



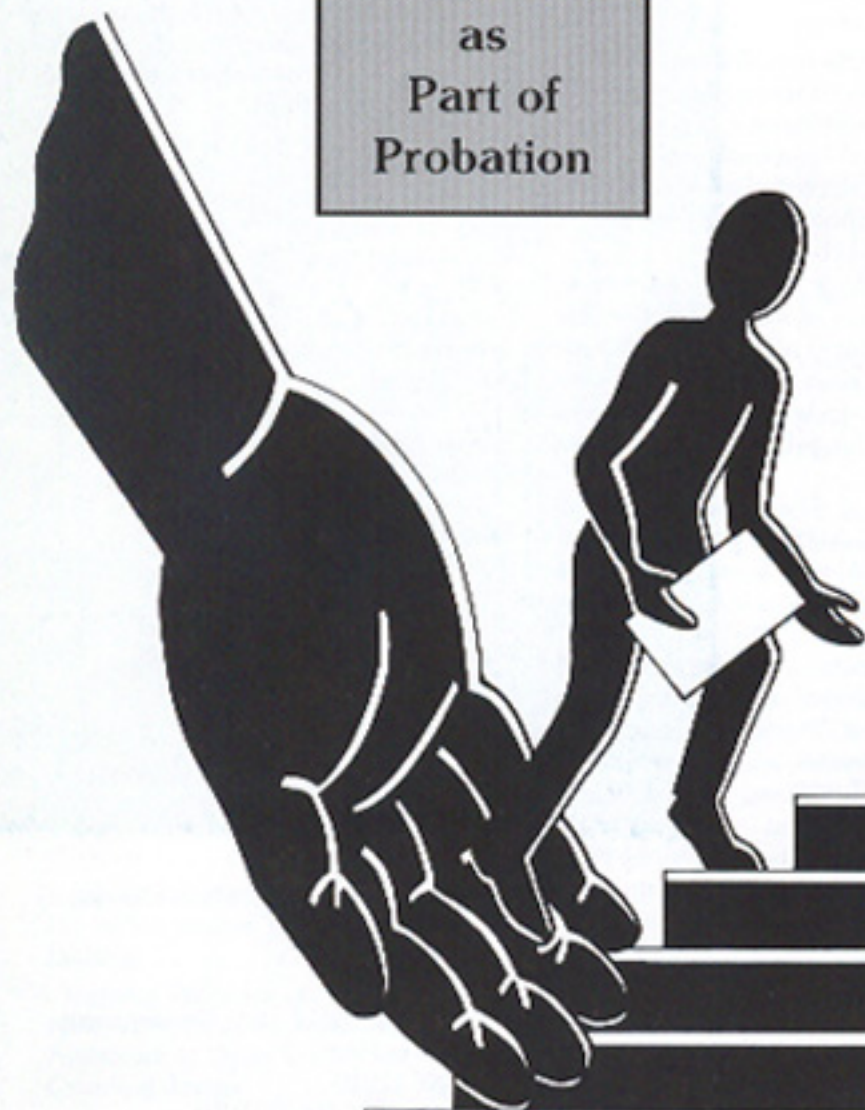
American Probation and Parole Association

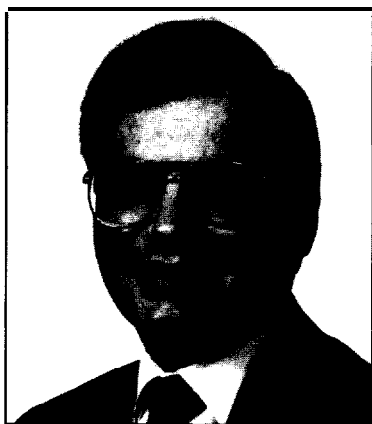
Spring 1992

PERSPECTIVES

Employment
Assistance
as
Part of
Probation

EMPLOYMENT





Harvey Goldstein

PRESIDENT'S MESSAGE

CORRECTIONS IN THE COMMUNITY

Probation, parole, residential centers, halfway houses, financial sanctions and a host of new intermediate sanctions share in common the community setting in which the offender is managed. The vast majority of persons sentenced to incarceration ultimately return to the community in which they resided prior to conviction. The fact that 95 percent of all offenders will be supervised in or returned to their neighborhoods makes the community the single most important stakeholder for corrections.

How we envision the role of that community for purposes of justice supervision shapes the ways we conceive the task of managing offenders. If we see the community as vindictive, we want to punish. If we imagine the citizens as concerned about reparative justice, we impose financial sanctions and community service orders. If we consider a heightened sense of community fear, we incarcerate. All these things happened during the decade of the 1980s.

Criminal justice continues to be big business. The number of persons in United States jails and prisons rose from 450,000 in 1980 to approximately 1,000,000 in 1990. Probation caseloads grew from 1.1 to 2.7 million. Most often these offenders were returned to the community, and we still had to decide how to manage them.

Recent research by the Public Agenda Foundation demonstrates the willingness of our citizens to embrace the supervision of offenders in the community if the sentences are credible and enforced. That is, if the court orders seem to fit the specifics of the offense and offender, and if it seems likely the offender can be managed safely in the community. The public also wants assurance that the sentence will be carried out.

If we in probation and parole are to capitalize on the community's willingness to manage at least selected offenders outside of institutions, we are still faced with how to engage community support most effectively in helping us maintain sentence credibility and enforceability. Perhaps we can consider the following types of community participation in that action:

- community education - maintaining an active program of community information;
- community support - promoting continuous dialogue about results and advocacy needs;
- community policy participation - engaging citizens in making policy decision about programs and offender participation; and
- community supervision - active monitoring of court-order compliance by citizens.

We need to broaden the debate about how to safely supervise and monitor offenders. We need to reach out to our neighbors, the members of the community, and bring them back into the decision-making process. We need to do it soon.

The quarterly magazine of the American Probation and Parole Association. Points of view or opinions expressed in this magazine are those of the authors and do not necessarily represent the official position or policies of APPA or its staff.

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Robert E. DeComo, Chairman
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Publication and Advertising Coordinator

Amy Hensel

Typographer

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Editorial Consultant

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Editorial Assistant

Margaret Haertzen

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Communications should be addressed to:

Amy Hensel
APPA Staff
c/o The Council of State Governments
Iron Works Pike
P.O. Box 11910
Lexington, KY 40578-1910
(606) 231-1916

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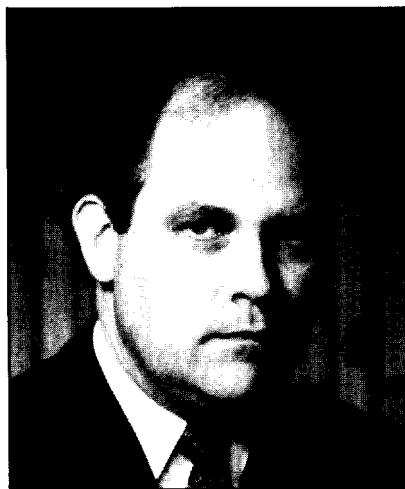




Robert E. DeComo



Arthur J. Lurigio



Dan Richard Beto

Letter from the Editors

by **Robert E. DeComo, Ph.D., Chairman, Editorial Committee**

Welcome to the Spring Issue of *Perspectives*. Our first feature article in this issue describes an innovative supervision program for serious juvenile offenders operated by the Social Services Division of the Superior Court of the District of Columbia. The authors, Brenda Mosley and Alan Schuman, describe the design of the District's HITS Program (High Intensity Treatment Supervision Program), intended as a commitment alternative which utilizes a family oriented and holistic approach to offender education and skills development. APPA will offer training on the HITS Program as part of its Spring selected training services to be held in Houston, Texas on May 18 and 19. An application is included following the article.

Our first feature article presents the findings of a national study of felony probation practices conducted by the National Association of Criminal Justice Planners (NACJP). In "Redefining Probation for the Coming Decade," the authors provide an informative profile of probation agencies and probation practices which reveal significant cross jurisdictional variations. Following the presentation of findings, the authors conclude with a discussion of the problems of comparative measurement in probation and the importance of developing our research tools to guide policymaking in the field in the decade to come. This article clearly underscores how little empirical knowledge exists about this, our largest population under correctional control.

Next, our Guest Editorial comes from Carl Cieslikowski of Salinas, California. While his assessment of national and state drug policies are not revolutionary, he presents a cogent argument for replacing a crime control model with a medical model to more effectively address drug issues.

While the media provides extensive coverage of crime and crime-related subjects, one would be hard pressed to find anything on our own field of com-

munity corrections - until very recently, that is. This year, reporter and author Peter Blauner has released a book based on his research in the New York City Department of Probation. This issue of *Perspectives* contains a book review of Blauner's *Slow Motion Riot* reprinted from the *Chicago Tribune*. In addition, Gerry Migliore, of the New York City Department of Probation and co-chair of APPA's Committee on Public Relations and Education, has contributed an introduction to the book. Author Peter Blauner provides some insights into his work to develop the book as well as some recommendations on effective media strategies for probation and parole. Regardless of your own assessment of its merits or whether you even choose to read *Slow Motion Riot* for yourself, the Editorial Committee certainly feels that our entire membership should be aware of this significant media event.

Our second feature article comes from Robert Davis of the New York City Victim Services Agency and Professor Art Lurigio of Loyola University of Chicago. The authors present the findings of their investigation of three restitution programs and their efforts to identify factors that are predictive of the payment of court-ordered restitution. Their findings have direct implications for both changing collection policies and practices and for additional research that must be done to guide efforts to ensure restitution fulfills its promises to crime victims and to our criminal justice system.

Our Focus On Affiliates contains an update of the Illinois Probation and Court Services Association's activities. The article is a joint effort by Darrell McGibany, Michael Rohan and Janice Hill, all with IPCSA. Readers should find this piece helpful and interesting.

Finally, we present a feature article about employment assistance for probationers contributed by Melvin Brown

Continued on page 19

condone drug use. The attempt to legislate morality during the prohibition era resulted in an escalation of organized crime in the United States. Both murder and assault rates rose with prohibition and then declined for ten consecutive years after the repeal of prohibition. Today, the same scenario is repeating itself with organizations such as the Columbian Cartel, Crips, Nuestra Familia and Bloods that supply outrageously profitable products in response to America's craving for illegal drugs.

Most concerned citizens agree drug abuse is a major problem in our country. The dilemma is how to agree upon a method to effectively deal with drug abuse and its related crime. We have had ample opportunity to test the pres-

ent methods of arrest, prosecution, incarceration, and treatment; however, these practices have failed, compromised our liberties, and created financial chaos. Our misguided policies have resulted in social neglect by wasting the funds necessary to prevent this national tragedy. Now is the time for new leadership as we try a fresh approach to this problem. We must rediscover common sense values and employ consistent, contemporary methods to effectively address drug issues.

Let us not deceive ourselves. A new drug policy must be coupled with an effort to seriously and unselfishly address the numerous social issues which have roots deep in the very core of our society. Without hope and justice, people cannot fight addiction and will con-

tinue to alter their consciousness to avoid reality. Now is the time to decisively question the merits of drug prohibition. We must change to a medical model which eliminates criminality and profit and offers a more humane method of addressing drug issues, as opposed to the current punitive model. It is imperative to redirect resources into cost-effective programs of prevention, treatment, maintenance, and education. The reallocation of precious resources will require sacrifice. Change will only occur when we elect citizens with enough knowledge and political courage who will challenge the present drug policies and chart a course for change.

For more information, contact: Carl Cieslikowski, (408) 633-4443.

Letter from the Editors

From page 4

and Ken Young of the Montgomery County (Texas) Department of Community Supervision and Corrections. The authors describe the elements of the Counties Employment Assistance Program including referral, job readiness training, job search and monitoring and follow-up. Our readers are directed to program documents which will be of interest to agencies contemplating developing or enhancing their own approaches to this critical programming area.

In closing, you are encouraged to submit your comments and suggestions by calling or writing the members of the Editorial Committee:

Dr. Robert E. DeComo, NCCD, 685 Market St., Suite 620, San Francisco, CA 94105, (415) 896-6223.

Dr. Arthur J. Lurigio, Dept. of Criminal Justice, Loyola Univ. of Chicago, 820 N. Michigan Ave., Chicago, IL 60611, (312) 915-7564.

Dan Richard Beto, Director, Community Supervision & Corrections Dept., P.O. Box 6910, Huntsville, TX 77342, (409) 295-8138.

For instructions regarding submissions, see the boxed information on the right.

Information For Perspectives Contributors

The American Probation and Parole Association's Publication, *Perspectives*, disseminates information to the Association's members on relevant policy and program issues and provides updates on activities of the Association. The membership represents adult and juvenile probation, parole and community agencies throughout the United States and Canada. Articles submitted for publication are screened by a Board of Editors and, on occasion, selected reviewers, to determine acceptability based on relevance to the field of criminal justice, clarity of presentation, or research methodology. *Perspectives* does not reflect unsupported personal opinions. Submissions are encouraged following these procedures:

Four hard copies of the article should be submitted to Amy Hensel, American Probation and Parole Association, c/o The Council of State Governments, Iron Works Pike, PO. Box 11910, Lexington, KY 40578-1910. The following deadlines must be met:

Summer 1992 Issue	April 1, 1992
Fall 1992 Issue	August 3, 1992
Winter 1993 Issue	October 26, 1992
Spring 1993 Issue	January 27, 1993

If possible, please submit articles in ASCII format on an IBM compatible computer disk along with three hard copies.

Unless previously discussed with the editors, submissions should not exceed ten typed pages which are numbered consecutively and double spaced. All charts, graphs, tables and photographs must be of reproduction quality. Optional titles may be submitted and selected after review with the editors.

All submissions should be in English. Footnotes should be used only for clarification or substantive comments and should appear at the end of the text.

References to source documents should appear in the body of the text with the author's surname and the year of publication in parenthesis, (e.g., Jackson, 1985). Multiple references to sources by the same author should be labeled alphabetically with each year, e.g., (Jackson, 1985a). If the same source is cited more than once, indicate the various pages of the source with each reference, e.g., (Jackson, 1985: 162-165). Alphabetize each reference at the end of the text using the following format:

Anderson, Paul J. "Salary Survey of Juvenile Probation Officers." Criminal Justice Center, University of Michigan (1982).

Jackson, D.J. "Electronic Monitoring Devices." Probation Quarterly (Spring, 1985): 86-101.

While the editors of *Perspectives* reserve the right to suggest modifications to any contribution, all authors will be responsible for and given credit for final versions of articles selected for publication. Submissions will not be returned to contributors.

Intervening with *the Serious* Offender: High Intensity Treatment Supervision Program

by Brenda Y. Mosley, Clinical Supervision Program Manager of HITS

Alan M. Schuman, Director of Social Services Division, Superior Court, DC



Brenda Y. Mosley.



Alan M. Schuman

INTRODUCTION

The drug epidemic that is troubling our nation has challenged our juvenile justice system with a new type of juvenile offender. Great emphasis is being placed on the juvenile drug user/abuser; in addition to that type of offender, a large number of youth are charged with crimes related to drug distribution. In Washington, DC.. for example, over 50 percent of our total juvenile probation caseload are convicted of possession with intent to distribute, and distribution of illegal drugs.

These youth have accepted the violent world of drugs with a clear understanding of the high risk of serious injury or death. As an illustration of that violence, since the 1988 inception of the High Intensity Treatment Supervision (HITS) Program in the Social Services Division of the District of Columbia Superior Court, 24 participants in the program have been killed.

The perceived economic profits of drug distribution, the breakdown of strong family involvement, and a sense of hopelessness have resulted in burgeoning drug-related caseloads. Youth in the HITS program are highly motivated, articulate, capable of taking orders and following instructions, streetwise, and in the past were never part of our juvenile justice system. Their shrewd-

ness and newness to the system create a unique situation. These very characteristics present both challenges and opportunities for successfully intervening to effect positive changes for the youth, these families, and the community. To discover the best way of meeting this challenge, we went directly to the consumer, the juvenile offender, in the designing of this alternative approach. Program components, design, and process used in developing the HITS Program are transferable to any jurisdiction attempting to provide services to this type of juvenile offender. HITS emphasizes a family-centered, holistic, comprehensive and intensive series of experiences that will provide this youthful offender an opportunity to compete successfully in mainstream society.

PROGRAMDESIGN

Giving impetus and focus to the design of the program were discussions held with "consumers of the product," i.e., the offenders themselves. They provided input about strategies and interventions they felt might keep them from returning to the criminal justice system.

The "consumers" suggested less free time, more structured activities which would keep them off the streets, traditional and non-traditional educational opportunities and skills that would lead to meaningful employment. They wanted to feel better about themselves and to develop better relationships with their parents.

PROGRAM DESCRIPTION

HITS is a three-phase program with an emphasis on the development of an individualized treatment plan. The initial phase of the program, the pre-dis-

position phase, is a trial supervision and assessment phase. During the 45-day assessment period, youth are referred for psychological and/or psychiatric evaluations, educational screenings, vocational or career assessments and drug testing. The families are screened by staff family counselors. As the youth are involved in program and treatment activities and a weekly drug education group, parents are required to simultaneously attend an orientation group. Throughout this process, youth and their parents are encouraged to recognize and use the power they have to effect change in themselves, their families and the systems which have an impact on their lives.

Program participants have a 9:00 p.m. curfew and are subject to random home visit curfew checks any night between 9:00 p.m. and 3:00 a.m. The program is in operation seven days a week, until 10:00 p.m. weeknights; staff also carry beepers so youth and parents have access to the probation officer 24 hours a day.

During the pre-disposition phase, the case is staffed by the assessment and supervision probation officers, the family counselor, educational screener and psychologist to determine the needs of the youngsters and their families, as well as determine the youth's suitability and amenability to community supervision.

Youth whose needs can be met through HITS interventions are recommended for acceptance in the second phase of the program. A mediation hearing is conducted to produce a HITS contractual treatment agreement between youths, parents, attorneys and staff members of the HITS Program. This hearing is still another method to get the youths and their families to "buy into" the process through building a

consensus on treatment needs and goals. The youth and his family play an active role in this process as the goal is to have the parties leave the session further empowered and committed to fulfilling their program obligations.

A comprehensive written report detailing pertinent social information is submitted to the judiciary. Only with judicial approval is acceptance into the program possible. If approved, youth enter the post-disposition phase during which they and their families, with the assistance of the probation officer, work toward achieving treatment plan goals.

The empowerment process continues as the youth-parent-probation officer relationship develops into one of trust and mutual respect. Change is effected most easily when this relationship has evolved, but probation officers recognize that such relationships are created with time, commitment and sincerity. Additionally, the P.O. must be perceived by the youth and family as someone who wants to be a partner in the problem-solving effort but also as one who has the knowledge and skills the client can use in solving problems. The probation officer attempts to convey a sense of caring, empathizing with the family's feelings of anxiety, guilt, and frustration, but most importantly recognizing the strengths of the family unit.

During the post-disposition phase, referrals are made to various public and private agencies. Through purchase of service contracts, sums of money are designated to buy services from private sector providers based on the needs of the youth and their families. Vendors are selected by a panel of probation officers and supervisors.

The probation officer as a broker facilitates the delivery of comprehensive services to the family. The core components of the program deal with self-esteem building, family counseling, education, vocation or employment, drug screening and counseling, and community service. Other referral services provided have included psychotherapy, medical evaluation, health and nutrition management, speech and language evaluations, and expressive arts and cultural opportunities.

In addition to ensuring that treatment needs are met, the probation officer is responsible for monitoring the youth's compliance through curfew checks, office visits, home and school contacts, and drug testing.

Through the use of the Point Economy System, where points are earned for appropriate behavior, emphasis is placed on what the youth does right. This, too, is a mechanism that the probation officer uses to give clear feedback to the youth, reinforce accountability and responsibility, and establish clear guidelines for requesting early termination of the case.

Forty-five days before expiration of the case, the third phase, termination, begins. The probation officer reviews the case to ensure that all conditions have been satisfied and all identified treatment needs have been addressed. The youth and their families are prepared for termination as the probation officer withdraws intervention services, and decreases contacts and monitoring requirements.

While the formal relationship between the probation officer and client ends with the successful completion of the program and one year of probation, the probation officer remains available to the family to ease the transition to independent functioning.

STATISTICAL DATA

Youth served by this program range in age from 14 to 18 years, with the average participant being 16 years of age. Research findings indicate that, while 85 percent were enrolled in school at the time of referral, the average grade level was eighth grade. Eighty-three percent were from single parent homes, 17 percent from two-parent homes.

Forty-six percent had some incidence of prior drug use. Ninety-four percent had prior delinquency records, with 48 percent showing one prior conviction and 41 percent having two prior convictions. Analysis of prior offense information showed 43 percent had one prior arrest for drug distribution. Fifty-seven percent had two or more arrests

for drug distribution. Ninety-five percent had at least one prior arrest for drug possession.

EVALUATION FINDINGS

At the inception of the HITS Program, an evaluation design was established to assess the attainment of program goals and objectives. This evaluation covered the period between July 1, 1989 and December 31, 1990. During this 18-month period, the following hypotheses were tested:

- HITS will divert from institutions juveniles who would have been committed without this alternative.
- Juveniles with high risk profiles can be effectively supervised in the community without significant risk to the community.
- HITS will result in improved societal adjustment for program participants.
- HITS will benefit the community.
- HITS is a cost-effective method in the reduction of the juvenile commitment population.

The probation officer as a broker facilitates the delivery of comprehensive services to the family.

The hypothesis that youth would be diverted from juvenile institutions proved to be accurate. One hundred and two (102) youth were diverted during this 18-month time period.

The hypothesis that juveniles with high risk profiles can be effectively supervised in the community without significant risk to the community appears to be correct. During this 18-month study period, only seven participants were revoked for commission of a new crime. The 19 revoked cases due to technical violations also lends support to the hypothesis that high risk youth can be supervised safely within the community. The program was designed to meet a demand for public safety and is achieving its objective through close supervision and early detection of uncooperative behavior.

The achievement of family counseling goals is one area which tests the hypo-

thesis that HITS will result in improved societal adjustment for program participants. Excluding rejections from the HITS Program, 75.6 of the family counseling cases were closed successfully during this B-month period. A pretest-posttest design was utilized to assess progress on specific family counseling therapeutic goals. The therapeutic contract tapped the following areas:

- Family hierarchy/order (e.g., demonstrated leadership within the home, attends school regularly);
- Family communication (e.g., openly and directly communicates thoughts and feelings);
- Parenting skills (e.g., realistic expectation, shows understanding);
- Kinship bonding (e.g., openly expresses family love and affection);
- Motivation for counseling (e.g., family attends scheduled sessions); and
- Response to court's interaction (e.g., reports to supervisory probation officer).

There was some progress in achieving all the established therapeutic goals. The most progress was demonstrated in establishing and implementing behavioral rules relating to school, curfews, household chores and diet; openly and directly communicating thoughts and feelings; setting realistic expectations; conveying parent messages; rules, limits, consequences, providing positive reinforcement; openly expressing family love and affection. The families were also very successful in completing many of the individual goals they set for themselves such as: having family meetings; listening to each other more; obtaining a GED; completing high school; getting a job; staying out of the drug scene; and choosing friends wisely.

Since the HITS Program is an alternative to commitment, developed jointly with the judiciary, we can assume that participants would have been committed if this sentencing alternative was not available. Therefore, in a cost analysis of HITS, cost per participant is compared with the cost of commitment to a juvenile institution. The hypothesis states that the HITS Program is a cost-effective method of reducing the juvenile institution commitment popu-

lation and that the program will benefit the community.

Using the total costs for a 12 month period, January 1, 1990 through December 31, 1990, daily costs per probationer was \$11.38 yielding a cost per program participant of \$4,156.01. The total cost for the 176 participants (pending caseload plus new cases received) is \$731,458. The Youth Services Administration of the Department of Human Services, responsible for operating juvenile delinquency institutions, estimates the per diem cost of a committed youth in 1990 to be \$129.86. This can be compared to the \$11.38 cost per offender managed under HITS. The annualized cost of keeping the same 176 youth in an institution would have been \$8,342,206.40. The annual commitment cost per offender is \$47,398.90.

A major benefit of HITS participation is community service. The intent of community service is to redress the community for the harm caused by the offender. Community service performed over this 18 month study period totaled 7,351 hours. Calculated at a current minimum wage of \$4.75 per hour, the value of community service performed by the HITS participants is \$34,917.25.

Another benefit derived from the HITS Program is monetary restitution. Restitution payments totaled \$1,385. The HITS Program has demonstrated that it is a cost-effective method in the reduction of the committed juvenile offender population.

HITS HIGHLIGHTS

Initial skepticism about the program, questions about its viability and public criticism of leniency toward serious offenders made dissemination of program information imperative. An outgrowth of this initial information sharing effort is now an ongoing sharing process that involves everyone from the Division Director to the youth and parents in the program.

Consequently, HITS has had exposure locally and nationally, through newspaper articles, television appearances and speaking engagements of staff and program participants, as well

as training sessions and seminars presented by the Division Director, HITS Program Managers, and staff.

Youth and parents in the program have made appearances on television and at local conferences and colleges as guest speakers and panelists. Youth have presented information at a judicial conference and testified before a subcommittee of the D.C. City Council. Staff members have been presenters at churches, conferences and workshops.

Seminars on the HITS Program have been presented to the Institute for Court Management, the National Center for State Courts, and Spring Conference of the National Coalition of State Juvenile Justice Advisory Groups, and The Council of State Governments' Southern Legislative Conference. HITS was most recently highlighted in a one-day intensive training session at the Annual Training Institute of the American Probation and Parole Association.

While the goal is to bring attention to the positive impact of HITS, the pitfalls and problem areas which have been encountered and the solutions that have evolved through trial, error, re-evaluation and research are also shared.

HITS has had demonstrated success for the following reasons:

- Committed staff who have mastered their many roles as facilitators, change agents, brokers and enforcers:
 - Delivery of comprehensive intensive services;
 - Heightened but realistic monitoring standards;
 - Parental participation in support groups;
 - Parental support of their children's efforts to complete personal and program goals while remaining arrest free;
 - Systematic use of a network of private and public agencies that provide social supports and services; and
 - Direct confrontation of issues and concerns of the judiciary and staff.

In a climate where the community has traditionally favored incarceration and where skeptics abound, HITS - an easily replicated program - has met the challenges of rehabilitating high risk youth and protecting the community.

Redefining Probation for the Coming Decade

by Mark A. Cuniff Executive Director, The National Association of Criminal Justice Planners

Dale K. Sechrest, Associate Professor, Criminal Justice Department, California State University

Robert C. Cushman, Justice Systems Specialist, San Jose, CA

INTRODUCTION

Successful probation managers need to ask themselves the following questions in order to better understand how their probation operations compare with other jurisdictions. What are the goals and objectives of probation? Do these goals really capture what is going on in our agency? What are the risk scores of the different types of offenders who are on probation? How well do these probationers perform in terms of compliance and rearrest? In what ways do probationers leave probation? What is our agency's role in the criminal justice system, especially regarding prison crowding? How does our agency compare with other probation agencies in the same state or the nation? How are we different? What measures do we now use to show us how we are doing in comparison to other agencies in such areas as classification, programs, financial assessments, revocations, and rearrests? How many of my probationers have a drug problem; how many are not receiving treatment? Do we manage the workload or does it manage us?

Probation departments are at a disadvantage if they cannot answer these questions. To be effective, probation managers must know and understand their problems in relation to other agencies with similar problems. There are extreme differences between sentencing practices and agency operations among jurisdictions, and managers must be willing to examine their operations relative to differing approaches taken by other departments.

The changes being experienced in probation have been documented in a series of reports on felony probationers

produced by the National Association of Criminal Justice Planners (NACJP). The purpose of these studies was to document felony sentencing practices, and they have produced useful information about the nature of the felony probation workload in the United States. These studies provide a basis for informing us about felony probation sentencing and how probation may have changed since 1986.

The most recent report (Cuniff and Shilton, 1991) addressed variations in sentencing practices across jurisdictions in great detail; it is the subject of this report. An earlier report (Cuniff and Bergsmann, 1990) raised administrative issues based on a national survey of 30 probation agencies representing 32 counties. This survey attempted to collect basic descriptive data about probation operations. However, the report found problems in documenting transfers, in distributing offenders by classification categories, and in knowing the extent of probation disciplinary hearings and their outcomes. These types of information were seen as essential to providing the public and governing authorities, including budget officials, with adequate explanations as to why offenders are managed as they are. However, there were often simply no measures of the effectiveness of programs. The report concluded by stating that "probation agencies have not positioned themselves very well for documenting their needs to elected and budgetary officials, as well as the public. Probation agencies are thwarted in their efforts to educate the public about their programs because of a lack of statistical data."

THE NACJP STUDY: VARIATIONS ON FELONY PROBATION

The second report (Cuniff and Shilton, 1991) examined sentencing and probation practices. This report incorporated a system perspective by showing the percentage of cases receiving probation by jurisdiction. The survey provided an overview of the nature of cases placed on probation, described how cases were processed, and showed the wide variation in practices found among the jurisdictions studied. Data on compliance with probation conditions, disciplinary actions and outcomes, and arrest activity were collected also.

In order to compare the dangerousness or "risk" of offenders across jurisdictions by levels of supervision and outcomes, a risk assessment technique was used. This risk score was made up of five variables that correlated with probationer behavior while under supervision: age, employment status, drug abuse history, prior felony convictions, and the number of address changes in the year prior to sentencing. This measure was based on a commonly used risk (and needs) assessment method developed in Wisconsin and incorporated in the National Institute of Corrections (NIC) classification model. Almost all agencies now use a scale that incorporates these variables. The risk score provided a measure of the differences in risk presented by probationers under community supervision across all 32 jurisdictions. There was considerable variation among the jurisdictions with regard to the risk that the probation population presented to the community, averaging from a low of 2.6 in Franklin County, Ohio to a high of 7.3 in King County, Washington.

Findings

Table 1 shows that changes in the judicial use of probation from 1983 to 1988 tended to be small and without pattern. For example, the rate at which probation has been imposed for larceny from 1983 to 1988 ranged from 55 percent to 57 percent. The only offense that evidenced a major and patterned change in the judicial reliance on probation was drug trafficking. Judges have become less inclined to sentence convicted drug traffickers to probation. From 1983 to 1988, the percent of convicted drug traffickers sentenced to probation declined from a high of 70 percent to a low of 55 percent (Table 1).

Even with this decline in the percentage of cases receiving probation sentences for drug trafficking, the proportion of persons in the study with drug charges who received probation sentences increased from 35 percent to 42 percent from 1986 to 1988. From 1986 to 1988 the number of felony sentences in the counties studied increased 23 percent, and much of this increase was due to drug offenses. Persons sentenced for drug trafficking increased by 54 percent between 1986 and 1988; persons sentenced for felony drug possession increased by 91 percent. Similar increases in drug offenses are found in national jail admissions statistics, which showed drug offenses accounting for 23 percent of the charges against nearly 400,000 men and women held in local jails during 1989, up from 9 percent in 1983 (Beck, 1991).

The NACJP findings challenge the widely-held belief that probation is handling a tougher client due to prison crowding. What these data show is that more persons are being convicted of felonies and hence more are going onto probation caseloads as well as into prisons. That is, large increases in probation caseloads are due less to changes in the law or judicial sentencing practices than to increases in the absolute numbers of persons coming into felony court. Changes in the makeup of the probationer population is the more important issue because these affect probation operations. Persons convicted of

Table 1
PERCENT OF SENTENCES TO PROBATION FROM 1983 TO 1988,
BY CONVICTION OFFENSE

	Homicide	Rape	Robbery	Aggravated Assault	Burglary	Larceny	Drug Traffic	Other Felony	Total
1983	14%	28%	29%	50%	45%	55%	70%	NA	NA
1985	14%	33%	26%	50%	44%	57%	66%	NA	NA
1986	8%	32%	26%	47%	44%	54%	62%	62%	52%
1988	7%	33%	28%	54%	40%	55%	55%	62%	52%

Note: The definition for homicide changed between 1985 and 1986 so as to exclude involuntary and negligent homicide. The drop in the use of probation between 1985 and 1986 is due to this change in definition.

drug charges bring additional burdens and challenges to probation agencies, most notably the need for drug treatment.

Differential Use of Probation. Table 2 presents summary findings in several areas. The average percentage of offenders sentenced to probation was 51 percent and the rate sentenced per 100,000 averaged 161 for the 32 jurisdictions. Much of the variation was attributable to the sentencing laws under which these jurisdictions function and their justice "environment." For example, courts in determinate sentencing states (no parole board) tended to use probation much more frequently than courts in indeterminate sentencing states (with parole board). California, a determinate sentencing state, and its counties sentence to probation in the 60 percent range. New York, an indeterminate sentencing state, and its counties sentenced to probation in the 40 percent range. These differences were greater for persons convicted of property and public order offenses than for persons convicted of violent offenses.

Public and property offenders made up 88 percent of the probation population. The typical felony probationer was an unmarried minority male, age 28, who was convicted of a non-violent offense and was sentenced to a 42-month term. He was residentially stable, lacked a high school diploma or a full-time job, had no prior felony con-

victions, and had a drug problem. Younger offenders were more likely to get probation but do **worse** while on probation. Persons convicted of violent offenses (homicide, rape, robbery, and aggravated assault) were much less likely to receive probation than those convicted of a property or public order offense. For example, less than 30 percent convicted of robbery received probation while more than half convicted of larceny received probation.

Compliance with Conditions. As seen in Table 2, 55 percent of the probationers received behavioral conditions. Half of those receiving behavioral conditions were ordered to perform multiple conditions, with 30 percent receiving two conditions and another 20 percent receiving three or more. For example, many of the probationers who were ordered to undergo drug treatment were also required to submit to drug testing. Half of the probationers failed to make any progress in achieving compliance with their behavioral conditions. Most of the remaining probationers either fully complied with their conditions (28 percent) or made substantial progress in meeting them; another 19 percent had compliance rates that ranged from 50 percent to 99 percent. Seven of eight who absconded or were revoked failed to comply with any conditions of their probation.

Employment status correlated with probationer performance. Probationers

Table 2
SUMMARY OF PERCENT AND RATE SENTENCED TO PROBATION WITH RISK SCORE,
PERCENT WITH BEHAVIORAL CONDITION IMPOSED, PERCENT WITH JAIL TERM,
FINANCIAL CONDITION IMPOSED, NEW ARREST, FELONY ARREST,
AND PERCENT REVOKED BY JURISDICTION

County/City	State	Sentenced to Prob.		Avg. Risk Score	Percent with:				
		Percent in 1986	No. Per 100,000		Behavioral Condition	Jail Terms	Financial Assessment	Felony Arrest	Probation Revoked
Total		51	161	4.5	55	50	84	43	22
Los Angeles Co.	CA	60	225	4.7	52	84	82	54	32
Orange Co.	CA	65	102	5.3	79	100	96	53	24
San Bernardino	CA	39	68	3.9	82	93	86	53	12
San Diego Co.	CA	67	207	4.6	68	92	90	48	17
San Francisco	CA	55	225	5.0	45	92	97	58	17
Santa Clara Co.	CA	66	287	6.6	64	94	97	46	10
Ventura Co.	CA	62	77	NA	77	54	95	38	28
King Co.	WA	72	173	7.3	48	75	97	35	14
Honolulu Co.	HI	59	86	3.8	87	43	63	20	8
Denver	CO	48	118	5.4	47	17	86	27	10
Maricopa Co.	AZ	71	279	4.0	76	43	97	33	29
Bexar Co.	TX	56	174	3.3	74	0	100	29	9
Dallas Co.	TX	44	191	NA	46	0	100	46	40
Harris Co.	TX	33	151	3.9	66	0	99	42	40
Dade Co.	FL	34	141	NA	41	25	86	45	16
Jefferson Co.	KY	39	76	3.5	35	2	77	37	20
St. Louis (City)	MO	44	223	4.0	60	6	71	27	13
St. Louis Co.	MO	58	104	3.5	49	9	89	26	14
Oklahoma Co.	OK	66	462	7.2	41	15	99	53	20
Cook Co.	IL	43	118	4.0	53	19	90	31	9
Hennepin Co.	MN	75	128	5.0	54	61	47	36	20
Milwaukee Co.	WI	61	173	5.4	35	32	97	34	18
Franklin Co.	OH	41	95	2.6	31	3	100	25	25
Philadelphia	PA	44	125	4.3	34	16	77	42	25
Baltimore City	MD	39	141	3.5	62	9	88	47	25
Baltimore Co.	MD	64	119	4.3	62	33	73	40	14
Erie Co.	NY	40	39	3.9	61	37	90	20	3
Kings Co.	NY	42	117	3.8	16	45	12	48	14
Monroe Co.	NY	44	48	4.4	81	43	79	22	6
Nassau Co.	NY	41	52	3.2	56	40	79	25	9
New York Co.	NY	30	176	3.5	17	25	9	46	11
Suffolk Co.	NY	65	97	4.2	64	50	80	30	4

Note: The average population of the jurisdictions was 1,585,000.

who had a high level of employment revealed a 38 percent rate of full compliance with behavioral conditions in contrast to the 20 percent rate for those probationers at the minimal employment level. While overall compliance rates were low, probationers who exhibited high risk characteristics, such as being unemployed or a drug abuser, did less well in meeting their conditions than those probationers who did not evidence such characteristics. Frequent drug abusers revealed the lowest rate of full compliance with probation requirements (18 percent).

Another important aspect of conditions of probation was the use of jail. As shown in Table 2, half of the persons receiving probation also receive a jail sentence, with an average term of seven months. This practice varies tremendously, ranging from no use in all Texas counties to a high of 100 percent in Orange County. Jail was used extensively in felony sentencing among the California counties and figures prominently among the New York counties as well. This wide use of jail brings a punitive aspect to probation that is often overlooked by critics of probation.

Financial Conditions. As shown in Table 2, 84 percent were required to pay financial assessments as a condition of probation. The average total assessment was \$2,172, and the percent of probationers with financial assessments ranged from 91 percent for larceny to 65 percent for robbery. The most frequently used financial condition was the court related assessment (fines, court costs, public defender fees; average \$605), with 48 percent held liable for this fee. "Other" fees (average \$219), such as costs associated with drug testing, had comparable rates of use (47 percent). Probation supervision fees (average \$677) and restitution (average \$3,369) were imposed less extensively (32 percent and 29 percent, respectively). The use of restitution ranged from 9 percent for probationers convicted of drug trafficking to 51 percent for larceny convictions. The tendency was for restitution to be ordered for the property offenses of larceny

(51 percent) and burglary (43 percent) and less so for violent offenses, such as robbery (26 percent). The low use of restitution with drug traffickers (9 percent) was understandable because it does not involve a tangible loss nor does it have a direct victim. Average supervision fees are reported for 21 jurisdictions, ranging from \$41 (Baltimore City) to \$1,142 (Orange County) for the entire period of supervision.

Disciplinary Hearings, Rearrests, and Risk. San Francisco (61 percent) had the highest percentage of hearings based on new arrests. Both Suffolk County and Honolulu (2 percent) were lowest in hearings precipitated by rearrest. This wide range in the incidence of disciplinary hearings attributable to new arrests was affected as much by agency policy as by the criminal activity of probationers. Many agencies do not automatically invoke a disciplinary hearing solely on the basis of an arrest. Some agencies will await an adjudication of guilt before acting. Agencies that had low percentages on hearings precipitated by a rearrest tended to have high percentages on hearings precipitated by a new conviction. For example, Suffolk County had the highest incidence of hearings precipitated by new convictions (58 percent) and the lowest for new arrests (2 percent). San Francisco had the highest percentage of disciplinary hearings for new arrests but one of the lower rates for new convictions (16 percent).

Despite its limitations, arrest information allowed for comparisons of criminal activity by probationers across jurisdictions. Information was collected only for arrests that occurred while the person was under supervision. A complete description of the relationships between probationer characteristics and rearrest can be found in the report. Only variations among jurisdictions are shown in Table 2, where it can be seen that 43 percent had at least one felony arrest over the average follow-up period of 33 months. Of those arrested, most (23 percent) had only one felony arrest. However, a substantial number

did experience multiple arrests, 11 percent being arrested twice and another 9 percent being arrested three or more times. One-third of the probationers were arrested for drug law violations - 18 percent for drug trafficking and 16 percent for drug possession. One-fifth (20 percent) of the arrests involved "other" felonies, including writing bad checks and credit card fraud. Larceny (17 percent) and burglary (13 percent) constituted another 30 percent of the arrests. The time to arrest by type of offense was included in the report.

The relationship between risk characteristics and felony arrest while under supervision was quite strong. Pearson's r for the relationship among jurisdictions between average risk scores and percentage of probationers arrested was .35. In addition, the average risk score was 40 percent higher for felony arrestees than nonarrestees (5.4 versus 3.8). Probationers who are arrested for a burglary while under supervision had the highest average risk score (5.9), followed closely by those who had a robbery arrest (5.6). Those probationers who were arrested for rape, on the other hand, had the lowest average risk score among those who were arrested (4.5). The weakest relationship among the risk variables and felony arrests under supervision was for mobility one year prior to sentencing, and the strongest relationship was with the age at sentencing, with younger probationers much more likely to be rearrested.

Arrests and Population Characteristics. There was little statistical relationship between the percentage of felony sentences to probation and the arrest rate among these jurisdictions ($r = .06$). There was, however, a notable statistical relationship between the rate of probation cases per 100,000 population and probationer rearrest rates for these jurisdictions ($r = .47$). Jurisdictions with a high rate of probation tended to have high arrest percents. The volume of persons on probation (relative to population) appeared to be a better predictor of prospective arrest activity than judicial practices in granting probation. Because probationers are affected by

their environment, a jurisdiction's re-arrest rate tends to reflect its probation rate. The incidence of new felony arrests varied also by the offense for which probationers were originally sentenced to probation.

The probation community must compel the courts and the public to decide whether the goal is to punish or help probationers.

Revocation. Revocation was defined as a sentence to prison for a new violation or a disciplinary infraction. Of the 12,000 cases studied, total revocation rates for an average 33 month follow-up period were 22 percent overall, as shown in Table 2. An additional 10 percent absconded; 31 percent were still on probation and 34 percent had completed (3 percent "other"). Of those revoked, 57 percent had been convicted of a new offense and another 38 percent had been arrested for a new offense; 22 percent were revoked for technical violations.

DIVERSITY AND FUTURE NEEDS

This article has summarized recent findings by the NACJP which provide a useful, contemporary description of felony sentencing practices and felony probation in the United States. The studies provide a characteristic picture of probation agencies and probation populations with informative measures of the variations which exist across these agencies and the people they supervise. These studies are useful because they are descriptive, but more information is needed to provide useful comparisons. There was no typical pattern for felony sentencing or the delivery of probation services across the United States, making generalizations to all probation departments difficult.

This raised questions that are not easily answered, but must be addressed. It is difficult, perhaps inappropriate,

and sometimes misleading to make comparisons across jurisdictions. Yet good management, and sometimes survival alone, suggests that probation agencies must find ways to compare themselves with others of similar size and operational characteristics. It is possible to make meaningful comparisons across probation jurisdictions if three conditions can be met.

The first condition for making meaningful comparisons across jurisdictions will be met when new tools are developed and placed in the hands of practitioners which will allow for comparisons of the differences in sentencing and probation practices across jurisdictions based on standard measures ("norms"). These tools are analogous to the classification tools now used to place probationers and prisoners into manageable groups. However, these new tools need to be used to classify entire organizations and justice decision making processes. Only then will comparisons of jurisdictions by size, caseload characteristics and operational constraints be possible. When done, research findings will begin to make more sense.

The second condition will be met when those data needed to drive the tools are collected and made available. If better data is needed by the agencies, they must learn to manage records, and collect and report related information in a systematic way. Probation agency managers appear to want improvements in access to historical data and other client information, although only 15 percent had automated systems to support classification, as measured in a national probation needs study (Guynes, 1988:5). Moreover, it is doubtful that the requisite data are available for all jurisdictions. The NACJP studies show a need for improved consistency in data collection and in coordination of information across probation agencies. And, this is not necessarily a resource issue. It is a matter of organizing existing data collection systems to meet management needs. How many probation agencies can now readily obtain those data necessary to compute rates of rearrest and revocation?

The third condition will be met when the information collected is used to improve decision making. This information can be especially helpful in the development of better management feedback mechanisms to improve decision making. The necessary data are essential to everyday management tasks, such as measuring performance, improving offender management, responding to critics, and securing funding. With a uniform data collection system in place, a research agenda could be developed for probation nationally. Comparisons with other agencies could help determine where resources can be better applied to achieve desired outcomes.

For too long probation has been on the defensive, based largely on reactions to the Rand findings for felony probationers. Probation can be defended best by providing a realistic understanding of what the field and the public can expect from it. Because the goals and objectives of diverse jurisdictions are different, it is important to sharpen this understanding, not diffuse it. We are reminded that these differences are not necessarily bad. They reflect levels of discretion that are often overlooked in comparing jurisdictions. Discretion yields different outcomes, such as increased prison crowding, acceptance of higher risk cases on probation, or a greater emphasis on community programs. Research must control for these variations through the development of standardized measures of the differences between agencies.

Administrators need tools to sort out and make sense of comparative re-arrest and revocation data. They must understand how to use risk assessment scales and be prepared to explain the limits of probation in predicting or preventing violent crimes by probationers. Clearly, higher risk values require more intensive supervision caseloads and higher arrest rates. Will the agency be able to secure the necessary resources to work with these higher risk individuals? Similarly, line managers need to understand the implications of applying probation conditions that are too difficult

to meet. Is unnecessary work being created for agencies when probation conditions are unrealistic, or when resources do not exist to allow probationers to meet them (e.g., the disparity between numbers of probationers ordered into drug treatment in communities and the availability of resources for drug treatment)?

The successful implementation of these new tools creates challenges. The probation community must compel the courts and the public to decide whether the goal is to punish or help probationers. If jurisdictions decide to place high risk probation offenders on probation and consequently experience high failure rates, is probation a success or a failure? How does probation explain this to the courts, the public, and elected officials, especially without comparative data from other jurisdictions?

The NACJP studies are directed to individuals in the field who want to be successful, but an interest in answering these questions requires action in several areas. These areas include improved data collection, better classification systems, an improved understanding of the role of the courts in using probation, and efforts to determine appropriate roles for other social agencies. Inattention can only make these problems

worse. Future needs such as these can be met if they are understood within the framework of what probation is expected to accomplish. The field can use research to better define these areas and learn where it can achieve its greatest successes.

NOTES

¹This was part of a national sentencing study. It examined case specific information for such items as who was on probation, the types of conditions that probationers received, and the extent to which probationers adhered to these conditions. Updated information is planned for 1990. Details are in the reports listed at the end of this paper.

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WANTED!! Public Information Officers

Members of the APPA Public Relations Committee **are** inviting **all** public information officers to participate in a support network designed to train and exchange information and ideas. Our goal is simply to better educate the public about Community Corrections.

The first step in this process is to identify all Public Information Officers in Community Corrections. From there, the committee intends to:

1. Collect information on successful community corrections programs for distribution.
2. **Sponsor** workshops focusing on public and media relations.
3. Determine if a manual exists for educating the public and if not, develop one.
4. Gather information demonstrating the cost effectiveness of community corrections and how community corrections programs are appropriate responses to most criminal offenses.

In order to accomplish these goals, we need your help! If you serve in this capacity and want to become more involved, please contact:

Paul O'Connell, Maricopa County Adult Probation Department
P.O. Box 3407, Commerce Station
Phoenix, Arizona 85030
(602) 506-3584

GUEST EDITORIAL

Lost Drug War

by Carl J. Cieslikowski

National and state drug policies are leading to a rapidly escalating catastrophe in the United States. As long as the profit in illegal drugs remains gargantuan, free enterprise will prevail and drug dealers will continue to pollute our society. Today, in spite of the "war on drugs," there is increased violence, street gangs, organized crime, increased cases of AIDS, an exhausted judicial system, overworked police, runaway justice costs, and children with easier access to drugs than hope.

California spends six billion dollars a year in a no-win drug war. The cost will continue to soar unless we take the profit out of illicit drugs. Because heroin, cocaine, and an assortment of other illegal drugs command the same price as platinum, we will continue to lose our 76 year "War on Drugs." Trying to protect people from themselves and to legislate morality is an impossible task and, therefore, a never-ending cost. It is much less expensive to educate our children, introduce prevention programs, and provide jobs than to incarcerate our people.

Abraham Lincoln once said: "Prohibition will work great injury to the cause of temperance. It is a species of intemperance within itself for it goes beyond the bounds of reason in that it attempts to control a man's appetites by legislation and makes a crime out of things that are not crimes."

Politicians continue to pass "tough" laws they believe will keep them elected, but do little to address the genuine issues. History shows that stiff laws, interdiction, and rhetoric designed to affect morals have never stopped the traffic of any drug. We must take the profit out of the illegal drug trade. Let us consider solutions, such as the end of drug prohibition, controlled government distribution, decriminalization,

and the introduction of medical, versus legal solutions for addicts. We should promote an honest drug strategy through prevention and education and recognize that we are faced with a major public health problem.

Let us put the issue of drug distribution and profits into proper perspective. We are a society which has made a discriminatory judgment as to which mood-altering drugs are acceptable. The primary drug pushers in this country are the alcohol and tobacco industries, which are protected by generations of campaign contributions. Alcohol and tobacco are "legal" drugs which are subsidized by our tax dollars. Both enjoy protection through powerful lobbies which exercise great influence upon our elected representatives. For example, in 1988 the tobacco industry became the fourth-largest contributor to candidates. According to the Fair Political Practices Commission, of the 120 state legislators, 111 accepted contributions from the tobacco industry. In the United States, alcohol and tobacco account for approximately 600,000 deaths per year while fatalities attributable to cocaine and heroin are fewer than 10,000. The hypocrisy of some drugs being legal and others being illegal is destroying the integrity of the public's belief in our justice system.

Because many of our politicians are servants of the legal drug and chemical industries, they divert our attention to the illegal drug trade. These powerful and vested people have an aversion to open and honest discussion about illegal drugs, as they profit from this so-called "war." Many of those who seek to obscure the issues are motivated by self-serving interests, such as political benefit, financial advantage, and maintaining a market monopoly or power.

During the past ten years, county and state justice system costs have tripled. These costs do not include the capital expenditures for building jails and prisons. Since 1983, 13 prisons have been built in California and 12 more are scheduled. Prison populations have tripled. Yet crime and drug use continues to skyrocket. For example, hard narcotic arrests rose 382 percent since 1980 and drug-related cases are now choking the courts, resulting in less attention to more serious crime. High incidence of violence and property crimes are directly attributable to the high cost of drugs and their use. While billions are being spent on arrest, prosecution, and incarceration for "illegal" drug use, this past August the governor terminated the ten million dollar Child Abuse Prevention Training Act which served 3.7 million children, many of whom become victims of legal drugs.

The heightened use of mood-altering drugs in our country is symptomatic of a frustrated culture in turmoil and despair. Our society is in need of education, prevention and quality treatment for those who ask, as opposed to repression, retribution, or budgetary suicide as evidenced by our projected ten billion dollar state deficit. Tobacco and alcohol habits in this country are being altered as a result of education and social pressure and not because of prosecution, intimidation, or incarceration. We need to change our outdated practices and support those individuals who present creative, well-founded proposals for dealing with the drug dilemma. Any possible solutions will require patience, honesty, political fortitude, and long term planning.

We have to challenge our cultural values, transcend excessive personal profit, and yet make it clear we do not

condone drug use. The attempt to legislate morality during the prohibition era resulted in an escalation of organized crime in the United States. Both murder and assault rates rose with prohibition and then declined for ten consecutive years after the repeal of prohibition. Today, the same scenario is repeating itself with organizations, such as the Colombian Cartel, Crips, Nuestra Familia and Bloods that supply outrageously profitable products in response to America's craving for illegal drugs.

Most concerned citizens agree drug abuse is a major problem in our country. The dilemma is how to agree upon a method to effectively deal with drug abuse and its related crime. We have had ample opportunity to test the pres-

ent methods of arrest, prosecution, incarceration, and treatment; however, these practices have failed, compromised our liberties, and created financial chaos. Our misguided policies have resulted in social neglect by wasting the funds necessary to prevent this national tragedy. Now is the time for new leadership as we try a fresh approach to this problem. We must rediscover common sense values and employ consistent, contemporary methods to effectively address drug issues.

Let us not deceive ourselves. A new drug policy must be coupled with an effort to seriously and unselfishly address the numerous social issues which have roots deep in the very core of our society. Without hope and justice, people cannot fight addiction and will con-

tinue to alter their consciousness to avoid reality. Now is the time to decisively question the merits of drug prohibition. We must change to a medical model which eliminates criminality and profit and offers a more humane method of addressing drug issues, as opposed to the current punitive model. It is imperative to redirect resources into cost-effective programs of prevention, treatment, maintenance, and education. The reallocation of precious resources will require sacrifice. Change will only occur when we elect citizens with enough knowledge and political courage who will challenge the present drug policies and chart a course for change.

For more information, contact: Carl Cieslikowski, (408) 633-4443.

Letter from the Editors

From page 4

and Ken Young of the Montgomery County (Texas) Department of Community Supervision and Corrections. The authors describe the elements of the Counties Employment Assistance Program including referral, job readiness training, job search and monitoring and follow-up. Our readers are directed to program documents which will be of interest to agencies contemplating developing or enhancing their own approaches to this critical programming area.

In closing, you are encouraged to submit your comments and suggestions by calling or writing the members of the Editorial Committee:

Dr. Robert E. DeComo, NCCD, 685 Market St., Suite 620, San Francisco, CA 94105, (415) 896-6223.

Dr. Arthur J. Lurigio, Dept. of Criminal Justice, Loyola Univ. of Chicago, 820 N. Michigan Ave., Chicago, IL 60611, (312) 915-7564.

Dan Richard Beto, Director, Community Supervision & Corrections Dept., P.O. Box 6910, Huntsville, TX 77342, (409) 295-8138.

For instructions regarding submissions, see the boxed information on the right.

Information For Perspectives Contributors

The American Probation and Parole Association's Publication, *Perspectives*, disseminates information to the Association's members on relevant policy and program issues and provides updates on activities of the Association. The membership represents adult and juvenile probation, parole and community agencies throughout the United States and Canada. Articles submitted for publication are screened by a Board of Editors and, on occasion, selected reviewers, to determine acceptability based on relevance to the field of criminal justice, clarity of presentation, or research methodology. *Perspectives* does not reflect unsupported personal opinions. Submissions are encouraged following these procedures:

Four hard copies of the article should be submitted to Amy Hensel, American Probation and Parole Association, c/o The Council of State Governments, Iron Works Pike, PO. Box 11910, Lexington, KY 40578-1910. The following deadlines must be met:

Summer 1992 Issue	April 1, 1992
Fall 1992 Issue	August 3, 1992
Winter 1993 Issue	October 26, 1992
Spring 1993 Issue	January 27, 1993

If possible, please submit articles in ASCII format on an IBM compatible computer disk along with three hard copies.

Unless previously discussed with the editors, submissions should not exceed ten typed pages which are numbered consecutively and double spaced. All charts, graphs, tables and photographs must be of reproduction quality. Optional titles may be submitted and selected after review with the editors.

All submissions should be in English. Footnotes should be used only for clarification or substantive comments and should appear at the end of the text.

References to source documents should appear in the body of the text with the author's surname and the year of publication in parenthesis, (e.g., Jackson, 1985). Multiple references to sources by the same author should be labeled alphabetically with each year, e.g., (Jackson, 1985a). If the same source is cited more than once, indicate the various pages of the source with each reference, e.g., (Jackson, 1985: 162-165). Alphabetize each reference at the end of the text using the following format:

Anderson, Paul J. "Salary Survey of Juvenile Probation Officers? Criminal Justice Center, University of Michigan (1982).

Jackson, D.J. "Electronic Monitoring Devices." *Probation Quarterly* (Spring, 1985): 86-101.

While the editors of *Perspectives* reserve the right to suggest modifications to any contribution, all authors will be responsible for and given credit for final versions of articles selected for publication. Submissions will not be returned to contributors. CI

Street Stories

by Peter Blauner, Contributing Editor, *New York Magazine*

Introduction by Gerry Migliore, Director, Office of Public Information, New York City Department of Probation.

Peter Blauner is a contributing editor for *New York Magazine* with an extensive knowledge of the inner workings of the criminal justice system. His articles include: "Fat Cat and the Crack Wars" (the story of a notorious drug dealer who allegedly ordered a hit on a New York City Parole Officer); "The Rap on Lee Brown" (a portrait of the current New York City Police Commissioner); and "Hard Core Kids" (about skinheads and punk rockers). He was also employed as a general assignment reporter for the *Norwich Bulletin in Connecticut* and the *Newark Star Ledger* in New Jersey.

At the time Peter began his research in the New York Department of Probation, we were just beginning to recover from a decade of fiscal austerity that brought with it a one-third decrease in staff and a 100% increase in the number of probationers. Those years were hard on the department and demoralizing for staff.

Through the APPA Committee on Public Relations and Education, we are endeavoring to aggressively use the media to explain the mission of community corrections to the public. We hope this will ensure that no agency or department as important to the criminal justice system as probation or parole suffers the consequences of obscurity or a misunderstanding of its mission.

Peter Blauner's novel, *Slow Motion Riot*, to be published this summer in paperback by Avon, is a gritty, realistic portrait of a New York City probation officer. Peter is a writer who understands both the humanity and pathology of those on either side of the administration of justice. Though you and I may disagree on aspects of his story, it is impossible to deny its power and importance to probation. Once you start, you won't be able to put it down. The following piece is based on Peter

Blauner's presentation to the American Probation and Parole Association.

About five or six years ago, I got a call from a guy in city government who said "Listen, you gotta come by the Department of Probation and see what's going on." At the time! I had kind of a quirky job at *New York Magazine*, a glossy, sophisticated publication with about one and a half million readers per week. I was writing short pieces about parts of the city that nobody else paid attention to, so probation seemed perfect.

What I found in lower Manhattan was a world that fascinated me. I walked into this probation officer's cubicle, and within the first hour he was visited by the whole range of criminal humanity. He had a guy in for a white-collar crime, a nice middle-class lady who had a thing about shoplifting, and then a street kid from the housing projects with a history of violence and a mother who was on probation herself for stabbing someone. It was a whole scene to write about. And the probation officer was to me the most intriguing story of all. This was somebody who was straddling the line between social work and law enforcement.

What could be more vital and interesting? Yet, when I got back to the office, I could barely get my editor's attention. "Probation? What's that? Is that when you get out of going to jail? Are they the ones coddling criminals?" Those of you who are in the field probably know this routine better than I do.

It has been hard to convince people that probation is as important a part of the criminal justice system as police work and prosecution. When I tell most people that two-thirds of all felony convictions get probation, they think I'm kidding. Part of the problem is that probation and parole have had such a low

profile for so long. Another part of the problem, I think, is that given the political climate in the country, people automatically turn off to the whole subject and think of the Willie Horton syndrome.

In a way, the book I wrote, *Slow Motion Riot*, is an attempt to remedy that situation. Part of what I'm trying to do is give probation officers as much visibility as the movies and television have given cops and prosecutors. As we all know, probation officers often have better stories than cops or prosecutors because they actually get to know the people they're dealing with over a period of time, instead of just focusing on incarceration. You have a window on what is going on in the world. When people go out to Los Angeles to do stories about the gangs, they don't talk to the cops; they talk to the probation department.

I was fortunate in running into Gerry Migliore, the Director of Public Information in the New York Probation Department. He was enormously helpful and cooperative. Even if the book doesn't necessarily reflect his views on probation - which I know it doesn't - I think there's something to be learned from the way he opened up the department to me.

Going back to that first story I did in 1985, I had always wanted to write a book; the two standards I gave myself were that the subject had to be someone with an interesting job and that they live in New York. The probation officer satisfied both categories. But I had to make a living too, so I went on writing my stories for *New York Magazine* about crime and politics in the city. Then, in 1987, I ended up doing a story about a major drug dealer named Fat Cat Nichols who was accused of having his parole officer, Brian Rooney, killed - and my interest in the whole subject was rekindled.

I had a few exploratory conversations with people I knew in the publishing industry to see if there was any interest, and then I set off with the vague notion of writing a non-fiction book about probation. Naturally, my first stop was Gerry Migliore. I think at first he was naturally a little skeptical and suspicious about my motives. I guess a lot of people do come into these offices with an axe to grind or an idea about exposing the innate corruptness of the system. I think Gerry found it difficult to believe I had as little on my mind as I said I did.

People who do not understand what you are trying to do are far more likely to jump to conclusions and rely on stereotypes when writing about probation and parole issues.

To his credit, though, he helped open the doors of the agency in a way that people from the New York Police Department and the prosecutors certainly would not. He and I sat down with the commissioner at that time, Kevin T. Smyley, whose cooperation was equally integral. I quickly agreed to sign confidentiality agreements to protect the identities of the probationers I'd be seeing, and I also signed harmless agreements which insured probation would not be held responsible if I ran into severe media critics while I was out on the street with the field units.

Once he'd made sure all the department's liabilities were covered, Gerry helped me go through a comprehensive course in the culture of probation. I went through the two week fundamentals of probation program with a couple of dozen probation officers in training. I sat in on several weeks worth of regular supervision interviews, read armfuls of books on parole and probation, and pre-sentence investigations with the names blanked out. I went out into the field with Intensive Supervision Program officers and later with the Field Service Unit; talked to court liaison

officers, judges, prosecutors and defendants. Gerry and I even visited a drug rehab clinic at Lincoln Hospital where crack users were receiving acupuncture. Overall, I think I got a pretty good sense of what probation in New York was about during the summer of 1988.

The result is the book I wrote, *Slow Motion Riot*, about a young probation officer named Steven Baum, who is trying to maintain his belief in the rehabilitative power of parole and probation, even as he is getting heavier and heavier felons in for increasingly violent offenses on his caseload. Along the way, he gets involved in a particularly tense confrontation with a young crack dealer named Darryl King - and the traditional relationship between officer and probationer gets turned upside down. I felt the situation here reflected a larger shift in society's attitudes as well as providing the basis for a strong and dramatic story.

After working with Gerry Migliore and the New York City Probation Department, I ultimately decided that this book would work best as fiction. Part of the reason was that even though most of the defendants and probationers I talked to were happy to cooperate with me, I had signed confidentiality agreements and the department naturally wanted me to be extremely cautious in writing about these people. In order to have enough latitude in what I said to make these people come alive on the page, I had to write this as a novel. The result may not strike you as the kind of balanced, positive view of probation and parole that you'd like to see, but I hope you'll agree that I have made an honest effort to raise the profile and make people aware that probation and parole are important, even when somebody isn't going out and committing another crime.

I would also like to discuss media coverage as an issue that comes up on a daily basis though. Basically, probation stories fall into two categories: reactive and proactive. Reactive stories will come as surely as the spring rain and taxes. Some probationer or parolee

will fall out of touch with his probation officer and then go out and commit some heinous crime. Jeffrey Dahmer is an obvious and painful example. Days of outrage follow and then several rounds of furious finger pointing and shouting, none of it very complimentary to your local probation and parole departments.

Recently, the *New York Post* ran a series of stories about "Benji, Street Predator," who was a guy who claimed to have mugged 30 people a week and was on probation at the time the story ran. Then there was the kid who was involved in the shooting of the police officer in Queens who had been protecting a witness to a drug case. I'm sure every major city has similar stories.

Ultimately, you have to accept that these kinds of negative stories are going to come up and somebody is going to have to take the hit. This is especially true of the first day's headlines: "They turned him loose!!" But how you do on the second or third day's stories may have a lot to do with how you've handled relationships with the press in the six months or the six years before this story broke.

There are few things that can do more damage than a naive, uninformed writer or editor. People who do not understand what you are trying to do are far more likely to jump to conclusions and rely on stereotypes when writing about probation and parole issues. The Willie Horton issue may be a perfect example. A well-informed reporter may still do wrong by you, in your mind, but at least you've done everything you could do and have had your "day in court," so to speak.

In other words, I think everyone is better off when reporters and editors have a full sense of the context for probation and parole in the criminal justice system. It creates a more complex, and more realistic picture in their minds, and makes it harder to splash inaccurate headlines across the front page. Again, there are no guarantees against negative coverage, nor do I think there should be. This kind of give-and-take

is part of the process of public life, and if it seems that probation and parole get more hits than pats on the back, it may in part be because the public is not as informed as it should be.

One way to begin to remedy the situation may be with the kind of proactive stories I mentioned earlier. A fairly innocuous example is that first story I wrote about probation back in 1985. I had implied some criticism about the size of the caseloads and the limited resources available to probation officers, but essentially I was just trying to give people a sense of what was going on in probation. In truth, the "hook" in such stories is not really a specific program itself or even the brilliant administrative mind that thought of it.

Instead, the hook is often the kids and the older probationers because they can give you a window on to the social conditions that ultimately affect everything else that goes on in our towns and cities. They allow writers to put human faces on problems that are otherwise boring, abstract, and hard to visualize. Every major news organization in the world has at least an occasional need for these kinds of human interest stories, and no one has better access to them than local probation and parole departments. In other words, every street reporter needs to know what is going on in the street and you can tell them.

But do not be lulled into thinking that you can ram "positive stories" down people's throats. The term "positive story" to a reporter is sometimes a little like holy water to a vampire. It implies that a journalist is going to relinquish his critical faculties, which is what he uses to make a living. I don't mean to overstate the obvious, but if you keep calling journalists and talking about positive stories, you will soon find that they stop listening. It is perfectly acceptable to ask for fairness. If you're honest with yourself, however, I think you'll agree that if you heard about another organization putting out a steady stream of "positive" stories, they would quickly lose all sense of interest and credibility in your mind.

The answer, I think, is often somewhere in between. To a certain extent, you have to bring people back to what probation is all about, which is that fragile, slender piece of territory between social work and law enforcement. In the book I wrote, *Slow Motion Riot*, I zeroed in on a probation officer who is hanging off that precipice, suspended between the two extremes. Obviously, I am not suggesting that everyone go out and create their own dramatic scenario for television or the movies. But I am saying that there is a way to talk about these things with journalists in such a way that they don't start rolling their eyes in boredom as soon as you bring up the topic. Probation and parole have stories worth telling and it is time for people to start listening.

A final point would serve as a reminder: try not to stereotype journalists. We are usually not in league with each other; in fact, the opposite is usually true. People are competing for stories and often try to kill each other's scoops. If you have a hard time with the guy from the Herald, that doesn't mean you'll get the same treatment from the Post. Just because somebody from the News was nice to you, it doesn't mean you'll be getting an easy time from the Sun. You'll find there are people you can work with and some who are more difficult. Each story and each reporter is different, so if you get stung once or twice, you don't get anything out of venting your anger at a reporter you've never dealt with before. It pays to have a professional attitude about it. After all, it's all right to feed the animals regularly; just don't try to pet them.

Governing Magazine cites Alternative Prison Sentencing as one of ten legislative issues to watch in 1992. Look for more alternative sentences in the future as a valid solution to prison crowding and downsizing of budgets.

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Portrait of a Beleaguered Probation Officer: *Slow Motion Riot*, by Peter Blauner

BOOK REVIEW

Reviewed by Collin Harrison. Reprinted from *The Chicago Tribune* with permission of the author.

Pity the probation officer. He or she occupies one of the lowest levels in our immense law enforcement apparatus, yet is given the difficult! thankless task of keeping tabs on the criminals America's prisons are too crowded to house.

Society expects probation officers to be patient incubators of lawfulness and good citizenship while also infallibly "violating" - that is, sending to prison - those individuals who, unable to function within the constraints of probation, menace society.

"What crime and poverty have created is a riot in slow motion."

- John V. Lindsay

Former New York City Mayor

To say the least, that is a tough assignment, and it makes for rich, unplowed ground in Peter Blauner's fast-paced first novel, *"Slow Motion Riot,"* which tells the story of Steven Baum, a young New York probation officer from a working-class Jewish background whose idealism is eroding, despite his compassion and effectiveness with his clients.

A particular source of aggravation to Baum is Daryl King, a black, 18-year-old crack dealer who is addicted to the merchandise and has little restraint when there's a gun in his hand.

King appears before Baum while on probation for robbing a gas station, but he's been charged with a laundry list of other serious crimes, for which he has not been convicted. Baum and King immediately take a great dislike to one another, and thereby hangs this tale.

After their first meeting, during which time King psychotically impersonates

a police officer, Baum becomes convinced that King is dangerous and should be returned to prison. He's thwarted by a judge who should know better, and King stays on the streets. Within days, however, it's clear that the probation officer was right.

Blauner spent six months researching the book in the New York Department of Probation. His time was well spent. The book crackles with authentic street slang, much of it unprintable here, and benefits from the droll reportage of Baum: "One woman is standing up and throwing pieces of a Styrofoam coffee cup around the room. She's probably getting in the mood to see her probation officer."

And here is Baum's description of a client he finds on the street: "When I shake his right hand, I give it a good look. There's a dry burned crust of skin near his fingernail. It's the kind of patch you get from flicking a lighter over and over to keep a crack pipe going."

"*Slow Motion Riot*" is told in Baum's voice and also in interweaving strands of third person narration. Such a complicated plot potentially offers an understanding of multiple, converging realities - in this case, the parallel days of Baum and King - yet can also be artificially manipulated in order that the strands of the story remain in sync.

For the most part, though, Blauner is in control, and the reader anxiously watches Baum and King move toward a confrontation that will be emblematic of much that is dysfunctional about our society.

The reader is implicitly asked to examine both characters, but King remains elusive. The reader sees him more than understands him, except in

sociological terms. Baum, though, is clearly drawn and is satisfyingly complicated. He's overworked, underpaid, suspected of liberal naivete by some and of being racist by others.

Alternately harassed and protected by his superiors, Baum must deal with a stream of crackheads, muggers, token-suckers, baby-killers, ripoff artists and the like. Add to that a nascent drinking problem and a lousy history with women, and you have a man who is aching for deliverance to anywhere but here - out of the city, to the safety of law school, and, especially, away from the Darryl Kings of the world.

Baum's desire to find and "violate" King becomes a potentially self-destructive quest. And self-destruction, on the societal level, is at the heart of this novel, the title of which is taken from its epigraph, a quotation from former New York City Mayor John V. Lindsay: "What crime and poverty have created is a riot in slow motion." As witness to this process, Baum arcs from informed idealism to depleted realism to pained resignation.

The ending of the novel is appropriately set in the apartment of an extended poor black family that lives by dealing crack in one of those mean high-rise complexes where the constraints have long since departed. And civilization, what's sadly left of it, is Blauner's ultimate interest as he ambitiously attempts the long reach from crime thriller to a meditation on modern urban race relations.

The finale of "*Slow Motion Riot*" - it does not give too much away to say that it is bloody - suggests that no answers are forthcoming, only that the waste of lives will continue.

Compliance with Court-Ordered Restitution: Who Pays?

by Robert C. Davis, Victim Services Agency, New York, New York

Arthur J. Lurigio, Department of Criminal Justice, Loyola University of Chicago, Center for Urban Affairs and Policy Research, Northwestern University

Restitution has regained respectability in the courts after a rather lengthy period of obscurity (Hillenbrand, 1990). The resurfacing of restitution during the past two decades parallels the crime victims' movement (Davis & Henley, 1990) and is part of the new wave of intermediate sanctions. Restitution is touted not only to punish and to rehabilitate offenders, but also to vindicate victims' rights (Rosen & Harland, 1990) and to infuse the justice process with victims' interests. Today, restitution enjoys widespread support among politicians, criminal justice practitioners, and academics (Rosen & Harland, 1990).

Probation, mediation, and victim-offender reconciliation programs were developed to enforce restitution orders in the adult and juvenile justice systems (Harland & Rosen, 1987). The vast majority of these programs are in adult corrections, where restitution is monitored as a special or mandatory condition of probation (Davis, Smith & Hillenbrand, 1991). In many jurisdictions, the overall collection rate of restitution has fallen far below acceptable levels (Davis et al., 1991) because of the soaring rise in the number of serious offenders on probation (Petersilia, Turner, Kahan & Peterson, 1985) and the absence of standard monetary enforcement practices (Hillsman & Greene, 1988).

Noncompliance with restitution orders can have three major consequences (Lurigio & Davis, 1990): (a) the court's credibility is undermined with offenders and the public; (b) offenders are encouraged to flout the other conditions of probation or release; and (c) crime victims are deprived of an important avenue to redress their financial losses

and psychological distress. This article identifies factors that predict the payment of victim restitution, and offers suggestions for the improvement of restitution programs.

BACKGROUND

The Resurgence of Restitution

The practice of requiring offenders to compensate crime victims was common in pre-industrialized and non-Western societies (Brown & Willison, 1985). The earliest antecedents to modern Western codifications made provisions for victim restitution (McDonald, 1988). But after governments assumed authority for the administration of criminal penalties, victims relinquished their central role in the penal process and restitution soon lost its appeal. By the nineteenth century, restitution effectively disappeared from criminal law and procedure in the United States, and was relegated to an adjunctive criminal sanction or replaced entirely by civil tort remedies (Rosen & Harland, 1990).

During the early 1970s, America's criminal courts rediscovered restitution (Karmen, 1984). Its renewed popularity stemmed partially from disillusionment with the ability of prisons to rehabilitate offenders (Cullen & Gilbert, 1989). In addition, it has long been recognized that community supervision with restitution is much cheaper and less deleterious to offenders than incarceration, and is one of the few sanctions that encompasses the interests of the public, the victim, and the offender. Hence, less than ten years following its rebirth, restitution joined a broad range of alternatives for reducing correctional expenditures and prison overcrowding (Cole, 1989).

Heightened concern for crime victims also stimulated interest in restitution (Lurigio, Skogan & Davis, 1990; McGillis, 1986), which is one of the few mechanisms the court has to indemnify victims. The President's Task Force on Crime Victims (1982) recommended that federal courts order restitution unless there are clear and compelling circumstances precluding the order. This recommendation was given the force of law by the 1983 Omnibus Victim and Witness Protection Act, requiring criminal court judges to state on the record the reasons for not ordering full restitution. In line with federal statutes, state legislators have empowered courts to order restitution in an ever-widening range of cases, and have helped create and support services for its effectuation (Harland, 1982). By the end of 1987, restitution was an authorized or mandatory condition of probation in all states (Hillenbrand, 1990). Hence, courts throughout the country are increasing dramatically both the number and amount of individual restitution orders and are in need of more effective and efficient tools to oversee collection.

The Problem of Noncompliance

Restitution clearly cannot serve a rehabilitative or punitive purpose, and it cannot help "to make victims whole again," unless offenders comply. If victims' expectations regarding restitution are raised but never fulfilled, they may become even less satisfied with the courts than if they would have expected little or no compensation. Davis et al. (1991) found victims' satisfaction with the courts to be greatest when they received all or most of the restitution ordered.

Despite the obvious importance of enforcing restitution orders, even the

most successful programs are able to recoup losses for only a relatively small number of victims. Davis et al. (1991) analyzed case files from four probation-based restitution programs and found that less than half (45 percent) of the total dollars awarded *were* ever collected; nonpayment ranged as high as 67 percent. Consistent with Davis et al., Lurigio (1984) reported that in the Cook County Adult Probation Department, the mean collection rate for a period of three years (1982-1984) was only 34 percent.

Most restitution programs are poorly funded and do not utilize automated systems to keep track of offender payments (Davis et al., 1991). For example, probation departments generally do not have any special technical capacity to monitor collection or disbursement. McGillis (1986, p. 17) notes that "in many probation departments, restitution efforts constitute a 'practice' rather than a 'program.'" The collection of restitution is simply an additional supervisory activity for officers (Office of Justice Programs, 1990). As a rule, probation departments do not assign specific staff to coordinate restitution casework or to provide employment assistance to help offenders meet the obligation (McGillis, 1986). Moreover, officers usually monitor large caseloads and multiple conditions of probation. Under these circumstances, the collection of restitution often receives low priority (Harland & Rosen, 1987; Wheeler, Rudolph & Hissong, 1989).

Because probation and court resources are frequently scarce, a cost-effective measure is necessary for managing restitution payments, such as more closely supervising offenders who represent the greatest risk of non-compliance. This strategy assumes that poor risks can be identified using valid criteria to predict payment. However, no previous work has been done to forecast compliance with restitution.

Prediction Studies in Criminal Justice

The problem of predicting offender behavior has appeared in several domains of criminal justice research. Pre-

diction is fundamental to decision making at various stages of the criminal justice process. Beginning in the early 1970s and building on the seminal work of Glaser (1962) and Gottfredson (1967), investigators constructed quantitatively based instruments for a variety of correctional decisions, including parole and bail release (Goldkamp & Gottfredson, 1985; Gottfredson, Wilkins & Hoffman, 1978), sentencing (Kress, 1980; Wilkins, Kress, Gottfredson, Calpen & Gelman, 1978), probation supervision (Clear & Gallagher, 1985), and prosecution (Williams & Farrell, 1990) (For a review of the prediction literature, see Gottfredson & Gottfredson, 1986).

In this article, we extend the research approach to criminal justice prediction to explain compliance with restitution orders. One particular strength of our research is its breadth; that is, we conducted the study in three separate restitution programs, which differed greatly in size, types of cases handled, and sponsorship. Our goal was to specify factors that predict compliance across programs and thus have general utility for the design of valid assessment tools.

METHOD

Samples and Data Sources

Data were collected from restitution programs in Brooklyn, Minneapolis and Chicago. The Minneapolis and Brooklyn data were part of a larger investigation of restitution orders (see Davis et al., 1991). Chicago data were collected for the current study as part of an internal research project at the Cook County Adult Probation Department.

Minneapolis sample. The Minneapolis sample ($n = 100$) was selected randomly from records of the restitution unit of the Department of Court and Field Services. The unit is responsible for determining the amount of restitution and the payment schedule, and for enforcing restitution orders in misdemeanor adult probation cases. Offenders are given until the end of probation to comply with the order (one year for

misdemeanors and two years for gross misdemeanors): the payment period is sometimes shortened in cases involving smaller amounts of restitution. A probation officer and a volunteer case manager supervise payments. The Restitution Unit closes cases when restitution is paid in full; when the probation period terminates; or when the court removes restitution as a condition of probation. In 1988, the program monitored payments in more than 2800 cases, amounting to nearly \$409,000 in restitution awards.

Cases were identified from a computerized log maintained by the Restitution Unit. The Minneapolis sample consisted of cases sentenced between June 1986 and April 1988, excluding those with large commercial organizations as victims. Data were obtained in March 1989; all offenders, therefore, had one year or more to pay restitution. Information on case characteristics, community ties, and prior records was culled from the files of the Restitution Unit.

Brooklyn sample. The Brooklyn sample ($n=100$) was selected randomly from the files of New York's Victim Services Agency (VSA). VSA is authorized by the state and city of New York to collect restitution in all nonprobation misdemeanor cases in Kings County Criminal Court. Cases monitored by VSA's program are either sentenced to conditional discharge (i.e., a plea-bargained sentence in which offenders remain at liberty but have to abide by conditions specified by the court) or adjourned in contemplation of dismissal (i.e., an informal diversionary sentence in which charges are automatically dismissed in six months unless defendants violate conditions specified by the court). Offenders in adjournment cases are allotted up to four months to pay, those in conditional discharge cases up to ten months. The program is staffed by five full-time employees. In 1989, VSA's restitution unit enforced more than 5000 cases and collected more than \$1,000,000.

VSA's program logbook was used to sample cases. Every new restitution

case logged from January through July 1987 was chosen for the study. The sample was drawn in January 1989, so all cases were at least 18 months old when information was gathered. File data were supplemented with data on offenders' prior records and ties to the community.

Chicago sample. The Chicago sample ($n = 200$) was selected randomly from Cook County adult probation cases. Restitution in Cook County is ordered as a special condition of probation and is monitored by probation

officers. Payments are collected by the Probation Department's Cashier's Office, which then distributes money directly to crime victims. Probationers are allowed the entire probation term - ranging generally from one to four years - to satisfy restitution orders. If restitution is not satisfied completely at termination, probation officers file violation petitions. Judges can respond to a petition by incarcerating the offender, extending the sentence, or terminating the probation as "dissatisfactory," which holds no further penalty

Cases were drawn from the Department's card file, which provides summary information on active and terminated cases. The sampling frame included terminated cases, sentenced between 1982 and 1985. Data were obtained from presentence investigations, officers' record sheets, and case classification forms. Information on amount of restitution paid at termination was obtained from the ledger sheets of the Cashier's Office. Data were gathered in Fall 1990.

Measures

Efforts were made to collect data common to at least two of the restitution programs. A variety of predictor variables, adopted from prior studies, investigating offender compliance with conditions of release on bail, pretrial supervision, probation, and parole (e.g., Beely, 1927; Eskridge, 1978; Forst, 1979; Gottfredson, 1987; Lazarsfeld, 1974; Lurigio, 1981; Molleur, 1986; Venezia, 1973; Wice, 1973; Wilson, 1975) were coded at each site; these included sentencing-related variables (charge, offender's relationship to victim, nature of restitution order, and inclusion of fines), community ties (living arrangements, employment and education), and criminal histories (felony and misdemeanor convictions, number of open cases, and outstanding warrants). The criterion measure was the proportion of restitution paid by each offender at termination or at the end of the follow-up period, which adjusted for differences in the amount of restitution ordered at sentencing.

Sample Descriptions

Table 1 presents a description of the samples. Some data were not available or applicable across all sites. The vast majority of offenders in Brooklyn and Chicago were charged with personal or property crimes. In Minneapolis, one-third of offenders were charged with property crimes, while nearly half were charged with traffic offenses. As noted earlier, Brooklyn was the only site where restitution was a "stand-alone" sentence; in Minneapolis Chicago, restitution was a special condition of probation. Fines

TABLE 1
OFFENDERS WITH SAME CASE

	Brooklyn	Minneapolis	Chicago
Sentencing-related variables			
Nature of charge			
Personal	35%	19%	37%
Property	42%	33%	48%
Traffic	12%	46%	3%
Other	11%	2%	12%
Victim offender acquainted	32%	NA	27%
Restitution order			
Sentenced <i>directly to</i> restitution	34%	0%	0%
Restitution <i>condition of sentence</i>	66%	100%	100%
Fine included	6%	15%	11%
Restitution award			
Mean size of award	\$349	\$416	\$535
Mean time to pay	5.5 months	6.9 months	18 months
Installment schedule	28%	60%	10%
Community ties			
Lives with spouse/parents	63%	32%	25%
Employed	45%	63%	45%
In school	22%	6%	4%
Phone in residence	71%	81%	67%
Mean time at address	6.6 years	2.8 years	1.6 years
Pretrial release recommended	46%	NA	NA
Criminal histories			
Mean felony convictions	.47	NA	2.6
Mean misdemeanor convictions	.29	NA	3.4
Mean number of open cases	.40	NA	1.8
Outstanding warrants	14%	NA	18%
Mean percentage of award collected	67%	50%	47%

were used sparingly in all three sites. The average size of restitution awards and the average time allotted for payment reflect basic differences among the programs. Chicago's program for felony probations had the largest average awards and the longest average time for payment, whereas Brooklyn's program for adjournments or conditional discharges had the smallest average awards and the shortest average time for payment. Minneapolis' program for misdemeanor probations fell midway between Chicago and Brooklyn on these two variables. The use of payment schedules was most prevalent in Minneapolis and least prevalent in Chicago.

Bivariate Correlations

Table 2 presents the simple correlations between restitution compliance and sentencing-related variables, community ties, and criminal histories. As shown, criminal histories are among the strongest correlates of payment. Brooklyn offenders with more felony convictions, open cases, or outstanding warrants, were least likely to comply with restitution orders. Similarly, Chicago offenders with more prior convictions and outstanding warrants were less likely to comply with restitution orders.

Sentencing-related factors and community ties also were associated with compliance. For example, in Brooklyn, plea bargained cases were more likely to comply with restitution orders than cases ordered to pay restitution without a guilty plea entered. In Chicago, the size of the restitution order was related negatively to payment. The data suggested that longer payment terms and the use of installment schedules were associated with higher compliance rates, but these relationships did not reach statistical significance. Other sentencing-related factors were not correlated with payments. Specifically, the nature of the charge, the relationship between victims and offenders, and the additional imposition of a fine were not related to payment.

Measures of community ties were the only reliable correlates of payment

TABLE 2: Bivariate Correlations Between Predictors and Criterion Measures

	Brooklyn	Minneapolis	Chicago
Sentencing-related variables			
Nature of charge	— .07	— .10	— .19
Victim offender acquainted	.07	NA	.11
Restitution order			
Case adjourned	— .28**	NA	NA
Fine included	— .02	— .16	— .14
Restitution award			
Size of award	.09	— .11	— .26**
Time to pay	.05	.17	.16
Installment schedule	.15	.18	NA
Community ties			
Lives with spouse/parents	.15	.18	.17
Employed	— .08	.25*	.26**
In school	.29**	.20*	.15
Phone in residence	.05	.21*	.07
Time at address	.02	.21*	.15
Recommended release	.29**	NA	NA
Criminal histories			
Felony convictions	— .24*	NA	— .38**
Misdemeanor convictions	— .20*	NA	— .16
Open cases	— .36**	NA	— .14
Outstanding warrants	— .24*	NA	— .27**

* p is less than .05

** p is less than .01

TABLE 3: Results of Multiple Regression Analyses

Variable	Beta	SE _B	T
Brooklyn			
Case adjourned	— .23	.112	— 2.09*
Offender in school	.22	.129	2.00*
Number of open cases	— .32	.092	— 2.92**
Adjusted R ² = .219			
Minneapolis			
Offender employed	.39	.091	3.92***
Offender in school	.28	.205	2.85**
Time at address	.23	.109	2.35*
Adjusted R ² = .211			
Chicago			
Prior felony convictions	— .41	.125	— 4.11***
Outstanding warrants	— .27	.111	— 3.06**
Offender working	.23	.106	2.64**
Restitution amount	— .31	.203	— 3.21***
Adjusted R ² = .423			

Note: SE_B = standard error of regression for B.

* p is less than .05

** p is less than .01

*** p is less than .001

across the three sites. In Minneapolis, employed offenders, those in school and those with stable addresses and telephone service were more likely to comply with restitution orders. In Chicago, employment was related positively to payment. In Brooklyn, the variables of being in school and being recommended for release by the city's bail unit (a decision based primarily on community ties) were correlated directly with compliance.

Multivariate Analyses

We performed step-wise, multiple regression analyses to examine the independent contribution, relative importance, and overall power of the predictor variables in explaining variance in payment. Table 3 shows that the model for Brooklyn includes number of open cases, school attendance, and type of restitution case (adjournment or conditional discharge). Together, these three factors accounted for nearly 25 percent of the variance in compliance. The model for Minneapolis included employment, school attendance, and length of time at current address, and also accounted for about 25 percent of the variance in compliance. Finally, the model for Chicago included prior felony convictions, number of outstanding warrants, employment, and amount of restitution ordered. Together, these variables accounted for more than 40 percent of the variance in compliance.

SUMMARY AND CONCLUSIONS

The present investigation provides evidence for systematic differences in offenders' tendencies to satisfy court-ordered restitution. Results show that community ties are reliable predictors of payment. Offenders who work, live at a stable address, and attend school are safer risks for compliance. Criminal history variables that convey a diminished propensity for repeat offending or absconding are also useful indicators of payment. Similar data have appeared in pretrial and probation studies and have been used to categorize offenders for release and supervisory decisions (Gottfredson & Gottfredson, 1986).

These results have obvious implications for practice: High risk offenders can be monitored more strenuously to increase collection rates and to make more efficient use of program resources. Several enforcement strategies are indicated, such as requiring the high-risk offender to make initial payments directly to the court, asking the offender or the offender's relatives or friends to cosign a promissory note or to put up collateral, or issuing an immediate warrant in response to delinquencies (Davis et al., 1991). The next logical step is to construct and validate instruments that can differentiate offenders for enforcement according to their risk of non-compliance (cf. Lurigio, 1981).

Data from Brooklyn demonstrating that sentenced offenders are more likely to pay suggests that closer monitoring and the prospect of more serious outcomes for non-compliance may improve collection. Research reveals that restitution collection rates can be increased significantly through studious efforts to secure payment, such as reminder letters, phone calls, and threats of court action (Galaway, 1988; Smith et al., 1989). Hillsman, Sichel, and Mahoney (1984) observed that courts with the highest monetary collection rates had the most stringent enforcement practices. Similarly, Lurigio and Davis (1990) demonstrated that notification letters that not only reminded offenders of the amounts of restitution owed but also told them how to make payment and threatened serious penalties if they did not comply, prompted a substantial proportion of delinquent offenders to fulfill their monetary obligations.

Data from Cook County suggest that the imposition of large restitution awards without an evaluation of ability to pay may be counterproductive. Orders of maximum monetary penalties to gain full compensation for crime victims may contribute unwittingly to greater victim dissatisfaction because the victim is likely to receive only a portion of the original order. In addition, larger orders can lead to greater frustration among those responsible for collection because of the problems attendant with enforcing onerous monetary conditions

(Lurigio, 1984). Higher rates of probation violations and revocations are likely consequences.

In a national survey of restitution programs, Davis et al. (1991) found that programs assessing offender means before setting awards had higher collection rates. Moreover, they reported that attachment of court costs or fines to a sentence lowered restitution payments in one of the sites studied. Hence, the size of restitution awards should be determined in the context of ability to pay and other financial sanctions.

In conclusion, the results of this study point to several intriguing questions for future research on restitution. Little is known about the processes that mediate offender compliance with restitution or about the effectiveness of different monitoring strategies to bolster collection rates. How do offenders' perceptions of the "fairness" of the awards influence compliance? Do offenders prefer community service orders or work options over monetary sanctions? Does the face-to-face contact of victim-offender reconciliation programs facilitate the collection of restitution? What kinds of monitoring techniques have the greatest impact on payment? Besides gainful employment, what other financial sources do offenders tap to pay restitution? Answers to these questions will help to ensure that restitution fulfills its promises to crime victims and to the criminal justice system.

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AUTHOR NOTES

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Correspondence may be addressed to Arthur J. Lurigio, Department of Criminal Justice, 820 N. Michigan Ave., Loyola University of Chicago, Chicago, IL 60611.

FOCUS ON AFFILIATES

Proactive Probation in Illinois

by Darrell McGibany, Past President, Illinois Probation and Court Services Association

Michael J. Rohan, President, Illinois Probation and Court Services Association

Janice R. Hill, Executive Coordinator, Illinois Probation and Court Services Association

In early 1969, the Illinois Law Enforcement Commission funded Southern Illinois University at Carbondale to provide training for Illinois probation officers. Approximately 23 probation officers attended the first workshop, held in Springfield. After the workshop, several of the participants proposed the formation of a new professional Association. In July 1969, the group nominated Gene Hughes, chief probation officer from Vermilion County, to serve as chair of a group to organize the association.

On November 19, 1969, the Illinois Probation and Court Services Association, or "IPCSA," was organized. There were 31 charter members. The Association's first Annual Fall Conference was held in Springfield in October 1970. One year later, membership had grown to 200.

Since that time, our Association has grown to over 900 members, including judges, students, associate and affiliate members. The continued growth of IPCSA is primarily attributable to successful legislative initiatives and professional development training sponsored each year by the Association. Since its inception, the Association has participated in a number of initiatives that have served to promote our profession and improve the delivery of probation services to the court, its clients, and the community. The following is a partial summary of our accomplishments:

- Developed and ratified a Code of Ethics in 1978 as a pledge of professional service to our communities, our clients, and the courts.
- Drafted and successfully promoted the Probation Subsidy Bill in the Il-

linois state legislature in the mid-'80s, which increased the minimum salary of probation professionals across the state.

- Developed a juvenile classification system with pilot projects currently active in a number of departments statewide.

- Successfully lobbied for intensive probation supervision (IPS), additional drug officers, and additional detention workers through an increase in the Supreme Court budget.

- Obtained grant funds through the Illinois Juvenile Justice Commission, Institute for Court Management, and the American Probation and Parole Association (APPA) to fund professional development training.

- Issued a quarterly newsletter, *The Advocate*, which incorporates Association information with articles from criminal justice professionals from across the state.

- Initiated a major reorganization of the Association in 1989-90 entitled, "Vision Quest." The reorganization resulted in a revised Constitution, restructuring of the Executive Board and committees, the opening of an executive office in Springfield, and the employment of an executive coordinator.

- Co-sponsored professional development conferences with the National Juvenile Detention Association (NJDA) and the American Probation and Parole Association (APPA).

Philosophy and Mission

The Bill of Rights of the Constitution of the State of Illinois at Article I, Section 11, states: "All penalties shall be determined both according to the seri-

ousness of the offense and with the objective of restoring the offender to useful citizenship." Consistent with the constitutional concept of "restorative justice," Illinois law requires a presumption of probation in the consideration of sentencing options, and the majority of convicted offenders are, in fact, sentenced to probation. As the sentence of choice in Illinois, probation is a cost-effective alternative to imprisonment which can serve the ends of justice, provide for the safety of society, and restore offenders to useful and productive lives.

The mission of Illinois probation departments is to provide the circuit courts with a comprehensive system of quality programs and services which are responsive to constitutional and statutory requirements, and which reflect judicial priorities and community needs. In times of diminishing resources, it is important that circuit courts have the flexibility, within the parameters of state standards, to establish funding and program priorities in determining essential probation services. The scope of essential services, therefore, encompasses a continuum of integrated interventions that focus on protection for the community and restoration of the offender.

Community Relations Efforts

Typical of most other states, the Illinois Department of Corrections has experienced extensive growth to address the continued problem of serious crime. Current estimates show that incarcerating an offender in an Illinois correctional facility costs \$15,988 per offender

per year. The per offender cost for probation is \$658. The daily cost for probation is \$1.80, compared to \$43.80 in corrections. Restitution collected for crime victims through court services was \$6.4 million in 1990, and over \$13.4 million in the last two years. It must also be noted that an offender in prison is not able to pay income taxes, sales taxes, or restitution.

Our Association recognizes that a comprehensive statewide public relations initiative must be maintained by \$13.4 million in the last two years. It must also be noted that an offender in prison is not able to pay income taxes, sales taxes, or restitution.

Our Association recognizes that a comprehensive statewide public relations initiative must be maintained by our profession to educate elected officials regarding the cost effectiveness of probation. The IPCSA works closely with the Probation Division of the Administrative Office of the Illinois Courts (AOIC) to develop professional development initiatives, as well as education of the judiciary and legislature regarding sentencing alternatives. One of the most visible community relations activities is Criminal Justice Awareness Day. This event has been coordinated with other professional associations since 1988. It is primarily a lobbying effort, which typically brings up to 300 professionals and legislators together at a reception designed for informal "meeting and greeting."

In addition, the Association contacts speakers and trainers from many organizations, both local and national, to appear at conferences and other events. We attempt to identify a "host county" for each conference. The conferences then provide an opportunity for the host county probation office to network with local organizations, and obtain media coverage for both the event and the services provided by the county. It helps that conferences bring significant revenue to a host county. Our 1991 Fall Conference in Peoria brought over \$75,000 to that community.

The IPCSA coordinates major legislative, training, and programmatic initiatives with the Administrative Office of the Illinois Courts (AOIC), as well as a number of other organizations including the Illinois Association of Chiefs of Police; the Illinois Correctional Association; the Illinois Department of Alcohol and Substance Abuse; the Illinois Department of Corrections; the Illinois Juvenile Justice Commission; the Illinois Sheriffs' Association; the Illinois State Bar Association; the John Howard Association; Justice Fellowship; League of Women Voters; and Sangamon State University.

The Association also has an extensive network of companies that provide products to probation departments, including electronic monitoring equipment, counseling, substance abuse treatment, and educational programs.

Organizational Structure

For the majority of its history, the Association activities have been coordinated solely by volunteers. The Association is managed by a seven-member Executive Board with a president, vice-president, treasurer, secretary, and three members-at-large. In 1990, the Association opened an executive office and

Code of Ethics

Probation and court services work encompasses supervision and counseling of individuals within the community who are involved with the criminal and juvenile justice systems. Our profession provides information directly to the courts and other agencies which may aid in dispositional decision making.

As a court services officer, I commit myself to conduct my professional relationships in accord with this Code and subscribe to the following statements:

1. I will endeavor to be honest and sincere with individual clients and with my fellow professionals.
2. I will respect the individuality of each person with whom I am in contact, and approach each case with diligence.
3. I will endeavor to continue to upgrade my personal and professional development through education and training.
4. I will continue to work and cooperate with my fellow professionals and their prospective agencies to improve the quality of service offered to the individuals we serve.
5. I will not make judgments which may be prejudicial to the individual, and will focus on what is objective and pertinent to the case.
6. I will distinguish clearly, in public, between my statements and actions as an individual and as a representative of my profession.
7. I will hold my profession in the highest esteem and perform to the best of my abilities.
8. I will not accept gratuities of any kind.
9. I will conduct myself in the community in a manner as to not diminish the integrity of the court or my profession.
10. I will stay within the boundaries of my profession and direct individuals to appropriate resources when necessary and proper.

- Adopted 1978

hired an executive coordinator who reports to the Executive Board.

The Association presently has several committees that members are encouraged to join. Four of these deal with substantive areas of concern to our members: Resource, Detention, Management, and Substance Abuse (formerly DUI). These committees develop proposals relating to operational guidelines in these specialized areas. The Program Committee is the coordinating body for the Spring and Fall Conferences, as well as other special events. The Membership Committee coordinates efforts to acquire new members, conducts membership surveys, and suggest membership benefits. The Legislative committee is very active on a cross-section of issues affecting community corrections, such as compensation benefits and delivery of probation services.

The Executive Board oversees the activities of several subcommittees. The Awards Subcommittee is chaired by a member, and coordinates the nomination and selection of award recipients

for the five major awards given by the Association. The Nominations/Elections Subcommittee is also chaired by a member, and is responsible for verifying qualifications of candidates for the Executive Board and overseeing elections. The Community Relations Subcommittee is chaired by the vice-president. This subcommittee coordinates and oversees the community relations efforts of the Association. The Fiscal Subcommittee is chaired by the treasurer. This is a new subcommittee, and will be looking at the overall financial needs of the Association.

Finally, all of the committee chairpersons serve on a Representative Committee. This committee coordinates activities that cross committee lines, and also serve in an advisory capacity to the Executive Board.

Association Awards

In recognition of professional accomplishments and dedication to the profession, our Association annually presents three distinguished-professional awards. The Gene Hughes Award is

presented to a member who exemplifies the highest standards of the profession. The Pauline Gansauer Award is presented for dedication, and the William C. Albertson Award for achievement in the field. The S. William Ettinger Service Award represents distinguished service to the Association. The President's Award is also given for service to the Association. In addition, the Association periodically presents an award to an individual in the community who has made a contribution toward enhancing the probation profession and the services provided by probation.

The Association performs a vital service in helping community corrections professionals maintain a high standard of service to the courts, to the community, and to their clients. As we approach our 25th year, we will grapple with not only the responsibilities but also the benefits of a maturing organization with an impressive history of accomplishment, and a commitment to being proactive in probation and court services throughout the state.

Request for Site Proposals: APPA Training Institutes

Bids are open for sites for the following
APPA 20th Annual Training Institute 1995

Decision will be made at the Board of Directors meeting in St. Louis, August 30, 1992

Any board member, affiliate group or state agency wishing to request a certain city for consideration must complete an application to host the Institute.

Completed applications to host the Institute must be received by June 30, 1992, in order to be considered.

Further information and applications may be obtained from:

**Yolanda Swinford, APPA
c/o The Council of State Governments
Iron Works Pike, P.O. Box 11910
Lexington, KY 40578-1910**

Employment Assistance as a Part of Probation

by **Melvin Brown, Jr., Ph.D., Executive Director, Montgomery Co. Dept. of Community Supervision and Corrections, Texas**
Ken Young, M.B.A., Director of Administrative Services, Montgomery Co. Dept. of Community Supervision and Corrections, Texas

With the expanding dependence upon community corrections to address the problems of a growing offender population, areas in which probation departments have an increasing responsibility are the areas of assessment of probationers and the development of programs that teach them to meet their needs in more appropriate ways (Brown, 1991). Since the single greatest predictor of success or failure on probation is whether the offender is employed (Longmire and Schauer, 1987, p. 15), it is imperative that probation departments help offenders learn skills which will enable them to obtain and maintain employment.

In exploring employment problems of probationers, the Montgomery County (Texas) Department of Community Supervision and Corrections (MCD CSC) conducted a random survey of probationers reporting to the department. The survey revealed that a significant employment problem existed. Information on employment was obtained by reviewing the monthly report forms submitted by probationers for the months of January, February and March, 1990. A sample of approximately 6 percent (6%) of probationers under direct supervision of the department was studied. Of those whose records were reviewed, 37.3% were determined to have employment problems. The criteria used to define employment problems and those meeting that specific criterion are as follows:

1. Unemployment for at least two of the three months surveyed (19.9%).
2. Employed, but working less than an average of 20 hours per week during the month (14.1%).
3. Working more than an average of

20 hours per week, but earning less than \$438 per month (4%).

Based upon the results of the survey, MCD CSC established a program to assist probationers with employment needs. The program contains four components: (1) an assessment of employability; (2) classes to teach probationers job readiness skills, (3) assistance in securing employment; and (4) follow-up with the probationer and employer to increase the probability of successful job placement.

TARGET POPULATION

The program is designed so that no probationer is ineligible for employment assistance. According to the proposal for funding, the target population consists of any probationer who:

1. Reports unemployment for two months in any three-month period;
2. Reports that he or she worked less than an average of 20 hours per week for two months in any three-month period;
3. Reports a monthly income of less than \$438 per month in any three-month period; or
4. Requests to participate in the program. The request may come from the probationer directly or from his/her probation officer (1991 Community Justice Plan).

STAFFING THE PROGRAM

As with any program, having the right staff is one of the keys to success. MCD CSC looked outside the traditional probation ranks to secure an offender employment coordinator. The department was fortunate enough to

attract to the position the director of a local business school. Because his previous employment included serving as vice-president of a local bank, he had a number of contacts within the business community.

Every probation department may not be able to locate a coordinator with the experience possessed by the coordinator of the MCD CSC program. However, it is important that the person selected for positions within the program approach the job with the attitude of an employment specialist rather than that of a probation officer.

THE EMPLOYMENT PROCESS

Referrals to the Offender Employment Program (OEP) come primarily from two sources: (1) from the officer who supervised the probationer; or (2) from the department director or assistant director following an in-house administrative hearing.* *

Upon receipt of a completed "Offender Employment Referral" form, the OEP staff conducts an assessment of the probationer's employment needs. The assessment includes an interview with the probationer, establishment of a work history, and administration of an "Employability Pre-Test." Based upon the results of the assessment, the probationer is either scheduled for Job Readiness Training or placed directly into the Job Search component of the program.

Job Readiness Training

The Job Readiness Training portion of the program uses a program entitled, *The Choice is Yours*. The program combines the use of videos and par-

participant workbooks in teaching how to enter and succeed in the world of work. Participants are encouraged to set goals based on their personal "wants." Individual accomplishments are identified and an inventory of their personal, educational and work skills is developed.

The classroom instruction emphasizes developing a positive work attitude, getting along with others on the job, learning to deal with conflict, and dealing with stress.

Staff teach a step-by-step method of setting job goals. By the end of the course each participant has (1) prepared an error-free master application to be used as a reference tool when filling out job applications; (2) developed a functional resume; (3) identified potential employers; and (4) prepared for job interviews.

Participants are also taught employers' expectations of new employees and about "stretching the paycheck" to cover all financial obligations including probation fees.

As an aid in instilling a sense of accomplishment, a Certificate of Completion is presented to each participant who has attended all sessions. Those who missed a session are required to cover any materials they may have missed. This may be done on a one-on-one basis or by having them attend another section of class on a day when the information they missed is being presented.

Job Search

Those entering the job search phase of the employment process consist of probationers who completed the job readiness portion of the program or those determined during the initial assessment as not needing the job readiness phase.

During this phase every available resource is used to assist probationers in securing employment. Among the resources used are:

- Texas Employment Commission;
- Texas Rehabilitation Commission;
- and
- Help Wanted ads from local newspapers.

In addition to the above, OEP staff develop resources among business establishments in the community which they frequent in the course of their daily lives. OEP staff have been so adept at making contacts with the local business community that some proprietors will call the OEP office in search of employees.

While assistance in securing employment is provided to probationers, the OEP staff are ever mindful of the following proverb: "Give a man a fish and you feed him for a day. Teach him to fish and you feed him for a lifetime."

Monitoring and Follow-Up

The OEP staff's work does not end with the employment of the probationer. Ensuring that the probationer is able to maintain employment is viewed as equally important to his/her securing employment.

For a six-month period following the probationer's achieving employment, OEP staff monitor the probationer's employment status and serve as a liaison to address any employment problems that might arise.

THE RESULTS

A review of the statistics maintained by the department reveal that, of the 67 probationers who have completed the job readiness training program, 62 (92.5%) have secured employment. Of those who completed the job readiness program and secured employment six months prior to this article being written, 93 and 1/10 percent (93.1%) are still employed. It may be too early to state with certainty the long-term effects of the program, but it appears that the program will have significant impact upon the number of probationers who successfully complete probation.

NOTES

* * For information on the in-house administrative process see: Brown, Melvin, Jr. (1987), "The Administrative Hearing: An Effective Probation

Tool," *Corrections Today*, Vol. 49, No. 7, or Brown, Melvin, Jr. and Underwood, Olen (1989), "The Administrative Hearing in Probation," *Texas Probation*, Vol. IV, No. 4.

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Montgomery County Department of Community Supervision and Corrections, 1990, *Montgomery County 1991 Community Justice Plan*.

ABOUT THE AUTHORS

Melvin Brown, Jr., Ph.D. is the Executive Director of the Montgomery Co. Dept. of Community Supervision and Corrections. He is also an adjunct faculty member in the graduate program in Criminal Justice Management in the College of Criminal Justice at Sam Houston State University. Articles by Dr. Brown have appeared in numerous professional journals.

Ken Young, M.B.A. is Director of Administrative Services for the Montgomery Co. Dept. of Community Supervision and Corrections. Prior to assuming his current position, he served as the department's Offender Employment Coordinator. Previous positions held by Mr. Young include Director of Brazos Business College and Vice-President of First Interstate Bank.

IN MEMORIAM

Malcolm C. MacDonald

Malcolm C. MacDonald, age 43, born November 27, 1948, passed away on February 11, 1992, after a brief illness.

Malcolm was formerly a member of the Holy Cross Brothers. He was graduated from Holy Cross High School, Chicago, in 1966, and received his BA from Notre Dame in 1970. He was a member of the first graduating class of the LBJ School of Public Affairs at the University of Texas, receiving his Masters in Public Administration in 1974.

He is survived by his mother, Margaret MacDonald; and his sisters, Judy D'Allessandro and Mary MacDonald, all of Chicago and his brother, James MacDonald of Columbus, Ohio. He is also survived by his longtime companion, Edward B. Deakin, Austin; and by an extended family consisting of numerous friends and relatives from around this country.

Malcolm was a very special person to all who knew him. He was strong in his views, deep in his commitment, kind and gentle in his approach to his profession and to his many friends. His contributions to the field of community corrections will be one of his many lasting legacies. The world is a better place for his being here.

In lieu of flowers, Malcolm has requested that gifts be made to the Malcolm MacDonald Fund at AIDS Services of Austin, PO. Box 4874, Austin, Texas 78765.

Malcolm MacDonald's career culminated in his position as Director, Program Services of the Community Assistance Justice Division of the Texas Department of Criminal Justice, where he had served as Administrator since 1978. Former President of the American Probation and Parole Association and recipient of the Walter Dunbar Award for service in the criminal justice field. Malcolm had been widely honored in Texas, in the United States and throughout the world for his commitment to the criminal justice field and for his services to the improvement of the criminal justice process.

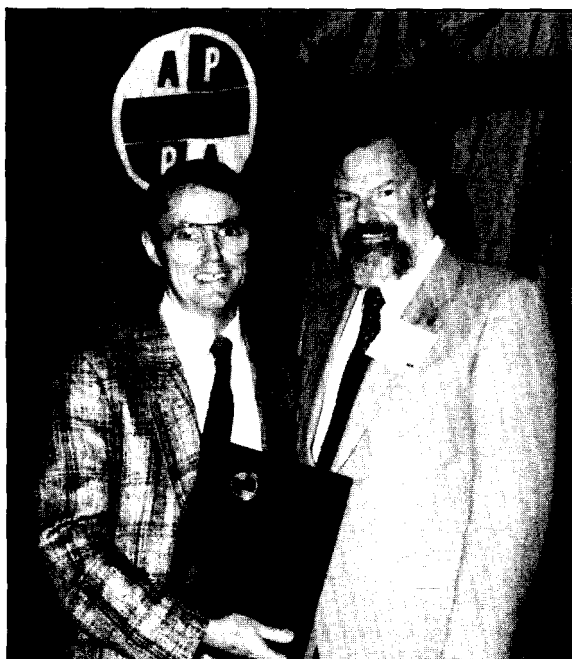
During his thirteen year tenure with the Texas Adult Probation Commission, Malcolm was instrumental in establishing a statewide network of community based correctional programs within the judicial district adult probation departments. These programs include: intensive supervision; restitution centers; specialized case-

loads; electronic monitoring; court residential treatment centers; and surveillance probation. The existence of these programs has, in effect, changed the sentencing patterns of the Texas judiciary. Judges trying criminal cases, to a larger extent than ever before, rely on community corrections rather than incarceration as the method to punish, rehabilitate and deter the criminal behavior of offenders sentenced by the courts.

Malcolm also served as the President of the American Probation and Parole Association. During his tenure the Association became financially secure and took its place nationally as the official organization representing the interests of probation and parole in the United States. Not only was a new constitution adopted, but the

Association's management structure was also completely revised in order to ensure the delivery of services to its members and the profession. In particular, during his tenure, the Association commenced and continues to deliver a child abuse intervention training program and established the process for certifying probation and parole officers. Malcolm also initiated the idea of developing a curriculum for training budget analysts with oversight responsibilities for community corrections. Until his illness in late 1991, he served as co-chair of APPA's public relations committee.

Additional service at the national level was provided by Malcolm to: the American Bar Association; National Sheriffs' Association; National Academy of Sciences; National Institute of Justice; National Institute of Corrections; National Institute on Drug Abuse; the State Justice Institute; Pretrial Services Resource Center; Presidential Commission on AIDS; National Institute on Sentencing Alternatives; National Center for Juvenile Justice; Bureau of Justice Assistance; American Correctional Association; National Association of Probation Executives; and the National Association of Criminal Justice Planners. His consultation with these organizations covered the topics of: child sexual abuse intervention; experiments in criminal justice; AIDS; classification systems; electronic monitoring; budgeting; intensive supervision; statistical prediction; drugs and crime; residential community corrections; and alternatives to incarceration.



Malcolm receives the Walter Dunbar Memorial Award from APPA President Don Evans at the APPA 16th Annual Training Institute, July 1991.

In reference to the media, Malcolm appeared on Crime File, a nationally syndicated public television show concerning issues in criminal justice. He also appeared on the nationally syndicated State to State Program discussing the rights of crime victims. He has been quoted in many national and local publications, such as USA Today and the Chicago Tribune.

Malcolm made presentations to correctional professionals throughout the United States. He



Malcolm MacDonald's favorite pastime was sailing.

also made presentations at the International Congress on Corrective Services in Sydney, Australia and to the Rehabilitation Bureau of the Ministry of Justice in Tokyo, Japan. He influenced the direction of community corrections on both a national and an international level.

Shortly before Malcolm's death, APPA's Board of Directors passed the following resolution in recognition of his many years of dedicated service to community corrections.

American Probation and Parole Association RESOLUTION

In recognition of Malcolm MacDonald

WHEREAS, Malcolm MacDonald has faithfully and effectively carried out the duties of the President of the American Probation and Parole Association from 1985 - 1987; and

WHEREAS, Malcolm MacDonald has faithfully and effectively served as chairman of the Board of Directors in 1984; and

WHEREAS, he has aided and worked for the Association in assorted positions and on numerous committees; and

WHEREAS, he has been an innovator and supporter of effective change in the field of probation and parole and a friend to many of its practitioners; and

THEREFORE BE IT RESOLVED, that the Board of Directors of the American Probation and Parole Association recognize formally the leadership, diligence, support and friendship that Malcolm MacDonald has provided to the Association; and

BE IT FURTHER RESOLVED, that the Board of Directors remember and think of Malcolm during this difficult period and send him our deepest regards and caring thoughts; and

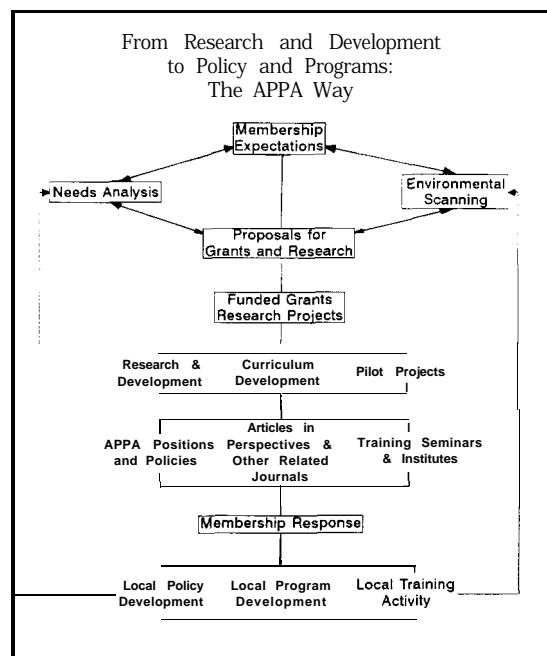
BE IT FURTHER RESOLVED, that this resolution and a copy of the APPA book, *A Report on the Labors of John Augustus*, signed by the Board be delivered to Malcolm MacDonald; and

BE IT FURTHER RESOLVED, that a graduate research scholarship fund be developed by the American Probation and Parole Association in the name of Malcolm MacDonald on this day, January 26, 1992.

From Research and Development to Policy and Programs: APPA Makes It Happen

by Donald G. Evans, Immediate Past President, APPA

Your association is continuing to learn and adapt to the changing nature of the fields of probation and parole. One of the major structural innovations APPA has developed is its process for producing knowledge and fostering technology transfer by providing means to disseminate information, strategies and techniques gained from grant activities.



For the instruction of our membership I would like to describe this process and in doing so, invite your participation in that process. The accompanying chart gives you a quick view of the process and the supporting activities. The process can be broken down into stages. The first stage is analysis. This will enable APPA to be prepared to develop proposals for grants and research. The main activities in this stage are surveying members, providing an analysis of needs, soliciting input from board members and an environmental scan by our staff.

The second stage is administrative, that is, writing proposals, gaining support for the proposals and managing the successful grant applications. Board and affiliate support at this stage is critical to success. Letters of support and assistance in writing proposals are all necessary and provide opportunities for involvement in the process.

The third stage deals with the actual products and services which emanate from the grant and research projects. Again the board, affiliates and members are an important aspect of the work on the projects, through steering committee activity, responding to surveys and requests for information and

being involved on work teams and attending or setting up pilot projects.

The final stage deals with broad dissemination efforts through such APPA vehicles as position papers and policy statements, articles in Perspectives and other journals, and in training seminars and our Annual Institutes.

The hoped-for gain and value-addedness of this endeavor, is your response as members by improved local policy and program development, and enhanced training. This activity, as it occurs and is reported back, sets the stage for further analysis of need. This will result in seeking of opportunities to research and produce knowledge and disseminate information and techniques to the field officer, administrator and legislator that will contribute to the development of probation and parole as a major, critical activity in the provision of safe and secure communities.

The next time you are asked to assist in this process, please don't put the request aside; act on it. The future of the Association and our profession depends on an active, involved membership, and it is my hope that this is an enabling and empowering process. APPA is a network for information and action.

The Road to Victim Justice

NATIONAL VICTIM RIGHTS WEEK

April 26 - May 2, 1992

Eleven years ago, Victim Rights Week was established to draw national attention to the needs and concerns of victims within the criminal justice system. Across the country, many localities will be sponsoring activities in observance of Victim Rights Week. Crime victims must be *informed* and involved within the system at every turn; those of us in community corrections are beginning to realize our responsibility to crime victims. Involve yourself in a local commemoration of Victim Rights Week!