

# 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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*Yvonne Underhill*

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Guidelines: To Be or Not To Be ..... *Chris W. Eskridge*

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**Federal Probation** is published by the Administrative Office of the United States Courts and is edited by the Probation Division of the Administrative Office.

All phases of preventive and correctional activities in delinquency and crime come within the fields of interest of FEDERAL PROBATION. The Quarterly wishes to share with its readers all constructively worthwhile points of view and welcomes the contributions of those engaged in the study of juvenile and adult offenders. Federal, state, and local organizations, institutions, and agencies—both public and private—are invited to submit any significant experience and findings related to the prevention and control of delinquency and crime.

Manuscripts, editorial matters, books, and communications should be addressed to FEDERAL PROBATION, Administrative Office of the United States Courts, Washington, D.C. 20544.

Subscriptions may be ordered from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, at an annual rate of \$11.00 (domestic) and \$13.75 (foreign). Single copies are available at \$3.50 (domestic) and \$4.40 (foreign).

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FEDERAL PROBATION QUARTERLY  
Administrative Office of the United States Courts, Washington, D.C. 20544

SECOND-CLASS POSTAGE PAID AT WASHINGTON, D.C.  
Publication Number: USPS 356-210

# Federal Probation

A JOURNAL OF CORRECTIONAL PHILOSOPHY AND PRACTICE

Published by the Administrative Office of the United States Courts

VOLUME L

MARCH 1986

NUMBER 1

## 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 advan-

tages 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

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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.*—Authors 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

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# Community Service Sentencing in New Zealand: A Survey of Users

BY JULIE LEIBRICH, BURT GALAWAY, AND YVONNE UNDERHILL\*

## *Introduction*

COMMUNITY SERVICE, as a sentence for offenders, was introduced in New Zealand in February 1981. Judges are empowered to sentence offenders to complete from 8 to 200 hours of unpaid service to a charitable or governmental organization. The sentence may be imposed upon any offender convicted of an imprisonable offense provided the sentence is appropriate given the offender's character and personal history meet qualifications, the offender understands the purpose and effect of the sentence, the offender consents to the imposition of the sentence, and suitable service is available. The sentence is administered by the Probation Division of the Department of Justice. In 1981, 1,772 community service sentences were imposed, in 1982, 1,591, in 1983, 2,438, and in 1984, 2,436.

The introduction of the community service sentence provided New Zealand courts with a fifth sentencing option; in addition to community service the repertoire includes imprisonment, periodic detention—both residential and nonresidential—fine, and probation. Originally periodic detention in New Zealand involved weekend confinement combined with public service work. Residential periodic detention centers continue to exist, but no new residential periodic detention centers are being established, and the existing centers are gradually being phased out in favor of nonresidential periodic detention in which the offender is required to report at 8 a.m. on Saturday to do public service work as a part of a work crew under the supervision of a Department of Justice staff person. Periodic detention work is normally manual labor—such as conservation work, park cleanup, hiking trail maintenance, and so forth—which can be completed by a group of offenders working under supervision. The policy shift from residential to nonresidential periodic detention was based on the comparatively high cost of the residential version and the lack of evidence that residential periodic detention was any more effective in reducing recidivism than nonresidential periodic detention. Sentences to periodic detention are made in months (usually 3 to 4); a periodic detention sanction is considered a severe penalty. The community service sentence

in New Zealand differs from nonresidential periodic detention; community service is tailored to the individual by placing the offender with a government or charitable organization where he or she provides unpaid service individually, as would any other volunteer, rather than as a part of a supervised group of offenders. Community service in New Zealand does not include laboring on a work crew.

Responsibility for administering the community service sentence rests with the Probation Division of the Department of Justice. Probation services in New Zealand, a country of about 3.2 million people, are provided by the national level of government through 35 probation districts. All probation districts have designated a probation officer to be responsible for organizing the community service activities. In the larger districts, organizing community service is a full-time responsibility, but in smaller districts the functions are combined with other probation activities.

This material study of the implementation of the community service sentence in New Zealand was conducted by carrying out structured interviews with probation officers, judges, offenders sentenced to community service, and community service sponsors (representatives of the government or charitable organizations which provided service opportunities for offenders sentenced to community service). The purpose of the study was to determine the extent of agreement or disagreement on the purpose and aims of the community service sentence, to discover the ways in which the sentence was being implemented in the various probation districts in New Zealand, to discover the benefits these groups of respondents perceived of the community service sentence, to find out the extent to which they were satisfied with the sentence, and to develop recommendations for the continued development of the community service sentence.

## *Methodology*

Data were collected March through May 1983 by conducting structured interviews with 42 probation officers, 65 sponsors, 68 offenders, and 11 judges from 7 of the 35 New Zealand probation districts. The probation districts were selected purposely to provide balance on the dimensions of population served, geographic area coverage, number of probation staff, number of com-

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munity service sentences administered, and rural or urban district. Initially eight districts were included in the study group, but weather-related travel difficulties forced dropping the Rotorua District. Unfortunately, this was a district with a large Maori population and resulted in a reduction of the proportion of Maoris in the offender study group to 24 percent, lower than expected (Leibrich, Galaway, Underhill, 1984). The seven probation districts in the final study group were Auckland, Dunedin, Gisborne, Invercargill, Levin, Lower Hutt, and Nelson.

The population of 28 judges included all judges who had chambers in a court attended by each of the probation districts or, in the case of one probation district where no judge had chambers in the district, the two most recent visiting judges. A one in two random sample was taken of the judges; 79 percent (11) of the 14 randomly selected judges took part in the survey. A satisfactory interview time could not be scheduled with the three judges who were not interviewed. Seventy-three probation officers worked in the seven districts, including seven district probation officers (the chief probation officer for the district) and six community service supervisors (in one rural district the district probation officer also served as the community service supervisor). The probation officer sample included all of the district probation officers, all of the community service supervisors, and a one in two random sample of the remaining 60 probation officers. Interviews were completed with 42 of the 43 probation officers in the sample; one officer was away at the time of the study and could not be reached for interviewing.

A total of 321 organizations had acted as a community service sponsor during the past year for at least one offender. A one in four random sample of sponsors was drawn, and interviews were held with 81 percent (65) of the 80 sponsors in the sample. Five organizations could not be contacted, for five others the person who had had experience with the scheme had left the organization, a suitable interview time could not be scheduled for three sponsors, and two sponsors were unwilling to take part.

The offender population was 292 individuals who had been sentenced to a community service sentence in a court attended by one of the selected district probation offices during an 8-month period and who served their hours in that probation district. The sample period ended a month before interviews took place and included some people who were still serving their hours and some who had completed their hours. A one in two random sample was taken from this population. Interviews were completed with 47 percent (68) of the sample of 146 offenders. Forty-four offenders could not be contacted, 16 were not willing to be interviewed, 9 did not appear for an arranged interview, and suitable interview times could not be arranged for 9.

Good response rates of offenders given community service are difficult to obtain. Flegg (1976) secured a response rate of 48 percent, Pease (1975), 37 percent, and Hermann (1981) was forced to abandon a planned sample of a 1-year followup survey because she was able to contact only 10 percent of the offenders. Offender low response rates may have affected the representativeness of the data. The respondent and nonrespondent groups were compared on all available measures: age, sex, ethnic group, offense, length of community service sentence, additional sentences for the offense (fine, driving disqualification, probation), sentence status at the time of the survey (current or terminated), the number of hours left for current sentences, the type of termination for terminated sentences, how long since the person was sentenced, and the number of placements arranged. Respondents were older than nonrespondents ( $t$ -test = 2.42,  $df = 144$ ,  $p .05$ ), the mean age being 27.7 years and 24.2 years respectively. More respondents (75 percent) than nonrespondents (51 percent) were currently serving the sentence (Chi-square test = 7.72,  $df = 1$ ,  $p .01$ ), had been sentenced more recently to community service than the nonrespondents (Mann-Whitney U test,  $Z = 2.22$ ,  $p .05$ ), and had a median of 23 weeks since being sentenced as compared to 25 weeks for nonrespondents. Of those who had terminated the sentence, all of the respondents had completed the hours, whereas 28 percent of the nonrespondents were terminated for another reason (Chi-square test = 4.19,  $df = 1$ ,  $p .05$ ). For all but one case the termination was the result of reconviction for further offenses. There was no statistically significant difference between the groups on any of the other measures recorded. The nonrespondents were younger, had been sentenced less recently, and were not as likely to successfully have completed the sentence.

Sampling was done by first generating lists, randomly selecting a starting point, and then proceeding through the tests taking every second (or fourth) name. This procedure assured proportional representation in the sample of names from districts with small numbers. The seven districts were visited during April and May 1983 by a team of three experienced interviewers. One interviewer had primary responsibility for the interviews of probation staff and judges, one for offenders, and one for sponsors, although to equalize work loads, some offender and some sponsor interviews were completed by a second interviewer. The interviews with probation officers, offenders, and sponsors were arranged by the probation officer with responsibility for community service in the district. Judge's interviews were arranged with the help of the Chief District Court Judge. An interview was requested with each probation officer in the sample. An introductory letter requesting an interview was sent to

each sponsor through the local probation officer who followed up 2 or 3 days later to schedule an interview time. The probation officer responsible for community service sent an introductory letter to each offender; the letter included a stamped self-addressed reply card to be returned to the probation office stating whether or not the offender was willing to be interviewed. No further approach was made if the offender was not willing, but when a card was not returned, attempts to set up an interview were made by the probation officer and then by the interview team at the time of the visit. Each interview took approximately 1 hour and was usually held during the day. Judges were interviewed in their chambers; probation officers and the majority of offenders, at the district probation office. Some offenders were interviewed at home, and in two cases offenders were interviewed in prison. Nearly all sponsors were visited at work or home to conduct the interview. In two cases an interpreter was used to conduct offender interviews. In one case the interview with a probation officer was conducted by phone.

Structured schedules were designed for each group of respondents with questions common to each group as well as questions about each group's specific area of experience. The questionnaire evolved from questionnaires in the same research area (Bradshaw, unpublished; Harris, 1979; Oxley, 1984; Polonoski, 1980), suggestions from colleagues, earlier interviews with sponsors and probation officers, and discussion among the interview team. After revisions and a pilot test of the schedule, final versions were produced (Leibrich, Galaway, Underhill, 1984).

Most probation officers had experience in making community service recommendations, although only those officers with direct responsibility for the sentence were fully experienced in its day-to-day operation. Sponsors' average involvement with the sentence was 16 months, and over half had experienced more than one placement. Offenders had been sentenced to an average of 101 hours and had served an average of 58 hours at the time of the interviews. Although 71 percent of the offenders had served a previous sentence, only two had a previous community service sentence. Judges had an average of 7½ years' experience on the bench, and most reported using community service sentences only infrequently.

#### *Aims and Selection of the Community Service Sentence*

Questions were designed to secure respondents' views of the aims of the community service sentence, the community service sentence's relationship to other sentences, and the offenders who would be suitable for such sentence.

*The Aims Of the Sentence.* All respondents were asked what they saw as the aims of the sentence and whether they thought those aims were being accomplished. Five groups of aims were identified from the responses: providing benefit to the community (just doing work or paying back); providing benefit to the offender (by discipline, the development of new work skills or interests, mixing with different people, personal growth, or simply by minimizing disruption in their life while serving a sentence); fostering community-offender integration; punishing the offender; and providing an alternative sentence (generally or specifically as an alternative to imprisonment). Respondents identified one or more aims. Providing benefit to the offender was the most common aim and was mentioned by 58 percent of the respondents. Providing benefit to the community was mentioned by 50 percent, providing an alternative sentence by 35 percent, community-offender integration by 26 percent, and punishing the offender by 22 percent. Judges and probation officers were more likely to mention benefits to the offender and benefits to the community than were sponsors and offenders. Providing an alternative sentence was the most common aim identified by probation officers and was identified by half of the judges. Punishment was more commonly mentioned by judges than the other groups and mentioned least often by probation officers. Ideas of community-offender integration were most likely to be mentioned by the probation officers and least likely by the offenders.

Most respondents were optimistic that the aims they mentioned were being accomplished by the sentence. Probation officers said yes or gave a qualified yes for 80 percent of all the aims they mentioned; sponsors thought 94 percent and offenders thought 91 percent were being accomplished. Judges, however, felt that only 59 percent of the aims they mentioned were being accomplished.

Benefit to the community was almost always perceived as being accomplished, with the offenders being most sure of this. Benefit to the offender and community-offender integration were also often seen as successful aims, although the probation officers frequently gave qualified replies. Most respondents, except for the judges, were sure that punishment was being accomplished by the sentence and most (the probation officers least of all) felt that community service successfully provided a general alternative sentence.

*Community Service as an Alternative Sentence.* Diverting people from prison sentences is one of the official objectives of the community service sentence. There has been some doubt both in New Zealand (Fisk, 1982; Pinder, 1981; Steward, 1982) and in other countries with similar sentences and aims (Austin, 1982; Beha et al., 1977; Harland, 1980; McEwan, 1978; Willis, 1977) about

whether such a community-based sentence is actually used for people who would otherwise have gone to prison. When asked if they saw reducing the number of people in prison as an aim of the community service sentence, 70 percent of the probation officers and 79 percent of the sponsors said yes, compared to 36 percent of the judges. Many of the probation officers and judges who said yes expressed some doubts about whether this was a reasonable aim. In the general responses concerning what people saw as the aims of this sentence, the provision of an alternative to custodial sentences was the aim least often seen as being accomplished.

What sentence did people think had been averted by community service based on recent cases from their own experience? When a sponsor knew the offense which had resulted in the most recent placement, he or she was asked to say what sentence they thought the person would have been given if community service had not existed; 47 percent of the sponsors thought the person would have gone to prison. Probation officers were asked the same question about the two most recent offenders from their caseload who had received community service sentences. Prison was thought to have been averted in 37 percent of the cases recalled. Judges were unable to recall enough cases to make even a rough estimate. Offenders were asked what sentence they were expecting to get; 54 percent had expected to get a sentence involving prison.

Probation officers and judges were asked how they viewed community service in relation to other non-custodial sentences. Questions about the distinction between offenders suitable for a fine versus community service and periodic detention versus community service indicated considerable divergence of opinion about where community service stands in relation to those two sentences. Although most discussed community service as falling between a fine and periodic detention, some described community service as less serious than a fine while others maintained it was more serious than periodic detention.

The ability to pay a fine was the most common consideration among probation officers when distinguishing between offenders suitable for a fine and for community service, although several also said that a fine should be used for lesser offenses. Most judges said they used community service rather than a fine when a fine would cause hardship or could not be paid.

Probation officers gave a wide range of reasons for recommending somebody for community service rather than periodic detention, including both practical reasons why periodic detention could not be served and positive gains from serving a community service sentence. Probation officers were in disagreement about the weight of the severity of criminal history and offense in distin-

guishing between community service and periodic detention. Most judges said they used community service rather than nonresidential periodic detention when periodic detention was not available or would cause hardship. Positive reasons for choosing community service (such as the offender being able to handle the flexibility of community service or having abilities to contribute to the community) were only rarely voiced by the judges.

*Selecting Suitable Offenders.* A community service sentence usually stems either from a request by a judge for an assessment to be made of whether the sentence would be suitable for a particular offender or from a suggestion in a probation officer's report. Judges and probation officers, therefore, were asked how they decided whether or not an offender was appropriate for this sentence.

Probation officers sought indications of personal and social stability such as a good employment history, stable domestic situation, reliability, community ties, a successfully completed previous community-based sentence, age or maturity, or ability to fit into a voluntary organization. Willingness and motivation were also sought by some probation officers, as were a moderately serious offense or a real threat of facing imprisonment. Judges most commonly looked for no criminal history or a short one without violent crimes, but a moderately serious offense and indications of personal and social stability. The offenders' skills, interests, and possible gains from the sentence were secondary considerations for both the probation officers and judges.

Instability, addiction or personality problems, lack of willingness or motivation, and a serious offense or serious criminal history were the most commonly mentioned things that made a person inappropriate for the sentence according to the probation officers. A personality problem, a very serious offense, or long criminal history and social instability were identified by judges.

Seventy-one percent of the sponsors had some qualifications about the kind of person they would accept. Specific job skills, interest in the organization, and general positive personality characteristics were actively sought by these sponsors. Offenses involving violence, sex, or dishonesty were specifically not acceptable to some sponsors. Almost a third of the sponsors said they were prepared to take anybody at all, and only 15 percent had ever turned somebody down—usually because of lack of work at the time.

### *Administration of the Sentence*

*Making the Placement.* In some districts the probation officers assumed responsibility for finding sponsors and spend time recruiting and screening sponsors who are

matched with offenders. In other districts offenders were expected to take most of the responsibility for finding a suitable sponsor.

Approximately three-quarters of the probation officers usually involved the offender in finding a suitable match with about half of them asking the offender to find their own placement. About half of the offenders interviewed said they had been asked if they knew of a place where they would like to do their community service; in half of these cases they were placed with the sponsor they had suggested. The rest were either given a choice from a list supplied by the probation officer or else had a sponsor chosen for them. Where offenders were expected to be actively involved but did not know of a possible sponsor, they were asked to find one. Some found this a difficult task, but others said they liked the chance to find their own sponsor.

Decisions about a sponsor's suitability were generally made by senior probation staff or those with direct responsibility for the sentence. They looked for sponsors who could give adequate supervision and provide sufficient and suitable work. Some considered the sponsor's attitude and expectations of offenders or their understanding of the sentence. Some took into account whether the placement was likely to benefit the offender. Sponsors had rarely been turned down, but where this had happened, it was because of lack of suitable supervision, inappropriate connection with the offender, the organization not meeting the legal nonprofit requirement, potential existing for exploiting the offender, or a sponsor believing that the sentence should be punitive.

Although 78 percent of the sponsors had been aware of the community source program before they were recruited, very few of them had made the first approach to be involved. Two-thirds had been asked by probation officers, and nearly a quarter had been approached by offenders. The three most common reasons sponsors agreed to become involved were because work needed to be done, to help offenders, or because of a good relationship with the probation agency. Several said they had a general commitment to community involvement. Several believed that the community service scheme could foster mutual benefit.

Usually sponsors had not met the offender before the first meeting in connection with the placement, although in approximately a quarter of the cases the sponsor either knew or knew of the offender. Eighty-two percent of the sponsors had met the offender before plans for the placement were final. The information sponsors had before they met the offenders varied enormously. Sponsors were usually dependent on the probation officer for information about an offender. About a third of the sponsors said they knew virtually nothing about the offender. Over

half knew details of the offender's personal circumstances, and over half had been told the offense. About a quarter knew whether the person had a criminal history, and about the same number said they were informed about the person's psychological state. When asked what they felt they needed to know about someone who might be placed with them, about a fifth did not want any information at all, another fifth wanted very little, another fifth wanted details about only one particular offender aspect, and two fifths of the sponsors wanted a very complete picture.

*Deciding To Give the Sentence.* All of the judges interviewed received information about community service sentence proposals, but 5 of the 11 said they were dissatisfied with this information. The judges wanted very specific information to enable them to come to their own decision about the appropriateness of community service for a specific offender rather than be given a general assessment. They wanted details about the placement that had been arranged, and over half of them wanted to know that the offender had consented.

The law requires that an offender must consent to a community service sentence. All of the probation officers with direct responsibility for the sentence said that they always secured consent. The process was one of explaining to the offender what the sentence was, what it involved, that consent was required, and then asking them if they did consent. Most of the judges said they secured consent, but a third of them disliked doing so, although it had been rare for an offender to refuse. Although nearly all of the offenders said they had been asked directly if they consented, a few said they felt they had no choice, a few said they had been asked after having been sentenced, and two said they had not been asked at all.

Many offenders did not seem to be in a position to give well-informed consent. Only one in five had talked with a sponsor at the time of sentencing, and one in three said they had had no idea what the sentence was going to be like. Offenders consented for various reasons. Most felt it was better than any likely alternative. Several agreed to the sentence because it fitted in with their job or family commitments. Some agreed because they felt the sentence was a good one. And some just agreed.

Most judges sought to avoid the extremes of 8 and 200 hours of community service. A small number of hours was thought to be a waste of time, and a very long sentence was believed to be overwhelming. About half set the hours for community service in relation to quantities of periodic detention. Others tried to equate hours with amounts fined. Most did not have any strong preference about the type of service that should be performed.

*The Actual Placement.* Placements were made with

day and residential centers for people needing care, special interest groups, sporting groups, service groups, churches, and education centers. The size of these organizations varied a great deal, as did the extent to which they were dependent on volunteer help. Usually the sponsor and offender set a regular time for doing the work. About two-thirds of the placements started with arranged hours, with daytime hours during the week being about twice as common as weekend or evening hours. In other placements no set hours were arranged, and offenders were free to put in time as they were able. A few did their time during residential stays at camps. Cleaning, gardening, or maintenance jobs were the tasks for about half the placements. Others included caring for people at hospitals and disabled centers, helping at educational and sports centers, being involved in craft or sports instruction, doing office work, and being active in community recreation and community center schemes. Most offenders (68 percent) had contact with people outside the organization while completing community service work. Only very rarely did people on community service work alongside each other. Most offenders (85 percent) felt comfortable with the people they met, and most (77 percent) enjoyed seeing the other people. About half the offenders felt that they had made friends with some of the people met while doing community service, and just under half said that they spent or would like to spend time with these people outside community service hours.

Sponsors and offenders were encouraged to talk about the day-to-day problems encountered with the community service sentence. Most sponsors (85 percent) and offenders (71 percent) identified at least one problem. Poor attendance was the most common problem for the sponsors, with almost two-thirds having experienced an offender not turning up to do the hours. This was manageable for some, but for others it was the cause of frustration, putting strains on the placement. Inadequate information was the second most common problem for the sponsors, with almost a third saying that they did not have enough information about the scheme. Problems mentioned by about a fifth of all sponsors were that they felt unclear about their responsibilities, they had difficulties organizing their time because of their involvement with the community service scheme. Some members of the organization did not trust the offender, some members found it hard to adjust to having an offender around, some offenders were not punctual, and some needed a lot of supervision. Other problems included a feeling that they lacked general support from probation, an offender's appearance was sometimes unacceptable, and some members or clients of the organization did not treat the offender well. Difficulty completing the hours was the most common problem for offenders, with just

over a third reporting this as a problem either because of other commitments or because they found the work boring or pointless. About a fifth of the offenders identified showing up late and difficulties getting transportation as problems. Others mentioned not liking the work, not getting on with the sponsor, having money problems, not being clear what they were expected to do, and losing time with their families.

About three-quarters of all placements made with the sponsors interviewed had either been successfully completed or were in progress at the time of the survey. Just under a quarter of all placements had ended without the hours being completed, and these cases were spread across approximately half the sponsors. The most common reason for the placement ending early was that the offender asked for it to be changed; the next most common reason was that the sponsor wanted the placement ended.

*Enforcing the Sentence.* Breach proceedings had been initiated in the last year by 6 of the 42 officers, and 5 out of the 11 judges had presided over breach proceedings in the last year. Most of the probation officers (85 percent) were satisfied with the way the sentence was being enforced. Three out of the six officers most directly connected with the sentence, however, were not satisfied because of the slowness in bringing breach proceedings and the inadequacy of the breach penalty. Seven of the eight judges who were able to comment on enforcement procedures said they were dissatisfied. They thought the maximum breach penalty of a fine was inappropriate and wanted parity with the sanction for a breach of periodic detention—3 months in prison. Some said that breach proceedings should be brought as soon as the person failed to do the service.

*Running the Scheme.* A community service sentence requires the involvement of at least four people—the judge, the probation officer, the sponsor, and the offender. There are many steps in arranging and operating a placement; where did members of each of the three most closely involved groups think the responsibility should lie for several key administrative tasks (e.g., arranging a placement, keeping a record of the hours, giving evidence at breach proceedings)? The probation officers, sponsors, and offenders were asked who they thought should be finally responsible for doing each of several tasks. Probation officers were in greater agreement with each other than were the other two groups, and the offenders were in least agreement about who should be responsible for what task. Probation officers, sponsors, and offenders did not always agree with each other about who should take what responsibility. Moreover, people tended to assume more responsibility than others thought they should be given. Probation officers assumed over

two-thirds of the total responsibility, although they were assigned only half of this by the other two groups. The sponsors assumed about a third of the total responsibility, and offenders agreed with this. However probation officers allocated only a quarter of the overall responsibility to sponsors. The offenders assigned about half of the remaining proportion of responsibility to themselves and half to the judge, whereas the other two groups assigned nearly all of the remaining responsibility to the judge (and hardly any to the offender).

None of the three groups agreed about who should decide if an offender should be considered for community service. This task was assigned to the judge and to the probation officer equally, often by probation officers and sponsors but more often to the probation officer by the offenders. Most people, however, agreed that the probation officer should be responsible for deciding on an offender's appropriateness. Finding a suitable placement was seen as the probation officer's job, although a significant number of the offenders and several people in the other two groups saw this as the offender's own responsibility. Most people thought the probation officer should explain the purpose of community service to the offender, but several sponsors thought the judge should do this. Most thought the probation officer should explain to the offender how community service works, although several offenders saw this as the sponsor's job. Although most people in each group thought the probation officer should determine if the offender consented to the sentence, a significant number of the sponsors and offenders and several of the probation officers thought this was a judge's job.

There was little agreement about who should organize the hours for the offender to work. Offenders gave this task about equally often to themselves and to the sponsors and occasionally to the probation officer. However, neither the probation officers nor the sponsors felt the offender should be responsible for organizing hours. Sponsors saw it mainly as their responsibility, and probation officers agreed, although a significant number of them thought it was the probation officer's job. Assigning the offender tasks, recording the hours, and deciding if the quality of the work was satisfactory was seen as the sponsor's job by most people. However, several probation officers thought they should take responsibility for the quality of the work, and a significant number felt they should record the hours. Probation officers were seen both by themselves and offenders as the people who would mainly discuss any problems the offender had with doing community service. Sponsors, however, said this was their job almost as often as they said it belonged to the probation officers. Initiating breach proceedings was always seen as their job by the probation officers, but

a significant number of both offenders and sponsors thought this was the sponsor's job. Probation officers rarely saw anyone but themselves as giving evidence at breach proceedings, but almost half the sponsors saw this as their responsibility, and most offenders agreed with them.

### *Benefits and Satisfaction*

Open-ended questions were used to probe for respondents' views regarding benefits of the community service scheme, satisfaction with the scheme, and suggested improvements for the scheme.

*Benefits.* Views were elicited as to community service benefits to the offender and to the community. Probation officers, judges, and sponsors could only guess whether offenders benefited from the community service sentence. Probation officers thought offenders benefited because the sentence was less destructive and intrusive than the other sentences and because of the chances it might provide for personal fulfillment. Judges agreed that contact with the community could have valuable spin-offs. Sponsors all thought that at least one offender placed with them had derived some benefit and mentioned aspects of personal fulfillment for offenders which took place. The most tangible evidence of benefit which emerged was that 22 percent of the sponsors reported that positive contact between the organization and an offender had continued after the hours were finished. The offenders were the only ones who could really say whether or not they had benefited; 71 percent thought they had benefited and mentioned positive experiences meeting different people, starting to feel better about themselves, learning about a community group, developing a new skill, learning about work discipline, and staying out of jail.

Probation officers and judges thought that the main benefit for the community came from work being done for no payment. About half of the probation officers and judges also thought that contact with offenders would encourage understanding and develop a sense of community responsibility for offenders. Offenders and sponsors were asked specifically about benefits for the sponsor. Nearly all of the offenders thought the sponsor had benefited from the work done for the sponsor. The sponsors were in the best position to say what benefit there had been from the association, and 88 percent agreed that there had been a direct benefit for the organization. The majority mentioned the practical help they got from the offenders; their comments were often enthusiastic and positive. A very rough measure of the amount of practical help to sponsors was that the work done for them, on average, would have cost about \$150 per month. Ad-

ditionally, just over a third of the sponsors felt that people in the organization benefited from the association with an offender.

*Satisfaction With the Sentence.* Eighty-three percent of the probation officers were satisfied with the type of offenders being referred to community service, 83 percent were satisfied with the type of community service opportunities available, and 85 percent with the way in which the sentence was being enforced, although there was less satisfaction with the last two aspects of the sentence by those probation officers most directly connected with the sentence. Some thought the sentence could be used with more adventure and not just for safe risks, and some thought it was not being used for people who would otherwise have gone to prison. About half of the judges were not satisfied with the information they received on placements, and most were not satisfied with breach regulations.

Ninety-two percent of the sponsors said they would take more people, although a quarter said their involvement would depend on work being available and suitable people being chosen. Those who would not take more people said it was because there was no available work, they didn't want to put their name on the line, or it was too much trouble.

Eighty-eight percent of the offenders said community service was the right sentence for them, and most thought they had been given the right number of hours, although about a quarter thought they had been given too many. About two-thirds of the offenders thought that doing community service made up for what they did; some felt they had got into trouble but now they had paid for it—either by working hard or by putting something positive back into the community. Offenders who said community service did not make up for what they did indicated that community service did not relate to what they had done nor did it help the victims concerned. Sixty-one percent of the offenders said the sentence had “kept them out of trouble” and half of these were able to say why such as “kept me occupied” or “out of the pubs.”

Asking what was most liked about the sentence produced a rich variety of responses. Probation officers most liked the flexibility of this sentence, allowing it to be more personalized. They thought it was a humane and sensible penalty, encouraging accountability and possibly averting some offenders from a prison experience. They also liked the opportunities community service presented for bringing the offender and community together. Judges also liked the flexibility of the sentence and the additional choice of a sentence to enable more appropriate sentencing. Sponsors liked the flexibility of the sentence, the feeling they were able to help offenders, and the fact that jobs were getting done. Offenders liked the

way the sentence was organized with flexible hours and light supervision, the feeling that it had saved them from something worse, the people they had met, and being given something to do and the opportunity to help people. The offenders who did not like the sentence felt they had just been given work.

*Suggested Improvements.* Respondents were asked what improvements they thought could be made in the community service sentence. Probation officers suggested improvements in the area of administration—more staff being the most common suggestion to allow more time for establishing placements. Some officers thought the sentence could be improved with more and a greater variety of sponsors. Some thought the soft option image needed to be changed by simplifying breach proceedings and increasing the breach penalty. Some thought the aims of the sentence were not clearly understood by the judges and thought community service should be used for more serious offenders and more often for offenders from poor and minority group backgrounds. Judges most commonly wanted strengthening of the breach regulations with proceedings being brought before the year had expired and a more severe breach penalty. They also wanted more detailed information about proposed placements. Sponsors suggested ways to improve their involvement with the scheme, including routine calls from the probation officer, clearer instructions, and a better liaison between the three people concerned in a placement. They also suggested ways to solve the attendance problem, most commonly seeking more discipline and routine in placements. Offenders wanted more variety of jobs, especially skilled, meaningful, and educational work. They thought that sponsors should be better prepared for the placement and that the sentence should be more widely used.

### *Conclusions*

Data secured from personal interviews with judges, probation officers, community service sponsors, and offenders sentenced to community service indicate considerable positive acceptance of community service as a sentence in New Zealand. The New Zealand experience suggests that it is feasible and practical to implement community service as a sentencing option. There are a number of areas, however, to which attention might be directed either in the further development of the concept in New Zealand or for the attention of policy-makers and planners who may be interested in considering the sentence on a jurisdiction-wide basis in the United States.

A series of issues relate to the purpose of the sentence, especially its relationship to currently available sentences. The official policy in New Zealand was to introduce the sentence as an alternative to incarceration, but the prac-

tice seems to be to use community service as an alternative to other new custodial sentences, especially periodic detention or fine when these are considered inappropriate for a specific offender. This raises the issue of whether community service should be conceptualized as a penalty in its own right for designated groups of offenses or offenders as contrasted with using community service as a backup penalty when some other sentence is not considered appropriate because of specific circumstances of the offender. There was a range of opinions in New Zealand as to where community service should fall in the sentencing tariff. Many respondents thought community service was between the fine and periodic detention, that is, more severe than the fine but less severe than periodic detention, but others perceived the sentence as falling between periodic detention and prison. There needs to be consideration and consensus as to the level of severity assigned to the community service sentence. The place of the sentence in the tariff and its relationship to other sentences will, of course, hold implications for defining offenders or offenses for which the sentence is deemed appropriate. Consistency in administration, if this is a desired goal, will require reaching some agreement in these three areas.

The study of the implementation of the sentence revealed a number of administrative choices to be made by persons charged with administration of a community service sentence. How should specific offenders be matched with sponsors? The practice in New Zealand varied from some probation districts in which probation officers engage offenders in a process of finding their own sponsors to other districts which fully assume this responsibility and have developed procedures to recruit and orient sponsors to whom offenders are assigned. Generally there was agreement that there needs to be a wide range of sponsors available so that varied placements can be offered depending on the interests and skills of the offenders. The common practice in New Zealand is for the judge to sentence the offender to a specified number of hours of community service and then for the probation department to develop a specific plan for the offender to complete these hours. But the judges wanted much more specific information regarding the agency for which the offender will be providing the service and the nature of the work to be done before sentencing. This raises the perennial question of how specifically the courts should dictate the terms of a correctional program, but it is nonetheless an issue which requires clarification if any program is going to be operated smoothly. There is need for close communication between probation officers and the sponsor around planning and monitoring placements. The sponsors appear to be able to make a number of key decisions which they would typically make

in regard to any unpaid person providing service such as scheduling hours, maintaining records, making job assignments, and determining if the work is being done satisfactorily. On the other hand, sponsors would like to have routine communication with the probation officer including feedback as to how the probation officer sees the placement progressing and information about what happens when the placement breaks down. Finally, the practitioners in New Zealand are clear that there needs to be a backup sanction to be consistently enforced when the community service obligation is not met. Breach proceedings should be instituted at the point the offender has failed to appear, without a reasonable explanation, rather than waiting until the full year assigned to complete the hours has elapsed. The current backup sanction in New Zealand is a fine which is generally perceived as inadequate; judges would like to have the authority to impose a 3-month sentence of imprisonment which is the backup sanction for failure to comply with an order for periodic detention.

The New Zealand experience indicates that a flexible, individualized community service sentencing program can be implemented which provides offenders opportunities to contribute meaningful work to their communities. Agencies, both public and nonprofit, are available to serve as sponsors for offenders completing community service. The community service sentence can be a positive experience for offenders and can be organized in a way to avoid the more deleterious effects of mundane, work-crew types of activities.

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