're faced with this incredible amount of uncertainty, and you know, in my experience, officers are really trying to do the best job that they can do. They're trying to be very thorough with what they do. They're trying to make sure that everything that they're responsible for gets

completely done in this meticulous perfect fashion so that nobody can point their fingers at them.

At the same time, while they're trying to do all this, now, they have all the other things sort of pushing at them, like trying to be a teacher and taking care of a household, and all these other things. And one of the things, I think, that came up for me is that the reflection now about why are we doing whatever it is we were doing. Why are we doing what we did before? We had to answer that question to be able to come up with new strategies.

And it was that thinking process that really started to go why. And then once we came up with the answer, you know, I got great faith in our problem solving ability but without knowing that why, it's really, really hard. And now, we're able to go, well, why did I do this? They talked about, geez, I used to work extra time. And going, I did that so that I can make my job easier. But now, I'm realizing I could have spent more time with my family, which is another important why in ourselves.

Even in terms of some of the, I guess, work-related activities. Why do we have to do face-to-face if all I'm doing is gathering yes or no answers or some specific information from somebody? These are all the things that are sort of bubbling up to the forefront because our old ways of doing things, for better or worse, we can't do them - period. You just can't do

them the way you used to do. So that question of why really comes up.

Mark Sherman: You know, that raises, for me, sort of not just the why but a how, right? I know you are an advocate of having officers ask themselves why do we do what we do. But also, what I'm hearing, and certainly was hearing from Jennifer and January was, how do we execute our why, right? What are the methods that we're using, the how of what we are doing and then how that either facilitates or doesn't facilitate the why.

Guy Bourgon: Uh-huh. And that, to me, was another striking thing is how we're going about doing things. There is no playbook for this. And so we're stuck with, literally, at our own sort of resources to figure out how we can go about doing this. And it's not just the bigger things. It's the simple things. How do I talk to my client? Oh, wait a minute. Okay. Yeah, I can use a phone or I can use Skype or I can use FaceTime. That's great. Well, wait a minute. I'm in my house. What happens if my three-year-old walks in the door? All those kinds of thing you got to go, I have to start thinking about, well, I got to figure out a way to be able to do this. And even when I talk to them, it's how am I going about just building rapport.

You're on your own devices to figure out those hows, which is really quite cool because I think the amount of intelligence

and creativity that we have in the field with our officers and our supervisors, it hasn't been tapped because we've been so stuck in our old ways of doing things that we didn't even question.

Mark Sherman: Intelligence and flexibility is what I meant to say. It's just extraordinary creativity and just we're going to have to call, you know, these officers Gumby because they're so flexible. I mean, ordinarily an officer has to be flexible. But this is just extraordinary - the kinds of constant balancing and doing workarounds and figuring out what works, just described by January and Jennifer. And they're outstanding officers. And it's just got to be just such a difficult challenge for any officer, state or federal, obviously, who's doing this kind of work.

Guy Bourgon: One of the things that struck me -- I'll see if I could put this into words. In our old - the before COVID, I guess BC, before COVID - the longer we've been in this job, the more that we were intimately aware of all the barriers, the hurdles, the problems whether it's systemic or even from the client. We knew what they were. We had faced them over and over and over again. And we become really adept at sort of managing them and going through them and figuring out ways around whatever kind of barriers or hurdles, even if it was a

client who is in denial or whatnot. We knew sort of, this is how we can about doing it.

And now, we have a whole new set of barriers that we've never faced, a whole new set of hurdles that we've never seen. And even sort of your rationalizations and minimizations that you used to be able with the clients' face-to-face, now they've got nuanced. Oh, I can't hear you. My audio didn't work. Or this didn't work. Or, you know, I didn't have any cell minutes, or whatever it happens to be. Now, we're faced with new barriers that we're going, oh, I don't have a stock answer for that. I don't have something I can draw upon. So they're at their own resources to be able to create new strategies.

One of the reflections I saw from both Jennifer and January is, in spite of that being a burden right now and incredibly stressful, I saw a little bit of energy in both of them in the way that they've talked about it and the way they're sort of approaching everything. And even from some of the comments in their diary, there's an energy and enthusiasm in there. It's like, I'm fresh. I get to try something new. And that, to me, is a great sign as things unfold, however they're going to unfold over the next weeks, two months, to the next year.

Mark Sherman: You know, it occurred to me to have you participate in this episode of *Off Paper* not only because of your clinical background and your familiarity with probation and

pretrial, but also because you recently participated in a webinar in which you offered guidance about how officers can cope with the challenges presented by the crisis. And you started to hit on them already.

The first thing you said and you've already talked about is that it's helpful for officers to remember their why. This is the large, large why we're talking about. And then you got into something that you called the three P's. So talk about how the why and the three P's apply to life living with COVID-19.

Guy Bourgon: Well, certainly with Jennifer and January, it's sort of you heard them reflecting on their why. And it wasn't just in their work why but it was also in their personal lives. And that, to me, is really important because now you're congruent in all your whys. You can keep things into perspective as opposed to spiraling out of control and feeling overwhelmed and stressed.

The three P's are basically be proactive, get predictable, and keep in mind people. So when I was listening to them, it's just certainly now after this sort of it's been around for a while, it's becoming predictable in their lives. And even when they go, "Hey, I get to be a duty officer. Yay." It's a little break. It's a change in scenery. And they're able to feel like they're more accomplished. It's weird. It's bizarre. It's

strange. I got all that. But they're starting to get a little predictability.

And even I'm getting a sense from them that in their family lives, even though it's chaotic and you got small children, there's a little sense of predictability. And establishing some kind of routine, some kind of control over your environment becomes critical.

And I think it was January who was talking about it, you know, she went into the car to do a FaceTime so that she wasn't at home and nobody is going to come in. She's developing some kind of idea of what I need to do when I need to do it. So that predictability. And it's just going to help her. It's going to help her family. And it's going to help her clients.

The one thing that sort of, to me, that seemed for both of them is the people element is really missing, that human connection. You know, never mind seeing clients for a second. Just being in an office environment where, January talked about it, it's her family. There's so much interaction that goes on when you're there for eight hours a day, at least, where you're interacting, that has nothing to do with work. It is simply a hello, a connection with somebody. Whether you're talking about the football game you saw or the sitcom you saw, whatever it happens to be, that is what's really lacking lately. And it's really hard to get that in some way, shape, or form when your

bubble is really small. Your bubble is like four or five people and that's who you get to see.

And it's figuring out ways to do that not just for yourself, personally, but also for your clients. She's talking about the client cried because they're all alone. So how do you give them some kind of connection through it all so that they feel that they're not alone, so that somebody is listening? How do you virtually touch connect with somebody is becoming -- I think, for both of them, and I'm hoping the more you do it, the easier it becomes. But they're looking and trying different ways of doing it. And this is all part of that discovery process.

Mark Sherman: You know, one of the things touching on this people aspect that you're talking about is that when you're talking about human services work, which is really what probation and pretrial is. Of course, it's law enforcement. But in its essence, it's human services work. Yet, there's no in-person connection in most cases with the human, at least you know, again, that sort of in the moment face-to-face way. And we are so fortunate that, at least, we have some advanced technology to at least connect. I'm old. You're fairly old. We used to watch *The Jetsons*, you know. This was unimaginable what we're doing now 30, 40, certainly 50 years ago.

So at least they're able to do that and, as you say, kind of leverage the technology and discover more about how they can leverage the technology not ultimately to replace face-to-face interaction, but when you can't have that face-to-face interaction in a human services setting, it's so important to be able to use at least a reasonable facsimile. So what are your thoughts about that?

Guy Bourgon: Well, I agree wholeheartedly with you. And you know, it was Jennifer that said one of the things that she's learned or is going to take is that, listening and patience. This is one of the things that she sort of, I guess, came up to the conclusion that this is something that this has really helped me do.

And for me, I'll call it ironic. Because all the officers I've met over the course of all my experience is they have great human interaction skills. They can make connections with arguably the hardest people to make connections with and develop a relationship with them. Now, they used to do that when it was face-to-face all the time. Well, those same skills are just as relevant when you're doing it virtually. You've got to use your words a little bit more. You don't have the nonverbals as much. So it taxes you a little bit more. You've got to put a little bit more effort into doing the things that you would do anyways.

And as Jennifer said, I'm learning to listen better and to try to understand and show patience more. And that's just -- it's given her that opportunity to go, go for it. Like, do it some more. And I think that those skills are there. It's just allow them to happen. Be a little bit more patient. That's one of the things that I think is universal for probation officers. I want it all done tomorrow.

So if they just give themselves the patience to do the steps they would do normally and allow for that to evolve a little bit longer, then it would be fine because they have that. They know what their role is. They have the skills available to them. Now, they're just doing it on a different platform, which may mean your patience has got to be a little bit slower. And you've got to make a little bit more verbal effort.

Mark Sherman: The other thing I wanted to just sort of drill down with you about, Guy, is sort of that first - no, maybe it was the second P, predictability - which I think it seems like everybody, and this is everybody in the world, who's having to go through this world, going through this together is finding that having a routine, having a predictable schedule. This is not something that, again, we think about that is in our conscious mind on a normal day. But everybody seems now so aware of the importance of having a routine daily, of having a predictable schedule. And it's kind of helping them maintain

their sanity. And so talk a little bit more about the importance and value of this idea of routine and predictability.

Guy Bourgon: If anybody has ever googled, you know, what do you do during this pandemic and how do you help your own mental health? One of the first things they talk about is getting a sense of control, because right now, the world is sort of lost, out of our control. Stuff is happening everywhere. It's completely unpredictable and all this. So they encourage people to look for places where you can have control. Look for places where you can set up a routine. Look for places where you can get some predictability in your life. And it can be something as simple as go organize your closet.

I don't know about you but I've already organized my garage. We've organized the kitchen. We've organized the pantry. We've done all kinds of organizing. And it's great because at that one point in time, you get to put everything in its place and you go, I've got control over something. This is great.

For the officers now, this is going to be a new challenge. We've got the whole challenge with you've got your kids at your home. You got an eight-year-old doing schoolwork. You got a 15-year-old doing schoolwork. It requires two different strategies to get some kind of routine going on. I got it. And that's where we have to get something going on. I know that

many people when this first started, you know, I'm going to telework. So they pretty much sort of stayed in their PJs or their sweats all day long and then did whatever they had to do. And, oh, yeah, I haven't showered for two days. Like, yeah, that's sort of we're just all freaking out. Now, people are making an effort to go, okay. I'm going to get up in the morning. I'm going to do this. I'm going to do that. And it's sort of, let's cut it up in some kind of way.

Doing all those kinds of things to set up predictability reduces your stress levels. When it reduces your stress levels, you start to have a little bit of faith and trust in what's going to unfold in front of you. And this becomes incredibly important to be at your best. If your arousal levels are too high, you can make mistakes. If they're not high enough, you're going to miss important information. So, all that predictability becomes really, really important.

One of the other pieces was proactive. And I think that as officers, they can start sort of combining those two things. You know, I personally am faced with do I wait for clients to call me or do I make the effort to initiate the phone calls? If I have a video conferencing meeting, I know it's set for, let's say, 1:00. Do I just go on there and sit and wait for them to show up? Or do I make an effort to send them a text reminder before?

And I find that, for me, it's probably better and for my clients to actually use that technology for all its worth. Send reminders. Send reminders shortly beforehand. They may or may not show up. Whatever it is, it's going to be what it's going to be. But at least I'm being proactive and I'm setting up a predictability for all my clients as it unfolds that you're going to get an email reminder in the morning. You're going to get this. You're going to get that. This is the way it's going to work, as opposed to not knowing. Because I'm sure I've had people go, am I supposed to go on first or is he going on first? Or how is this going to work? And that's helpful for everybody along because the message is sending, hey, I made a commitment. I'm going to follow through with that commitment.

Mark Sherman: Well, Guy Bourgon, that is just extraordinarily helpful advice as we continue to move through this pandemic and, you know, all of its consequences. I think not only now but as we get to the end of it and sort of have to readjust again, and when we come back to sort of whatever that new normal ends up looking like, so this is not just advice for now, the why and the three P's, but as we move forward.

Guy Bourgon: Yes, absolutely. I'm going to take all of this. I'm probably an eternal optimist. This may have been that kick in the pants that the criminal justice system needed to move into the 21st century. And it's taken something as

serious and as sort of a chaotic kind of event that's going to actually allow the system to go, okay, let's move forward. Let's evolve.

Mark Sherman: Well, Dr. Guy Bourgon, thanks so much for talking with us again on *Off Paper*.

Guy Bourgon: Thank you, Mark, for having me again. And I really appreciate you doing these podcasts. They've been great.

Mark Sherman: The COVID-19 pandemic has presented challenges for everyone in the federal judiciary and in all walks of life. I want to, again, express my appreciation to Jennifer Simone, January Welks, and Guy Bourgon for sharing their personal and professional experiences, insights, and expertise with us.

I also want to acknowledge the many Probation and Pretrial Services officers from across the country who called in to leave voice messages for us about how they've been affected by the pandemic.

Here at the FJC and *Off Paper*, we certainly had our own challenges. This episode has been produced entirely remotely and has, therefore, required a great deal of extra thinking, creativity, and can-do spirit from our production team. So I want to acknowledge my colleagues on the team who's made it all happen: our producer, Shelly Easter; director and editor, Craig Bowden; our team lead, Chris Murray; our information technology

office director, Esther DeVries; and our program coordinator, Anna Glouchkova.

We leave you now with more remarks from officers who called in to our COVID-19 message line. I'm Mark Sherman. Thanks for listening. See you next time.

Male Voice: I'm a post-conviction supervisor from the great state of Texas. So personally, this had impacted me probably more in a positive way than in a negative way. I had a daughter graduating high school this year. And while so much of her senior year was robbed by the pandemic, what we will remember when we look back on this time is taking dinner at home, spending time together as a family, getting back to game night, and really getting the focus on each other again.

Female Voice: Hi. I'm calling from the crossroads of the world, the concrete jungle, the city that never sleeps, the city so nice they named it twice. New York, New York. Go Yankees. Unfortunately, the city that never sleeps is, well, taking a nap for now.

I call Time Square home, specifically 47th and 10th Avenue. A part of the city that is always bustling no matter the time of day is now desolate and eerie. People are no longer standing in line for Broadway shows or dining al fresco. Businesses that are normally crowded with tourists are boarded up. The normal oftentimes annoying sound that overtakes the city has vanished.

I never thought that I would miss them, but I do. My office in the courthouse is much bigger than my home office, otherwise known as my bedroom. I never thought I would say it but I look forward to going in to work when scheduled, which is currently once or twice every third week, mainly to get away from the constant day construction across my building where they're constructing a new Hard Rock Hotel.

Living and working in an 800-square-foot apartment will make anyone go stir-crazy. It's great to see that people are following executive orders to stay home. But it's just not the same. I miss the vibrant feel and excitement of this great city. But I'm also enjoying the quiet.

Telework, telework, telework - my work cellphone is my new appendage from covering court proceedings to FaceTiming with defendants, and holding conference calls for treatment providers. With the limited drug testing, my ability to use other techniques to determine if someone may be using drugs is sharpened from picking up on certain things they say, asking more questions, and by communicating more with collateral contacts and treatment providers.

Don't get me wrong, it's quite nice to just roll out of bed and start your day. But I miss my coworkers who had become my family. During times like this, people can either, one, give up and make excuses. Or two, forge ahead and build character. I

encourage my defendants to do the latter. I also use this thinking for myself to stay positive.

Crisis breeds innovation. Despite all of the changes that have taken place over the last couple months, we, as pretrial officers, are utilizing new techniques to uphold the charter of excellence by holding ourselves responsible for promoting long term positive change for our defendants while keeping our community safe. I've heard someone once sing, "If you can make it here, you can make it anywhere. It's up to you, New York, New York."

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