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Probation

Probation Officer Burnout: An Organizational
Disease/An Organizational Cure..... *Paul W. Brown*

The Privatization of Treatment: Prison Reform
in the 1980's..... *Francis T. Cullen*

A Theoretical Examination of Home Incarceration *Richard A. Ball*
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Guidelines: To Be or
Not To Be *Chris W. Eskridge*

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This Issue in Brief

Probation Officer Burnout: An Organizational Disease/An Organizational Cure.—In recent years, considerable attention has been given to burnout of public service personnel; however, little has been published on burnout of probation officers. Author Paul W. Brown looks at organizationally caused burnout and some approaches to moderate it. According to the author, most correctional agencies are based on a military-like structure, and probation departments seem to be no exception. This traditional structure may be responsible for burnout, and there is little a probation officer can do about it. Changes will have to be made by managers who are willing to accept and implement more democratic management styles.

The Privatization of Treatment: Prison Reform in the 1980's.—According to author Francis T. Cullen, a contributing factor to the swing in criminal justice policy to the right has been the failure of progressives to provide plausible policy alternatives. He argues that a viable avenue of prison reform is the privatization of correctional treatment programs—a reform that is politically feasible because it capitalizes upon both the continuing legitimacy of the rehabilitative ideal and the emerging popularity of private sector involvement in corrections. While a number of concerns about profit-making in prisons must be addressed, the author contends, the major advantage of privatizing treatment is that it severs the potentially corrupting link between custody and treatment and thus helps to structure interests within the prison in favor of effective correctional rehabilitation.

A Theoretical Examination of Home Incarceration.—Developing a theoretical rationale for the use of home incarceration as an alternative sentence, authors Richard A. Ball and J. Robert Lilly argue, based on a previously developed theoretical position as to the goals of sentencing generally, that "punishment" is ultimately directed at the restricted reprobation of an act in such a way as to provide for the reparation of that particular conception of social reality agreed upon in a given society. According to the authors, home incarceration has advantages

in that it is of easy communicability in terms of present conceptions of social reality, of limited complexity and fairly obvious potential impact, and of reasonable cost. Since it is also characterized by reversibility, divisibility, compatibility, and perceived relevance to organizational goals, it is considered to possess the theoretical advantages necessary to adoption.

Probation Supervision: Mission Impossible.—According to author John Rosecrance, there is a consensus that probation has failed to reduce recidivism and has lost credibility with the public and other criminal justice

CONTENTS

Probation Officer Burnout: An Organizational Disease/An Organizational Cure	Paul W. Brown	4
The Privatization of Treatment: Prison Reform in the 1980's	Francis T. Cullen	8
A Theoretical Examination of Home Incarceration	Richard A. Ball J. Robert Lilly	17
Probation Supervision: Mission Impossible	John Rosecrance	25
The Dimensions of Crime	Manuel López-Rey	32
Security and Custody: Monitoring the Federal Bureau of Prisons' Classification System	Michael Janus Jerome Mabli J. D. Williams	35
Repeating the Cycle of Hard Living and Crime: Wives' Accommodations to Husbands' Parole Performance	Laura T. Fishman	44
Community Service Sentencing in New Zealand: A Survey of Users	Julie Leibrich Burt Galaway Yvonne Underhill	55
Assessment Centers as a Management Promotion Tool	William V. Pelfrey	65
Sentencing Guidelines: To Be or Not To Be	Chris W. Skridge	70
Departments:		
News of the Future		77
Looking at the Law		79
Reviews of Professional Periodicals		82
Your Bookshelf on Review		87
It Has Come to Our Attention		91

agencies. Probation supervision has proven ineffective, he contends, because of bureaucratic dynamics and the conflicting nature of officer-client relationships. Although there are calls for drastically overhauling probation services and revitalizing its mission, the prevailing alternatives—(1) service orientation, (2) differential supervision, and (3) intensive supervision—are incremental and fail to address fundamental problems. The author advocates eliminating probation supervision and allowing other agencies to assume these responsibilities. Probation would be left with a feasible and unambiguous mission—providing objective investigation services to the court.

The Dimensions of Crime.—Author Manuel Lopez-Rey discusses a subject addressed at the seventh United Nations Congress on the Prevention of Crime, Milan, 1985: What are the dimensions of crime? Contending that criminal justice policy is formulated without knowledge of the true scope of crime worldwide, the author holds that what is thought of as constituting crime is only common, conventional crime, and what is not taken into account is unconventional crime—such as terrorism, torture, and summary execution—prevalent in dictatorial regimes where crime often goes unreported. The author addresses how malfunctions in the criminal justice system affect the dimensions of crime, stressing the need to define what is crime by law and to broaden conceptions of crime to include less conventional crime. Influencing factors such as economic crime and criminal negligence are also discussed.

Security and Custody: Monitoring the Federal Bureau of Prisons' Classification System.—Authors¹ Michael Janus, Jerome Mabli, and J. D. Williams report on the Federal Bureau of Prisons' system—implemented in 1979—for assigning inmates to institutions (Security Designation) and to various levels of supervision (Custody Classification) within institutions based on background and behavioral variables. This security and custody system replaced an informal one which relied heavily on individual discretion. The new method quantified the factors involved in decisionmaking and shifted the focus of classification procedures from the diagnostic-medical model to the humane control model. Since 1981, the Bureau of Prisons has monitored the system by recording monthly security and custody breakdowns as well as inmate misconduct and escape information for each of its approximately 50 institutions. This study will report analysis of these data both cross-sectionally and longitudinally at the institution level.

Repeating the Cycle of Hard Living and Crime: Wives' Accommodations to Husbands' Parole Performance.—Author Laura T. Fishman examines the social ac-

commodations made by prisoners' wives to their husbands' post-prison performance. To construct an ethnographic account of the social worlds of 30 women married to men incarcerated in two prisons, the author employed a combination of methods—indepth interviews with wives, examination of prison records, summaries of women's "rap sessions," and a variety of other sources of data. She found that of the 30 women, 15 welcomed their husbands home from prison, and the wives used a variety of accommodative strategies to support their husbands' settling down and to deter them from resuming hard living patterns and criminal activities. The author concluded that none of these strategies were as effective as wives anticipated; wives do not appear to have much influence on whether or not their paroled husbands resume criminal activities, get rearrested, and return to jail.

Community Service Sentencing in New Zealand: A Survey of Users.—Beginning in 1981, New Zealand law authorized sentencing offenders to perform from 8 to 200 hours of unpaid service to a charitable or governmental organization. Authors Julie Leibrich, Burt Galaway, and Yvonne Underhill conducted structured interviews with samples of probation officers, community service sponsors, offenders sentenced to community service, and judges to determine the extent of agreement on the purpose of the sentence, ways in which the sentence was being implemented, benefits thought to flow from the sentence, and the extent of satisfaction with the sentence. According to the authors, the New Zealand experience suggests that community service is a feasible and practical sentencing option. They caution, however, that consistency of administration requires reaching agreement as to the purpose of the sentence and its relationship with other sentences. A number of implementation decisions also need to be resolved, including the role of the offender in selecting a community service sponsor, the role of the judge and probation officer in determining a specific placement, development of working relationships between probation officer and community service sponsor, and the need for a backup sanction.

Assessment Centers as a Management Promotion Tool.—An assessment center or the multiple assessment approach is the careful analysis and programmed assessment of management ability using a variety of job-related criteria. This approach has been used for decades in companies such as IBM, General Electric, American Telephone and Telegraph, and numerous government agencies. The variables or dimensions used to test an applicant's attributes vary from organization to organization, as do the techniques used to test these dimensions. Author William V. Pelfrey reviews the typical techniques

Probation Supervision: Mission Impossible

BY JOHN ROSECRANCE, PH.D.

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PROBATION IS in serious trouble! Unfortunately this statement is not particularly shocking or even controversial. The litany of accusations against probation departments runs the gamut from depicting them as do-nothing bureaucracies (Blackmore, 1980:13) to accusing them of being harmful intervention agencies (Forer, 1980:210). Judicial support for probation services has eroded (Krajick, 1980:9; Johnson, 1985:206), public support has diminished (Fogel, 1984:67; Duffee, 1984:295), legislative funding has been reduced (Petersilia, 1985:339), and academic backing has wavered (Rothman, 1980; Wilson, 1983). Probation officers themselves question the efficacy and purposefulness of their actions (Lide, 1980; Cushman, 1985:327), while probationers seriously doubt that any good will come from their contacts with probation officials (Gilsinan, 1982:183). After examining the current probation situation, a leading researcher and consultant on correctional issues commented: "In the present circumstances the survival of the idea of probation as a service is in jeopardy. Little wonder that in most agencies the vitality of conventional practices is hardly seen." (Conrad, 1985:421).

There is consensus among academic researchers that probation departments will not be revitalized until they develop a clear-cut mission (Breed, 1984; Harris, 1984; McAnany, 1984; Thomson et al., 1984; Petersilia, 1985). Upon completing an extensive study of probation practices in California, a group of Rand researchers recommended: "The mission of probation and the responsibilities of probation agencies should be redefined, limited, and explicitly stated, by statute if necessary." (Petersilia et al., 1985:388-89). In an attempt to establish a viable mission, probation practitioners and academicians have put forth several proposals that address the dilemma of whether probation services should stress assistance or control. Such proposals generally fall into three broad categories: (1) service orientation, (2) differential supervision, and (3) intensive supervision. These categories can be placed on an assistance-control continuum with service orientation at the assistance end, differential supervision occupying a center position, and intensive supervision at the control end.

Those espousing a service orientation (Fogel, 1978; Bottom and McWilliams, 1979; Conrad, 1982, 1984) would uncouple surveillance from probation responsibilities, leaving the officer free to provide help and assistance to the offender. Eschewing a law enforcement role, probation officers would counsel offenders and refer

them to appropriate community services. Dutch probation officers have assumed such a mission and in some cases have refused to give the police information concerning possible criminal activity on the part of their probationers (Harris, 1984:34).

Supporters of the differential supervision approach (Wright et al., 1984; Clear and Gallagher, 1985; Glaser, 1985; O'Leary, 1985) advocate the implementation of risk assessments for offenders. The type of supervision given to probationers would be related to their risk potential. Classification is generally considered a tool for improving an existing probation system rather than a radical solution. The centrist position of proponents of differential supervision is reflected in the statement of the chief probation officer of Orange County, California:

The goal of probation supervision is the protection of the community, and that supervision should not singularly emphasize either rehabilitation or punishment. The focus should be on assessment and management of the offender in terms of risks and needs. The return on that investment will be a high level of community protection from those individuals who present the greatest risk of committing further law violations, good supervision and resocialization programs, and the ability to use resources wisely (Schumacher, 1985:445).

Intensive supervision programs would establish reduced caseloads in an effort to provide a punitive community-based alternative to prison (Petersilia, 1985:389). An integral feature of the intensive supervision approach is the inclusion of a strict surveillance component. The Georgia plan (generally considered an exemplar of intensive supervision programs) requires participants to abide by the following rules:

- (1) five face-to-face contacts with the IPS team every week, one in the office, one on the job, three at home including one on the weekend;
- (2) weekly verification of employment;
- (3) nightly curfew, ordinarily at 8:00 p.m. unless the probationer has a job with hours that conflict with this limit;
- (4) coordinated record check with law enforcement every week (Conrad, 1985:414).

The efficacy and appropriateness of the three prevailing approaches will be judged ultimately by their ability to reduce the criminal activity of those on probation. Although it has been argued that recidivism rates are not an accurate gauge of success (Reid, 1981:275), this single criterion continues to be the standard by which proba-

tion programs are evaluated (Walker, 1985:177). After analyzing the three prevalent motifs for revitalizing probation's mission, I suggest that, if implemented, these approaches will fail to reduce recidivism and that such failures will engender disillusionment and further weaken support for probation services. This position is informed by 15 years of probation experience wherein I was involved with supervision programs that incorporated these approaches. While probation planners have called for radical measures (Conrad, 1985), the prevailing approaches are not qualitatively different from past and current programs that have proven ineffective. There is ample research to justify this finding. I further contend that the three prevailing approaches will be ineffective for two basic reasons: (1) the emergence of organizational dynamics antithetical to program goals and (2) the conflicting nature of relationships between probation officer and defendant. My research is in agreement with Shover (1979:222) who contends that many correctional problems originate "in the structurally given conflict of interest between correctors and offenders, an inherent conflict that cannot be entirely eliminated—even by good intentions and human-relations training."

Following my critique of the current approaches I present a preliminary plan to redirect probation's mission. My proposal calls for the elimination of supervision by probation officers. Such an action would relieve probation officers of the control-assistance dilemma and free them to concentrate upon supplying objective and accurate information to the court. Probation departments would be charged with the responsibility of compiling and presenting court evaluations. If probation is recommended and counseling or treatment is needed, they would be provided by agencies outside the criminal justice system. Monitoring those placed on probation would become a computerized function performed by clerical employees of the court. With this type of reorganization probation would have a parsimonious and achievable mission—providing indepth court investigation services.

Service Orientation

A basic assumption of service orientation maintains that probation and parole officers are unable to effectively combine service and surveillance responsibilities. The strain inherent in these conflicting roles culminates in an unsatisfactory level of supervision, leaving the client floundering and the community at risk. Advocates of a mission emphasizing service would invest the police with surveillance duties, allowing the probation or parole officer to adopt a helping or advocacy role. The legendary Zebulon Brockway (1912:324) sanctioned such an approach: "The most satisfactory person for supervision of paroled men is the chief of police; not the average

policemen in the great cities, nor indeed a religious or philanthropic organization or private individual." The observation of David Fogel (1978:15) about the appropriateness of parole supervision reflects a basic tenet of the service orientation: "set parole officers to the task of helping the parolee find a job and set the police to the task of keeping an eye on the parolee."

The most well developed plan for structuring a probation organization around a service orientation has been devised by Conrad (1984:264-265). Under his plan

All persons placed on probation will be required to accept surveillance by police. To manage this function the police will establish a bureau of supervision that will receive reports from probationers on terms and at intervals prescribed by the court.

A special probation unit designated as the division of service and liaison would be established to

...carry out all contact services with probationers, with the aim of helping them toward a satisfactory completion of probation. Personnel assigned to the division will be qualified as counselors. They must be prepared to assume an advocate role to assure that probationers needing special services will receive them.

Probation departments in the United States have not implemented service orientation on a system-wide basis, and Conrad (1985:420) himself admitted that such a reorganization was "an idea whose time had not yet come." On the other hand small supervision units have attempted to develop a service orientation. In California a few special supervision units defined their responsibility as service to the client rather than protection of the community. This was frequently done on an ad hoc basis with the tacit approval of probation administration. I myself worked in such a unit for over a year. Stressing a service approach placed the unit in direct conflict with the police and district attorney's office and decreased the unit's credibility in the criminal justice system. Those on probation were suspicious about the sincerity of their probation officer "advocates." When several of the unit's probationers became involved in additional illegal activities, the unit was reorganized and traditional surveillance practices were reinstated. In today's "get tough climate" it is unlikely that a service orientation would receive support from either the community or other criminal justice agencies (Bartollas, 1981).

Differential Supervision Schemes

Differential supervision schemes are based upon the assumption that offenders should be supervised to an extent commensurate with their needs and the risk of recidivism. Probationers deemed unlikely to reoffend would receive minimal supervision, while those evaluated as likely to continue their illegal behavior would need close supervision. This approach seeks to ensure that supervision is applied according to objective criteria and

not to question the efficacy of probation supervision. The use of classification scales lends an aura of rationality to the putative concept of differential supervision. Those familiar with probation caseloads generally acknowledge that some offenders need minimal attention while others require frequent contact. Classification systems are seen by probation administrators as providing scientific management practices which, if properly implemented, can lead to a reduction in recidivism rates.

All too often differential supervision, in reality, is a sham which serves to maintain the status quo (McCleary, 1978). Although researchers (Clear and Gallagher, 1985; Schumacher, 1985) have recommended the involvement of line staff in the planning of classification systems, in practice, probation officers are generally ordered to employ supervision scales with little or no input as to the construction of those scales. Based upon personal experience and reports from other researchers (Takagi and Robinson, 1969; Shover, 1974; McCleary, 1975, 1977; Lipsky, 1980) there is an uncertain relationship between classification standards and what actually occurs during the supervision of probationers. Rather than adhering to recommended standards (Bemus et al., 1983), individual probation officers do not accept the appropriateness of classification categories and allocate their time as they see fit. Line staff often rationalize their ad hoc style by claiming (not unrealistically) that large caseloads and classification inconsistencies make it impractical to follow strictly departmental guidelines. The idiosyncratic styles of supervision officers (Glaser, 1964) are antithetical to the goal of uniform classification and often culminate in a situation where the "paper system (classification) bears little relationship to the actual practice of staff" (Clear and Gallagher, 1985:431). In many instances, although a classification system exists, it is not being implemented.

The adoption of differential supervision will do little to resolve the assistance-control dilemma faced by probation officers. The assumption that better utilization of the probation officers' time will improve supervision capabilities and result in lower recidivism rates has not been empirically demonstrated (Empey, 1982). The implementation of classification scales will allow probation departments to claim they are updating their practices without actually coming to grips with fundamental issues. More of the same, even if done scientifically, will not revitalize probation's mission.

Intensive Supervision

Recent intensive probation supervision (IPS) programs are being hailed as "promising alternatives to prison" (Petersilia et al., 1985:387), "what probation is supposed to be" (Gettinger, 1985:213), and as "wide-ranging renovations of American penology" (Conrad, 1985:410).

Such fulsome praise is directed toward programs that began barely 3 years ago. The factor that generally has been credited for generating these sanguine opinions is the inclusion of a strict surveillance component in a supervision regimen. Strict surveillance is acknowledged as the element that sets current programs apart from traditional IPS efforts (Pearson, 1985). Probation officers report that assignments to IPS units have given them a more positive outlook on their jobs. The head of New York's probation service indicated: "People burned out because of a high caseload went out into the field with a whole new spirit, full of enthusiasm," while a Georgia IPS worker stated: "You don't notice the hours. You can really get into people's problems and try to help. We're so involved it's enjoyable" (Gettinger, 1985:218).

These glowing reports should be considered in light of prior experience with IPS. Typically, initial enthusiasm for such programs disintegrates when, upon closer scrutiny, it cannot be demonstrated that intensive supervision produces lower recidivism rates. An observation by McCleary et al. (1979:651) seems particularly germane when considering the effectiveness of current IPS efforts: "when social scientists tell you that your program has a miraculous effect, be skeptical."

The San Francisco Project, involving the use of IPS in Federal probation during the 1960's, clearly revealed that probationers randomly assigned to reduced caseloads were no more law abiding than their counterparts assigned to regular caseloads (Banks et al., 1977). California's extensive experiments with various IPS type programs in the 1960's and 70's generally demonstrated that intensive supervision tactics failed to reduce recidivism (Shover, 1979). Some of these programs also included strict surveillance procedures. I was involved in a program that required offenders to report several times per week. It was clear that the probation officer's primary role in this unit was surveillance. Unfortunately such a watchdog approach was no more effective than an advocacy role in weaning probationers away from criminal activity, and the unit was eventually abandoned. In the middle 1970's the Unified Delinquency Intervention Services operated by the Illinois Department of Corrections claimed spectacular success in reducing delinquency among juveniles by using a package of intensive supervision methods (Walker, 1985:178). Subsequent research revealed that lower recidivism claims were more the product of a mathematical regression than an actual success rate (McCleary et al., 1978; McDowall et al., 1981).

While it is probably too early to ascertain accurately the effectiveness of current IPS programs, it can be questioned whether criteria for inclusion in such programs, generally only nonviolent offenders are accepted (Conrad, 1985), and the tendency for statistics producers

to include information favorable to organization expectations (McCleary, 1975; Shover, 1979) are perhaps more significant factors in the "success" of IPS efforts than supervision measures—however intensive. The statement of a Georgia Institute of Technology researcher regarding IPS programs should be noted:

Can they divert? Yes, they can. Are they cost-effective, compared to prison? Yes, they are. But if you ask me if they can rehabilitate people from a life of crime, that's another matter (Banks, quoted in Gettinger, 1985:218).

Barriers to Effective Supervision

Fifteen years of probation experience and scores of empirical studies have convinced me that traditional practices of probation officials cannot appreciably change the behavior patterns of criminal offenders. Supervision efforts by probation officers—no matter how dedicated or rationally based—will not reduce recidivism rates. The relationships between officer and client, and those between officer and probation bureaucracy, are structured in such a way that effective supervision is restricted.

Bureaucratic Relationships

The significance of bureaucratic dynamics in influencing supervision outcomes has been reported by several researchers (Takagi, 1967; Takagi and Robinson, 1969; Shover, 1974, 1979; McCleary, 1975, 1978; Prus and Stratton, 1976; Rosecrance, 1985). The very structure of probation organizations promotes distortions in the supervision process and many decisions are made according to bureaucratic imperatives, rather than case-specific goals. Often the "failure" or "success" of probationers is determined as much by organizational dynamics as by the offenders' behavior. Probation departments are organized in such a way that case decisions by line staff frequently are considered in light of anticipated responses by either their supervisors or probation administration. These considerations lead to anticipatory supervision and to actions ensuring that administration-approved programs will be evaluated positively.

Although individual supervision styles vary considerably, decisions of direct concern to probationers such as violations or revocations of probation generally are made with an eye to how the officer's supervisor will react. Perception of supervisor reaction is an important aspect of the case process. Takagi and Robinson (1969:85-6) found a

...high degree of correspondence between district supervisors and their subordinates on the case-recommendation task. This finding suggests that the selective enforcement of some rules is as much characteristic of the officials as selective adherence is a characteristic of the violator.

Traditionally, staff supervisors are concerned with uniform decisions that facilitate a smooth work flow rather than either rehabilitation of the offender or protection of the community (Blumberg, 1967). Since probation officers anticipate supervisorial responses, their decisions are in turn influenced by organizational considerations not directly related to the offender's behavior.

When new programs are actively supported by administration there is a tendency for probation officers to adjust their actions to ensure favorable evaluations of those programs. In many instances significant behavior changes occur among probation officers, not among offenders. While working as a probation officer I was aware of situations similar to the following incident reported by McCleary (1975:224). When preliminary estimates of an intensive supervision program showed no appreciable change in recidivism, administrators indicated that thereafter officers assigned to small caseloads

... would be promoted strictly on their caseload recidivism rates, the lower the rate the better the chance of promotion. A subsequent re-evaluation of the program found that the smaller caseloads were more effective than the larger caseloads in reducing recidivism.... What happened, of course, is that the researchers did observe a statistical difference but they incorrectly attributed this difference to the effectiveness of the treatment. In fact, the change was due entirely to a shift in the structural dynamic of the parole agency.

Client Relationships

In my probation experience I observed that interactions between probation officers and their clients were characterized by patent mendacity. Neither of the participants in this relationship trusted the other: Probation officers were afraid of being manipulated or "conned" (Dawson, 1969), while probationers assumed that if they "stepped out of line" the officers (no matter how friendly or treatment oriented) would take coercive action. Studt (1973:89) noted a similar pattern, i.e., a "context of suspicion" that permeated relationships between parole officer and parolee.

The difficulties experienced by probation officers when they attempt to combine surveillance and service duties has been well reported (Krajick, 1980). The probationer's problem in accepting the officer at face value has received less consideration. Gilsinan (1982:184) described the offender's dilemma:

The relationship between the p.o. and his clients forms a fulcrum for balancing the competing demands of treatment and control. The agent perceives himself as attempting to strike a balance that will be in the client's best interest. The client, however, is part of a different social world. For him, the distinction between treatment and control is a subtle one at best. More often he sees no distinction at all. Thus, control often becomes the dominant motif in the client's perspective of the relationship. Clients, then, must themselves learn how to do probation.

Inherent distrust was succinctly described by a dope

addict on probation who told me: "When push comes to shove you dudes will give us up—everytime." David Rothman (1980:10) reported that progressive reformers (circa 1910-1930) had failed to link treatment and protection and that "when conscience and convenience met, convenience won. When treatment and coercion met, coercion won."

Inability to develop an honest relationship between probation officers and their offender clients is further exacerbated by the different social worlds they inhabit. Their perspectives of reality and purpose are often divergent. Ex-convicts who have described their probation and parole experiences (Irwin, 1970; Bunker, 1973; Braly, 1976) have emphasized that lack of common understanding rendered relationships with supervision officers shallow and unproductive. Irwin (1970:157) observed a phenomenon that can be applied to probation relationships:

...the parole social system has brought into close contact, in an agent-client relationship, two people who represent different social worlds—one, the parole agency, which is unduly influenced at the formal level by conservative segments of society; and the other, a deviant subsociety.

A New Probation Mission

The following is a preliminary outline of a plan for restructuring probation's mission. The basic direction of the reorganization will be put forth. The first step would involve the complete elimination of probation supervision. I would stress the word *complete*. If probation departments retain any vestige of supervision duties, they inevitably will seek to expand their responsibilities in that area (Thompson, 1984:107), and as long as probation departments are involved with supervision, other social agencies will be reluctant to provide similar services, out of respect for the territory of a powerful organization (Conrad, 1979). Even though researchers have called for scaling down the scope of probation (Von Hirsch, 1976; Wilks and Martinson, 1976; Wilson, 1983; Petersilia et al., 1985), they have stopped short of advocating an elimination of supervision. It seems appropriate to take the logical final step and discontinue probation supervision.

This plan does not espouse the abolition of probation. I would support increasing the use of summary and unsupervised probation. These forms of probation already are well-established in some jurisdictions (National Council on Crime and Delinquency, 1973). Those probationers actually in need of assistance in rehabilitation efforts could receive help from other community agencies. Some of the dollar savings that result from discontinuing probation supervision could be channeled to local agencies to improve services. Under the present system, probation

personnel are expected to offer counseling and advice in areas where, as court officers, they have no particular training or skill. The comments of Wilks and Martinson (1976:5) illustrate this point:

The criminal justice system has no special expertise in the field of education, mental health, vocational training or job development. In fact the provision of these services by the criminal justice system leads to costly duplication, unnecessary segregation of offenders from nonoffenders, and perhaps destructive competition between offenders and nonoffenders for scarce resources.

A branch of the court should be established to monitor adherence to court ordered probation conditions, e.g., restitution, fines, community service, or attendance at treatment programs. Such a branch would make extensive use of computers to track probationers. This type of monitoring essentially would be a clerical function, and employees would not require advanced educational training or social science backgrounds. When defendants fail to abide by the conditions of probation or are arrested on a new charge the monitor would schedule a violation hearing. At that hearing defendants would have an opportunity to explain their behavior. If the court found the defendant's explanation unsatisfactory, a revocation hearing would be scheduled. This two-step procedure would comply with *Morrissey v. Brewer* rulings. While this method of surveillance may be considered impersonal and overly structured, it would effectively eliminate the individual discretion that characterizes contemporary supervision.

Under this planned reorganization, probation would be left with an unambiguous mission—providing court investigation services. These services would include traditional presentence recommendations as well as investigations of violation reports, revocation hearings, or early termination requests. In some situations the judge might request followup investigations at periodic intervals. These would be considered progress reports rather than supervision regimens and would be done by probation investigators. In summary, the reorganized probation department would handle all probation matters that come before the court. Reporting to the courts generally has been acknowledged as the most professional aspect of probation work (Blackmore, 1980). Hopefully, concentrating exclusively on court reporting would improve the quality and objectivity of those reports.

Summary and Conclusion

In order to revitalize probation's mission, it is essential to give it a task that is doable. Presently probation departments are overextended in trying to provide supervision that is neither wanted nor productive. Numerous empirical studies are unable to substantiate the claims of probation officials and their apologists who contend that

if caseloads were smaller, better classifications procedures were implemented, and more dedicated officers were hired, supervision could be improved significantly. There are structural components in present probation systems that virtually rule out meaningful improvement (Shover, 1979). Bureaucratic dynamics that operate contrary to overall program goals and the conflicting nature of officer-client relationships make it unlikely that probation supervision can ever reduce recidivism rates. Since supervision has proved an unachievable task, it seems counterproductive to continue the effort. Futile efforts to improve supervision capabilities detract from probation's central mission—court investigation services.

My reorganization proposal would definitely not do away with probation. For whatever reasons, probation has proven successful, in that three-quarters of all those put on probation do not reoffend (Empey, 1982:379). On the other hand, supervision is frequently irrelevant to this process: "In all probability the offender would do just as well without any of that alleged treatment—that is to say would do just as well with a suspended sentence which is simply probation without the supervision" (Walker, 1985:177). The restructuring of probation does not signal an end to rehabilitation nor affirmation that "nothing works." It is merely an admission that probation supervision does not work. Other social agencies can and should take up the mantle of services that probation puts aside. While a variety of problems may be involved in discontinuing probation's supervision role, even more would accrue if we continue to shore up an ineffective system.

Leading researchers in the field of corrections have called for sweeping changes in probation services. The responses generally have recommended incremental and superficial modifications rather than radical reorientations. Although classification procedures and intensive supervision programs may have limited or regional success, they are not going to revitalize probation. An awareness that prior supervision programs have failed to reduce recidivism should be a caveat that continuation of the present probation system is extremely problematic.

A group of Rand researchers, after clearly demonstrating the failure of felony probation supervision in California, stated: "We certainly do not recommend that they abandon their counseling or rehabilitation goals" (Petersilia et al., 1985:389). On the contrary, it would seem that this is an opportune time to do precisely that—abandon an unworkable supervision system. Borrowing an investment analogy—it's time to cut our losses. While it is difficult to give up the dream of combining assistance and control, it must be recognized that probation supervision is an impossible mission.

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