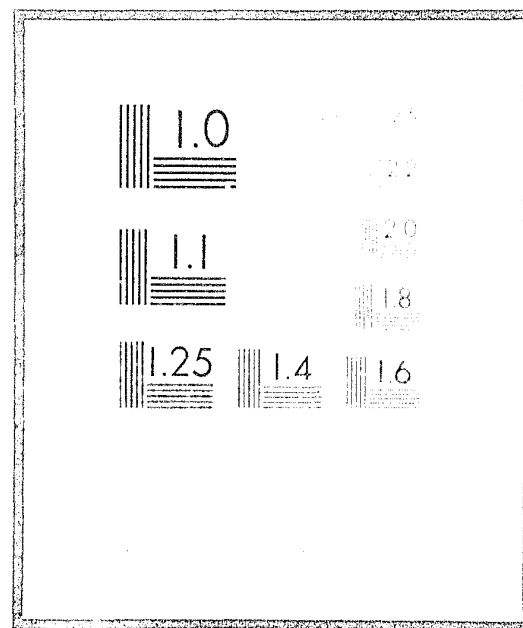


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U.S. DEPARTMENT OF JUSTICE
LAW ENFORCEMENT ASSISTANCE ADMINISTRATION
NATIONAL CRIMINAL JUSTICE REFERENCE SERVICE
WASHINGTON, D.C. 20531

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REPORT TO THE CONGRESS

BY THE COMPTROLLER GENERAL
OF THE UNITED STATES

State And County Probation: Systems In Crisis

Law Enforcement Assistance Administration
Department of Justice

State and county probation systems are not adequately protecting the public; the majority of probationers do not successfully complete probation. Probation systems are overburdened. Since most offenders are sentenced to probation, probation systems must receive adequate resources. The priority assigned to probation in the criminal justice system must be reevaluated.

Federal, State, and local governments must cooperate to improve probation systems. The Law Enforcement Assistance Administration can provide leadership, funds, and technical help.

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MAY 27, 1976

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COMPTROLLER GENERAL OF THE UNITED STATES
WASHINGTON, D.C. 20548

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B-171019

To the President of the Senate and the
Speaker of the House of Representatives

The inadequacies of State and county probation systems and the limited extent to which Law Enforcement Assistance Administration funds were used to address them are discussed in this report.

We made this review because probation is the most frequent sentence in the United States and because of concern that probation departments have not been managed as adequately as possible. If the Nation's criminal justice system is to be more effective, probation systems must be improved. While this is primarily a State and local responsibility, the Federal Government, through the Law Enforcement Assistance Administration, can lead the way by developing methods to improve probation management and by working with the States to identify, and help solve, probation's critical problems.

We made our review pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67).

We are sending copies of this report to the Director, Office of Management and Budget; the Attorney General; and the Administrator, Law Enforcement Assistance Administration.

James P. Stacks

Comptroller General
of the United States

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ABBREVIATIONS

FBI	Federal Bureau of Investigation
GAO	General Accounting Office
LEAA	Law Enforcement Assistance Administration
SPA	State planning agency

COMPTROLLER GENERAL'S
REPORT TO THE CONGRESS

STATE AND COUNTY PROBATION:
SYSTEMS IN CRISIS
Law Enforcement Assistance
Administration
Department of Justice

D I G E S T

Probation is the most frequent sentence in the United States. But probation is not achieving its objectives, which are:

--Rehabilitating the offender.

--Protecting the community.

Probation systems are in crisis. Probation officers have too many cases to effectively supervise probationers' activities and provide them adequate services. Effective management is lacking.

States and localities are primarily responsible for improving probation. Yet the Federal Government, through the Law Enforcement Assistance Administration, can provide leadership, funds, and technical assistance to the States.

To date, the Law Enforcement Assistance Administration's efforts have had little effect on improving probation systems. The agency and State agencies have not:

--Developed acceptable minimum probation standards, goals, and guidelines or otherwise assured adequate planning to correct probation problems.

--Insured that information systems were adequate to identify problems and assess the effectiveness of probation.

--Provided sufficient technical assistance to probation departments in developing and implementing programs.

--Established funding priorities to assure that resources were allocated to meet the needs of criminal justice systems. (See pp. 63 to 73.)

GAO did its review in Maricopa County, Arizona; Multnomah County, Oregon; Philadelphia County, Pennsylvania; and King County, Washington.

PROBATION EFFECTIVENESS

The behavior of the offenders in the community is the most critical test of the success of a probation program.

About 26 percent of the 1,200 former probationers GAO sampled either had their probation revoked or were convicted of crimes involving a sentence of more than 60 days, either while on probation or during a follow-up period--which averaged 22 months--once they got off probation. (See pp. 11 and 12.)

An additional 19 percent were convicted of less serious crimes while on probation. Thus, overall, 45 percent of the former probationers were convicted of new crimes during or not long after their probation period.

All together, about half of the former probationers convicted of additional crimes while on probation remained on probation. The other half were imprisoned.

Additionally, about 37 percent of the 200 individuals GAO sampled who were still on probation remained on probation after being convicted of additional crimes.

Overall, the four counties failed to successfully deal with an estimated 55 percent of the former probationers--they fled, had their probation revoked, or were convicted of new crimes. (See pp. 10 to 17.)

INADEQUATE INFORMATION AVAILABLE FOR SENTENCING

Sentencing is one of the most important functions of the criminal justice system and requires accurate, complete information on offenders.

Judges often lack information needed to adequately answer such questions as:

--Who should be sent to prison and for how long?

--Who should be granted probation?

--Will available services benefit the probationer?

--Will the risk to society be minimal?

The primary source of such information should be pre-sentence investigative reports--often prepared by probation departments.

In 46 percent of the cases sampled, pre-sentence investigations were not made. (See pp. 18 to 24.) When they were made, 64 percent contained sentence recommendations. But few contained recommendations relating to the offender's threat to the community, the type of probation supervision needed, or the probationer's chances of being rehabilitated. (See p. 20.) In only 15 percent of the cases were professional diagnoses of the probationers' problems and needs made before sentencing. (See pp. 21 to 24.)

PROBLEMS IN PROVIDING SERVICES TO PROBATIONERS

A probationer receiving needed services will more likely complete probation successfully. If probation departments would allocate their scarce resources more effectively, they would begin to more adequately rehabilitate more offenders.

--In only 38 percent of the cases were rehabilitation plans prepared.

--Only 41 percent of court-ordered conditions of probation and rehabilitation were enforced. Allowing probationers to continue or complete probation after violating the basic conditions set at the time of sentencing seriously interferes with rehabilitation. Under these conditions, repeat offenders do not take conditions of probation seriously.

--Overall, only about 23 percent of the probationers completed a treatment program. (See pp. 25 to 39.)

EXCESSIVE CASELOADS--A DETRIMENT TO EFFECTIVE MANAGEMENT

Probation officers have too many cases. In the 4 counties reviewed, the individual caseload averaged 85 in December 1974. On the basis of a standard of 35 cases per officer (recommended by the President's Commission on Law Enforcement and Administration of Justice) the 4 counties would require 711 probation officers. They had 292. (See pp. 40 to 42.)

Large caseloads force probation systems to focus services and attention on the probationers who need the most help and supervision. Neither the courts nor probation departments had adequate techniques to determine how much supervision or what types of services probationers needed.

PROBATION MODELS--WAYS TO IMPROVE RESOURCE ALLOCATION

Statistical models can be used to help predict (1) whether probationers can be rehabilitated, (2) how much supervision they need, and (3) how long probation should last.

Unfortunately, these models are not used, primarily because administrators have not been assured that a model developed in one location on one group of people would be valid elsewhere and that the models' predictive powers would be sufficient. But, GAO's extensive statistical tests of models showed they were highly transferable among locations, and, among other things, that they selected for early release probationers that had a higher rate of success than those selected by probation officers.

Models are objective, efficient, and able to systematically compare past or present experience. By using models, probation officers could improve their judgments. (See pp. 52 to 62.)

RECOMMENDATIONS AND AGENCY COMMENTS

New ideas and more positive leadership are needed to improve probation at the State and local levels. If no action is taken, probation systems will continue to be overburdened

and will deteriorate further, increasing the dangers to society.

The Attorney General should direct the Administrator, Law Enforcement Assistance Administration, to implement GAO recommendations so that:

- States develop minimum standards covering such areas as workload and need for pre-sentence reports.
- Probation predictive models are used more frequently.
- Information systems are improved.
- Probationers receive needed services.
- States better identify probation problems.
- Better technical assistance is given.
- More funds controlled by the agency are spent to improve probation. (See pp. 74 and 75.)

But something more fundamental must happen. Since most offenders are placed on probation and many problems face probation departments, the priority given to probation in the criminal justice system must be reevaluated. Allocation of resources among the competing elements of the criminal justice system should be looked at more closely. (See p. 74.)

The Department of Justice generally agreed with GAO's recommendations and noted a series of actions the Law Enforcement Assistance Administration will consider to improve State and local probation:

- The role it can play in developing and demonstrating ways to predict the workability of probation.
- The need to develop better ways to meet probationers' needs.
- The use of more discretionary funds for corrections.

While the Law Enforcement Assistance Administration recognizes its obligation to provide leadership to help States and localities to improve probation, it does not believe it can require the States to address the problem. The Department correctly noted that primary responsibility for improving probation operations resides with State and local governments. Nevertheless, the Law Enforcement Assistance Administration can provide leadership. It should complete its consideration and study of the issues so action, not merely planning, can be taken. In doing so, it should recognize the research and evaluation leadership role the Congress envisioned for it and act accordingly. (See pp. 75 to 79.)

CHAPTER 1

INTRODUCTION

Probation, placing criminal offenders in the community instead of in prison, is the most widely used correctional activity.

We wanted to determine if probation activities--sentencing, planning, diagnosis and treatment, and delivering services--were being effectively managed. We therefore reviewed adult felon probation systems in Maricopa County, Arizona; Multnomah County, Oregon; Philadelphia County, Pennsylvania; and King County, Washington, to determine:

- Whether the Law Enforcement Assistance Administration (LEAA), the States, and the county probation departments were addressing the problems of developing probation systems that insure the public's safety and enable offenders to remain in the community and receive rehabilitation services.

- How much the services received by probationers increased their chances of successfully completing probation.

- Whether systems existed to identify individuals with good chances of completing probation and remaining out of contact with the criminal justice system and how such systems could be used to improve probation operations.

About 77 percent of the adult criminal offenders in the four counties were sentenced to probation in 1974.

Chapter 11 and appendix I discuss the scope of our work and our approach.

FEDERAL INVOLVEMENT

Probation is basically a State and local activity, but the Federal Government helps the States and localities primarily by providing funds as part of the LEAA program. LEAA was established by the Omnibus Crime Control and Safe Streets Act of 1968, as amended (42 U.S.C. 3701, et seq.). The Crime Control Act of 1973 extended the LEAA program through fiscal year 1976.

The purpose of the LEAA program is to (1) encourage States and local governments to evaluate State and local

problems of law enforcement and criminal justice and develop comprehensive plans, (2) authorize grants to State governments to improve law enforcement and criminal justice, and (3) encourage research and development directed toward improving law enforcement and criminal justice and developing new methods for preventing and reducing crime and detecting, apprehending, and rehabilitating criminals. The 1968 act authorizes LEAA to make grants to establish and operate State planning agencies (SPAs) to carry out the program at the State level.

LEAA also makes discretionary grants according to its own criteria, terms, and conditions. Grants can be awarded to specific groups filing approved applications and are designed to

- advance national priorities,
- draw attention to programs not emphasized in State plans, and
- give special impetus to reform and experimentation.

LEAA block grants (called action funds) to improve law enforcement and criminal justice, including probation systems, are awarded to SPAs which in turn distribute the funds to other State agencies, local governments, or nonprofit organizations to implement specific projects.

To obtain block grant funds, an SPA must develop detailed, comprehensive plans in accordance with LEAA regulations and guidelines. SPAs must consult local and regional planning units in developing the plans. The plans are submitted to LEAA regional offices for review and approval.

The approved plans become the bases for Federal grants to the States. LEAA's regional offices have assigned representatives to each State to provide technical assistance to State and local agencies in developing their law enforcement improvement plans and implementing their crime control programs.

Through fiscal year 1975, LEAA awarded about \$3.5 billion to the States. Of this amount, the States awarded about \$278 million, less than 8 percent, for probation activities. For fiscal year 1974 (the latest year for which we could obtain specific data), three of the four States of the counties reviewed awarded \$3.6 million to probation projects and Pennsylvania awarded about \$14 million to probation and parole projects.

CHAPTER 2

WHAT IS PROBATION?

Probation is a sentence under which the convicted individual is released into the community rather than placed in prison. The offender is subject to supervision by a probation organization and to the conditions of probation imposed by the court. According to the Manual of Correctional Standards issued by the American Correctional Association, an effective probation program should insure the protection of society, rehabilitate the offender and help him adjust in the community.

FACTORS AFFECTING PROBATION MANAGEMENT

Four interrelated processes are involved in probation: (1) sentencing by the court, (2) diagnosing and planning treatment for the offender's problems, (3) delivering services to the offender, and (4) obtaining the information needed to make sound decisions regarding the management and effectiveness of probation.

The sentencing process is important because it involves the judge's decision on whether the offender can be treated in the community or should be placed in prison. To make this decision the judge considers (1) applicable laws, (2) information and recommendations in police arrest reports, prosecuting attorney pre-sentence reports, and probation department pre-sentence reports, (3) the seriousness of the crime, (4) prospects for rehabilitation, (5) rehabilitative services available in the community, (6) attitude of the offender, and (7) whether the offender's behavior would endanger society.

Diagnosing an offender's problems provides information useful in establishing sentences and conditions of probation and determining the nature of treatment needed to help rehabilitate the offender. To be complete, a diagnosis should provide adequate information on the offender's risk to society and recommend and locate treatment. The nature of available community resources should also be considered. If the offender is ultimately placed on probation, the diagnostic information provides a basis for establishing a treatment program to help the offender.

The treatment services are provided by a probation department or by community resources. Probation department officials perform counseling services, such as (1) explaining to probationers the reasons for and the conditions of

their probation, (2) helping probationers to deal with their problems, and (3) making referrals to community resources. Community resources help probationers with problems in such areas as employment, training, housing, and health. Coordination between probation departments and community resources is obviously very important if the needs of probationers are to be met.

PROBATION ORGANIZATIONAL STRUCTURES

Probation organizational structures vary from State to State. Thirty-two States have State-operated probation systems, 12 States have locally operated systems, and 6 States have combinations of State and locally operated systems. In the States visited, Oregon and Washington had State-operated systems, Arizona had a locally operated system in 2 counties with the other 12 counties having probation officers under each judge, and Pennsylvania had a combined State-local system. These systems represent the organizational variations that can exist for probation.

Each probation system had the same basic objective--to protect society and rehabilitate offenders using community resources. The following sections describe the organizational structures in the four counties.

Maricopa County

The Arizona Department of Corrections is responsible for State institutions and supervising parolees. The Board of Parole is responsible for determining who is paroled or pardoned. There is no statewide probation system; probation programs are operated individually in each of the 14 counties.

Since December 1971, the Maricopa County probation department has been operated under the Maricopa County superior court. Previously, there was no formal department; each probation officer worked for, and reported directly to, a judge. The department makes pre-sentence investigations and supervises offenders sentenced to probation by Maricopa County superior court judges.

Multnomah County

The Oregon Department of Human Resources' corrections division is responsible for all adult corrections programs, including probation. The adult community services unit within the corrections division handles parole and probation activities. It has 8 regional and 23 district offices within the State. (Multnomah County also has a locally operated adult probation program that services mostly misdemeanants. We did not review this program.)

Philadelphia County

In Pennsylvania, responsibility for supervising adult probationers is divided between the State and counties. Under Pennsylvania law, judges have the discretion to assign individuals sentenced to probation to either the State probation system or one of the county probation systems.

The Pennsylvania Board of Probation and Parole is responsible for the State's system. The board is organized into five bureaus: pre-parole, administrative services, special services, probation services, and parole supervision. The latter two bureaus are primarily responsible for carrying out the board's probation functions. The bureau of probation services establishes uniform statewide county standards for (1) supervising probationers, (2) quality of probation services, (3) pre-sentence investigations, and (4) personnel qualifications and minimum salaries. The bureau of parole supervision supervises parolees and probationers under the board's jurisdiction and administers its operations through 6 regional offices and 10 district offices.

Each of the 67 counties also has its own corrections institution and adult probation agency. The Philadelphia County Adult Probation Department (1) supervises adult misdemeanants and felons, parolees released from county prisons, and unsentenced individuals assigned to pretrial diversion programs and (2) conducts pre-sentence investigations, psychiatric examinations, and alcohol and drug evaluations, as requested by the courts.

King County

The Department of Social and Health Services and the Board of Prison Terms and Paroles are separate Washington agencies responsible for the State's adult correction system. Both report to the Governor. The board sets the minimum prison terms to be served and grants or revokes parole. The department manages the corrections system and supervises probationers and parolees.

The Department of Social and Health Services' office of adult probation and parole manages a centrally controlled system with regional offices in Seattle, Spokane, and Olympia, and 39 district offices. These offices conduct pre-sentence investigations and supervise probationers and parolees.

CHAPTER 3

INCREASED USE OF PROBATION

In 1973 the National Advisory Commission on Criminal Justice Standards and Goals¹ stated that the failure of major institutions to reduce crime was incontestable and that a dramatic realignment of correctional methods was needed.

How many offenders are in the correction system? The President's Commission on Law Enforcement and Administration of Justice² comprehensively studied corrections and arranged for the National Council on Crime and Delinquency³ to do a nationwide survey of correctional operations. This study showed that the average daily number of offenders under correctional authority in 1965 was 1.3 million. This information gave the first accurate national picture of the number of offenders under correctional authority.

Probation is the most frequent type of sentence. The survey (1) showed that in 1965, 684,088 offenders, or 53 percent, were on probation and (2) projected that by 1975, over 1 million, or 58 percent, would be on probation.

When the President's Commission began to study corrections, its most urgent task was to develop reliable information about correctional operations. There was no overall picture of the system, because no uniform reporting system provided similar information about either the operations of the system or the offenders within it. Ten years later, in 1975, probation statistics were still not compiled on a nationwide basis.

¹This Commission was funded by the Law Enforcement Assistance Administration in 1971. Membership was drawn from the police, courts, correction branches of State and local governments, industry, and citizen groups. Most members had working experience in the criminal justice area.

²This Commission was established by Executive Order 11236, issued by President Lyndon B. Johnson on July 23, 1965.

³The council, a private, nonprofit organization, was established in 1909 to explore and develop innovative ways to prevent crime and juvenile delinquency.

We contacted the 50 States to try to develop current statistics. We were only partially successful because some States did not respond and, for those that did, much of the information was not comparable because of differences in the way States kept data. We, therefore, could not determine how many people were on probation or in the corrections system. However, the responses show that the percentage of offenders on probation between 1969 and 1974 increased much more than did the prison populations.

We obtained better information in the locations reviewed. The following table shows the sentences of probation and prison for felons in each of the four counties for several years. Between 71 and 83 percent of the offenders received sentences of probation in 1974. The average for the counties was 77 percent during 1974.

County and sentence	1965	1970	1971	1972	1973	1974
Maricopa:						
Probation	(a)	(a)	(a)	1,778	2,017	2,220
Prison				312	360	466
Percent given probation				85.1	84.9	82.7
Multnomah:						
Probation				958	744	1,032
Prison	(a)	(a)	(a)	390	378	429
Percent given probation				71.1	66.3	70.6
Philadelphia (note b):						
Probation		6,320	6,631	9,410	8,535	8,596
Prison	(a)	3,178	3,309	3,888	4,380	3,461
Percent given probation		66.5	66.7	70.8	66.1	71.3
King:						
Probation	367	1,141	1,188	1,659	1,601	1,622
Prison	349	340	253	304	284	345
Percent given probation	51.3	77.0	82.4	84.5	84.9	82.5

^aData not available.

^bPhiladelphia data includes felony and misdemeanor crimes except traffic offenses.

State corrections officials, judges, and corrections studies gave many reasons why the use of probation has increased.

--Probation offers a better chance of rehabilitation than prison.

--The cost of keeping offenders in prison as compared to probation is high: It costs about one-fourteenth as much to keep an offender on probation as it does to house him in prison. In the four States the costs were about as follows:

	<u>Annual Cost</u>	
	<u>Probation (note a)</u>	<u>Prison</u>
Arizona	^b \$347	\$5,665
Oregon	431	6,920
Pennsylvania	630	6,000
Washington	475	7,680

^aCost for probation departments only (does not include community treatment cost, as data was unavailable).

^bMaricopa County probation data.

--Probation is the only choice in many cases because State prisons are full.

--Under probation, offenders can earn money to pay fines and restitution to victims.

In January 1973, the National Advisory Commission on Criminal Justice Standards and Goals issued its "Report on Corrections" which stated that probation was the "brightest hope for corrections," but had failed to develop systems for determining who should be on probation and for giving offenders the support and services they need to live independently in a socially acceptable way.

The increased use of probation has overburdened the probation system.

--Offenders need more services than can readily be provided by existing community service agencies.

--The risk to society has increased.

--State and county budgets are strained as the need for resources builds.

CHAPTER 4

HOW EFFECTIVE IS PROBATION?

The offender's behavior in the community is the most critical test of the probation program. The four county probation systems we reviewed were achieving limited success in protecting society and rehabilitating offenders.

Overall, we estimated that about 55 percent of the offenders no longer on probation were unsuccessful in that they were either convicted of new offenses, had their probations revoked, or fled from probation supervision. Of the offenders still on probation, 37 percent had been convicted of additional crimes and remained on probation.

EXTENT OF SUCCESS AND FAILURE

To determine the effectiveness of probation, we randomly selected 300 cases of former probationers in each of the 4 counties--1200 cases in all.

Completion of probation

The following table shows that 931 (78 percent) of the offenders sampled had completed probation.

Results of Counties' Efforts With Probationers

<u>County</u>	<u>Sample total</u>	<u>Completed probation</u>		<u>Probation revoked</u>	
		<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>
King	300	222	74	78	26
Maricopa	300	219	73	81	27
Multnomah	300	233	78	67	22
Philadelphia	300	257	86	43	14
Total	1,200	931	78	269	22

Recidivism among those who completed probation

Recidivism is a general term used to indicate the relapse of offenders into criminal behavior. LEAA defines "recidivism" as (1) conviction by a court for criminal acts

committed during or within 3 years after probation, or (2) technical violations of probation or parole which change the offender's legal status. We used a slightly more conservative definition of recidivism for our study, because a conviction may include less serious crimes, such as traffic offenses. We considered a probationer to be a recidivist if he or she either (1) had probation revoked, or (2) was convicted of an offense while still on probation or within a followup period. We counted only those convictions for which the person was sentenced for 60 days or more.

This definition is similar to the Federal Bureau of Prisons' definition of recidivism as either (1) parole revocation or (2) any new sentence of 60 days or more to prison, jail, or probation, for new offenses, including misdemeanors resulting from an arrest reported to the Federal Bureau of Investigation (FBI). In a recent study of recidivism of parolees, the Bureau of Prisons used a 2-year followup period. The followup period for our study was for at least a year and averaged about 22 months.

Rates of recidivism can indicate how effective a probation program has been in rehabilitating offenders. We therefore obtained the criminal history records for the 931 offenders who completed probation. From these records we determined how many probationers were convicted of new crimes while on probation or during our followup period. The followup data was obtained from the FBI and State and local police.

Results of Followup on Ex-probationers						
County	Ex-probationers	Convicted of additional crimes		Successfully completed probation and followup period	Arrested but dispositions were undeterminable (note a)	Recidivism percentage (note b)
		While on probation	After probation			
Ping	222	41	10	145	26	26
Maricopa	219	13	26	157	23	26
Multnomah	233	13	13	180	27	13
Philadelphia	257	64	30	196	57	47
Total	931	131	79	588	133	26

^aThe court sentences for these offenders could not be identified from FBI or police criminal history records. However, each of the offenders had been arrested for an offense. Since we could not identify the court sentences, we did not attempt to classify these probationers as successes or failures.

^bNumber convicted of additional crimes divided by the total of those convicted and those who successfully completed probation (excludes undeterminables).

The above data on the 931 former probationers shows that many of the probationers considered by the counties to have successfully completed probation were in conflict with the criminal justice system either during or after probation. Of the 798 offenders on whom we obtained complete information, 210, or 26 percent, fit our definition of recidivism.

Overall recidivism

In summary, of the 1,200 closed cases we sampled, 133 were arrested but their dispositions were undeterminable. Of the remaining 1,067 offenders, 45 percent either had their probation revoked (269) or were convicted of new crimes (210) and 588, or 55 percent, successfully completed probation and were not convicted of any serious crimes for at least 1 year following.

Overall effectiveness

We discussed above what happened to our sample of individuals no longer on probation using recidivism as a measure of success. In the previous statistics we considered recidivism for offenders who did not have their probation revoked.

Some counties, however, are more liberal in their perception of success. For example, unlike King and Multnomah counties, Maricopa and Philadelphia county probation reports consider a probationer successful if the offender has fled probation supervision and has not committed a new crime during the rest of his sentence. This assumes the counties received information on newly committed crimes, which is not always the case.

We do not agree that absconders should be considered a success. Although some who flee may not commit crimes, the fact that they abscond indicates that they reject the restrictions placed on them by the criminal justice system.

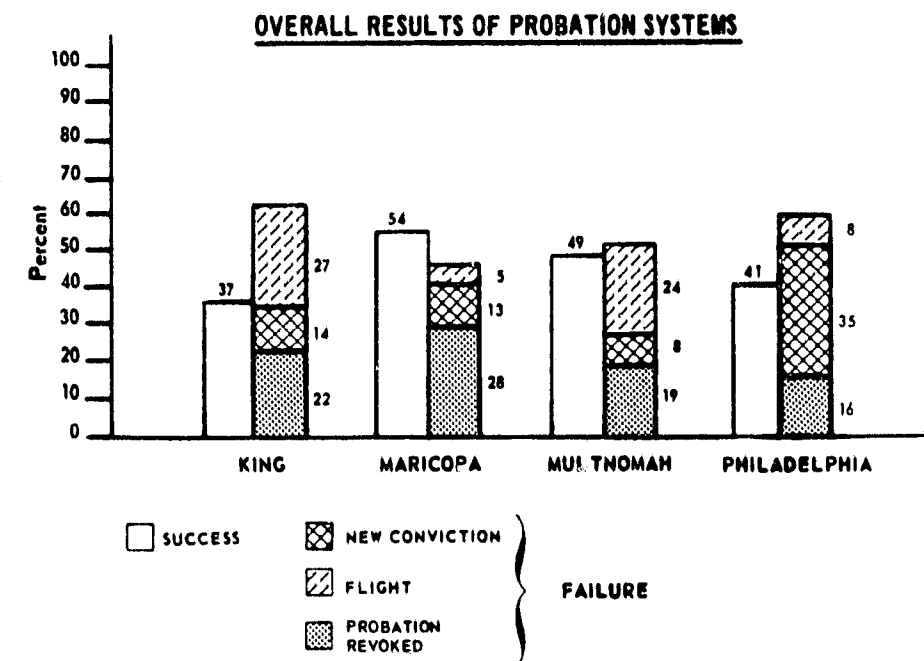
Because of inadequate data, we estimated how many probation case files were closed due to flight during the period of our sample, as follows.

<u>County</u>	<u>Absconder rate (note a)</u>
King	27%
Maricopa	5
Multnomah	24
Philadelphia	8

^aThe absconder rates for King, Multnomah, and Philadelphia were computed by dividing the number of those who escaped supervision by the total number of probationers whose case files were closed by (1) completing their probation sentences, (2) having their probation revoked, or (3) absconding. This is the same method used for determining absconder rates in the Federal probation system. Maricopa County records were such that we could not estimate an absconder rate. A probation department official estimated the rate to be 5 percent. Because of the lack of data, we must accept his estimate.

Overall, we estimate that about 16 percent of the offenders ending probation in the four counties fled during the period reviewed.

When the estimated percentage of absconders in each county is included with the recidivism rate, the overall effectiveness of the four probation systems for the probationers no longer on probation is as follows:



The average failure rate for the four counties was about 55 percent. Thus, overall, the probation systems were able to successfully rehabilitate about 45 percent of the offenders treated.

In comparison, in a 1975 report to the Congress on the effectiveness of 15 halfway houses in 4 States, we showed that about 50 percent of all offenders treated were rehabilitated, in that they successfully completed the programs and were not convicted of additional crimes during the period of review. ¹/ A possible reason why offenders treated in halfway houses were more successful is that they were more closely supervised than probationers, who were relatively free to function as they liked in the community.

PROTECTION OF SOCIETY

Community-based treatment is a risk to society because probationers who might be in prison or other more structured environments may commit additional crimes. To determine if society is adequately protected we reviewed our sampled cases to see how many were arrested and convicted of crimes while on probation.

Closed cases

The following table shows the number of arrests and convictions for any crime, regardless of its severity or the length of sentence, committed during probation for 1,200 closed cases reviewed.

New Offenses During Probation by Offenders No Longer on Probation							
County	Total probationers	Number of offenders arrested	Number of arrests	Number of offenders convicted (note a)	Number of convictions	Percent of probationers	
						Arrested	Convicted
King	300	183	328	158	^b 158	61	53
Maricopa	300	163	359	140	258	54	47
Multnomah	300	154	290	117	176	51	39
Philadelphia	300	180	542	128	222	60	43
Total	1,200	680	1,519	543	814	57	45

^aData includes all convictions regardless of sentence.

^bAt least 158 offenders were convicted. The total number is unknown.

¹"Federal Guidance Needed If Halfway Houses Are To Be a Viable Alternative to Prison," GGD-75-70, May 28, 1975.

Of the 543 offenders convicted again, 274--or about 50 percent--remained on probation. The 680 probationers were arrested for the following types of crimes during probation.

	Number of arrests
Crimes against people (14 percent):	
Murder	12
Negligent manslaughter	3
Robbery	69
Assault	60
Rape	5
Prostitution and pandering	50
Other sex offenses	13
	<u>212</u>
Crimes against property (26 percent):	
Burglary	131
Theft and larceny	160
Vehicle theft	58
Forgery and fraud	42
	<u>391</u>
Other (60 percent):	
Drug charges	103
Marihuana	50
Alcohol law violations	155
Technical violations	103
All others (note a)	491
Not identified	14
	<u>916</u>
Total	<u>1,519</u>

^aIncludes such crimes as possession of a gun, escape, and petty theft.

Open cases

We also examined the case files of 200 offenders (50 from each county), whose probation period had not been completed to determine if the percentage of persons arrested and convicted of crimes while still on probation is similar to that for those who had completed probation.

Offenses During Probation
For Offenders on Probation

County	Total probationers	Number of offenders arrested	Number of arrests	Number of offenders convicted	Number of convictions	Percent of probationers	
						Arrested	Convicted
King	50	28	57	22	36	56	44
Maricopa	50	23	49	18	33	46	36
Multnomah	50	28	68	22	39	56	44
Philadelphia	50	18	44	12	18	36	24
Total	200	97	218	74	126	49	37

As shown above, 37 percent of the offenders on probation were convicted of new crimes. More importantly, society was not adequately protected; all of the offenders remained on probation.

The probationers were arrested for the following types of crimes during probation.

	<u>Number</u>
Crimes against people (13 percent):	
Robbery	11
Assault	12
Prostitution and pandering	1
Other sex offenses	5
	<u>29</u>
Crimes against property (23 percent):	
Burglary	13
Theft and larceny	31
Vehicle theft	1
Forgery and fraud	5
	<u>50</u>
Other (64 percent):	
Drug charges	16
Marihuana	17
Alcohol law violations	22
All others	75
Not identified	9
	<u>139</u>
Total	<u>218</u>

A comparison of the percent of arrests and convictions of closed cases with open cases shows that while the offenders currently on probation had not been exposed as long to the criminal justice system, their rates of arrest and conviction approached the rates shown for past offenders.

Our halfway house report (see p. 14) noted that a major concern of probationary programs should be the risk to public safety. About 15 percent of the offenders who went through the halfway houses were imprisoned for improper behavior while residing at the houses. In contrast, 22 percent of the 1,200 offenders no longer on probation were incarcerated for improper behavior while on probation. (See p. 10.)

CONCLUSIONS

Probation is an appropriate sentencing alternative to imprisonment when offenders (1) have a good potential for rehabilitation and (2) do not pose a serious risk to the well-being of the community.

However, the estimated overall 55-percent failure rate for persons no longer on probation raises serious questions as to the probation system's ability to help offenders make a positive adjustment in the community. Furthermore, since about 45 percent of former probationers and 37 percent of current probationers had been convicted of crimes during probation, a lack of control and danger to the public are evident. We question whether society is adequately safeguarded when criminal repeaters continue to return to the community in a probationary status without adequate supervision and control.

Many factors could account for this situation. Some of the more important ones are discussed in the following chapters.

CHAPTER 5

NEED TO PROVIDE BETTER INFORMATION

FOR SENTENCING

Sentencing is one of the most important functions of the criminal justice system. In the time between conviction and sentencing, the judge must determine whether to imprison the offender or return him to the community. The process used by each judge to decide sentencing may vary, but accurate information on the offender must be available to answer such questions as:

- Who should be sent to prison and for how long?
- Who should be granted probation?
- Will available services benefit the probationer?
- How great will the risk to society be?

However, judges often lacked the information needed.

The primary source of sentencing information for judges should be the pre-sentence investigation reports. These reports--often prepared by probation departments--are useful as a source of information concerning the offender's past criminal record, family background, work experience, available resources, and potential for rehabilitation, to help the court decide sentence. However, pre-sentence reports were often inadequate. They usually did not make sentence recommendations or provide an adequate rehabilitation plan.

LIMITED AVAILABILITY OF PRE-SENTENCE REPORTS

The 1973 National Advisory Commission on Criminal Justice Standards and Goals' corrections report stated that a pre-sentence report should be made to the judge in every felony case. The report recommended that (1) a full pre-sentence report be prepared whenever the court considers it necessary, or incarceration for more than 5 years is possible and (2) a short report should be made in all other cases. Other recognized authorities in the judicial and correctional fields have recommended a pre-sentence report on all offenders, regardless of offense.

The following table shows the percent of the 1,100 open and closed cases sampled for which pre-sentence reports were prepared.

County	Cases sampled		Pre-sentence reports made			
	Closed	Open	Closed cases		Open cases	
			Number	Percent	Number	Percent
King	(a)	50	(a)	(a)	32	64
Maricopa	300	50	297	99	49	98
Multnomah	300	50	154	51	19	38
Philadelphia	<u>300</u>	<u>50</u>	<u>30</u>	10	<u>12</u>	24
Total	<u>900</u>	<u>200</u>	<u>481</u>	53	<u>112</u>	56

^aInformation for the 300 closed cases was not available because files were destroyed when probation periods were completed--in accordance with probation department policy.

Overall, reports were prepared in 54 percent of the cases.

We sent questionnaires to judges in each of the counties reviewed and interviewed a number of them, to determine their feelings about the availability and quality of sentencing information, probation supervision, and rehabilitation.

Our questionnaire drew responses from 108 judges.

The Maricopa County judges who responded indicated that they receive and review pre-sentence reports in all cases. Our sample of 350 Maricopa County cases showed that pre-sentence reports were prepared almost 100 percent of the time. King County superior court rules and Arizona State law, with a few exceptions, required pre-sentence reports in all cases, but reports were prepared for only 64 percent of recent King County felony cases. Judges told us they sometimes waived the reports if they understood the circumstances well enough. 1/ Pre-sentence reports in Multnomah and Philadelphia Counties are prepared when requested by the court. Philadelphia County Courts generally do not request reports, even though Pennsylvania State law states:

"Before sentencing any defendant to 1 year or longer, a presentence investigation and report shall be made, unless the sentence is death or a mandatory sentence to life imprisonment, or unless the court specifically orders to the contrary."

1/The Assistant Director of Washington's Adult Corrections Division told us in January 1976 that King County was completing pre-sentence investigations on 91 percent of the required cases.

INADEQUATE PRE-SENTENCE REPORTS

Even when pre-sentence reports were prepared, many lacked sentence recommendations and did not sufficiently discuss the offender's danger to the community and chance of successfully completing probation.

Both King and Multnomah counties have special pre-sentence-report preparation and diagnostic units funded by the Law Enforcement Assistance Administration. These units had been in existence for only a short time when we selected our closed cases, thus their impact was not reflected in our statistics of closed cases. For the cases reviewed, most of the pre-sentence reports analyzed were prepared by officers who also supervise probationers and parolees.

The Standards and Goals Commission's 1973 corrections report stated that a full pre-sentence report should contain:

- Verified information about the person's education, medical history, previous crimes, and other factors.
- Estimated chance of rehabilitation.
- A recommendation for sentencing.
- Analysis of the offender's motivations and ambitions.

The contents of the 593 pre-sentence reports made in the 1,100 cases we reviewed are summarized below.

Contents of Pre-sentence Reports

	King (note 4)	Maricopa	Multnomah	Philadelphia	Total	Percent of 593 cases
Sentence recommendation:						
Prison, then probation	2	22	1	-	25	6
Prison	3	22	2	20	47	8
Probation	27	226	18	23	294	50
Additional information:						
None	6	46	10	2	64	11
Low	20	94	19	4	136	23
Type of supervision recommended:						
Minimum	1	7	1	2	11	2
Medium	3	6	5	5	19	3
Maximum	2	37	7	15	61	10
Other information suggested on file:						
None	19	115	14	6	154	26
Low	3	21	13	-	47	8

Note: In King County, the King County were analyzed. Information for closed case files not available.

Probation officials said that much of the information in pre-sentence reports is taken from offenders' statements and is not verified due to lack of time. As noted earlier, the Standards and Goals Commission stated that information in such reports should be verified as far as possible. We did not attempt to confirm information in the reports, but the lack of routine verification raises doubt as to its accuracy. Probation departments should better assure the correctness of pre-sentence reports.

INSUFFICIENT DIAGNOSIS AND TREATMENT PLANNING

The National Advisory Commission on Criminal Justice Standards and Goals recommended that pre-sentence reports diagnose the offender's problems and suggest a treatment plan. We agree.

The following table shows how many professional diagnoses were conducted for the 1,100 cases reviewed:

County	Cases sampled		Cases diagnosed			
	Closed	Open	Closed		Open	
	Number	Percent	Number	Percent	Number	Percent
King	(a)	50	-	-	6	12.0
Maricopa	300	50	37	12.3	14	28.0
Multnomah	300	50	17	5.7	7	14.0
Philadelphia	300	50	69	23.0	18	36.0
Total	900	200	123	13.7	45	22.5

^aCase files not available as previously noted.

Examples of deficient pre-sentence information follow.

One subject was convicted of larceny. A pre-sentence report was not prepared. After he was sentenced to 3 years probation in April 1971, a post-sentence report was filed which indicated drug and alcohol use. The sentencing judge did not set any conditions of sentence--which he might have, had he been aware of the drug problem. Within 9 months of sentencing the probation officer recommended that probation be revoked because the probationer was arrested for selling marijuana to narcotics agents. In April 1972, the judge hearing the case revoked probation and ordered a psychiatric examination for the defendant. The revocation was suspended and the probationer given 5 more years probation on condition that he apply to a Federal narcotics program. In November 1972, the judge added a further condition to the sentence after a violation of the conditions of probation had occurred.

He also ordered a mental hearing. The probationer was released after 30 days at the State hospital, where he had been "destructive on the ward." He was deemed sociopathic. In January 1973, as suggested by hospital personnel, he was moved into a halfway house. In his first 7 days in the halfway house he had not sought work as required, and he left without permission. The probation officer again recommended that probation be revoked on January 30, 1973. A supplemental recommendation was written after the subject was arrested on February 4, 1973, for criminal activity in drugs sale.

Probation was revoked, with a judicial recommendation for psychiatric treatment during imprisonment.

Another subject was arrested on March 8, 1970, for burglary, larceny, and receiving stolen goods. On March 30, 1970, he was arrested for illegal use of solvents, i.e., glue sniffing. In September 1970, he was given 2 years probation for the original charges and fined \$100 for the glue sniffing charge. The case file contained no indication of any diagnosis made or services delivered during the 2 years in connection with the probationer's glue sniffing. The subject was arrested twice during probation on charges of burglary, larceny, receiving stolen goods, conspiracy, and passing worthless checks. For one arrest, he was sentenced to 6 to 12 months in prison, of which he served 2 months before being paroled. For the second arrest, he received 4 years probation to begin in August 1972, and his original probation was revoked. In 1974, the subject was convicted of burglary and related charges. Both a pre-sentence investigation and a psychiatric evaluation were made in October 1974. These reports indicate a number of problem areas, including possible drug abuse and possible brain damage due to glue sniffing since age 11. Both reports recommended enrollment in a drug treatment program. The case file did not indicate the sentence.

Had these individuals received formal pre-sentence diagnoses and investigations, the mental health and drug problems might have been found and treatment ordered. Early treatment might have changed the outcome of these cases.

Existing diagnostic services

Although only a small percentage of probationers received formal diagnoses, each county reviewed had a diagnostic procedure.

Maricopa

Written procedures for the Maricopa County Adult Probation Department recommend that expert psychological evaluation be provided when the defendant is so emotionally disturbed as to prevent proper sentencing.

Evaluations requested by the court are performed by private psychologists or at the Arizona State Prison diagnostic center. We were told the center was used infrequently by the probation department because an evaluation took at least 60 days and court sentencing had to be postponed. However, only about 12 percent of the inactive cases and 28 percent of the active cases sampled included diagnostic evaluations.

Multnomah

Portland, using an LEAA-funded program, has designed a system to reduce certain crimes. Persons convicted of burglary, robbery, assault, murder, rape, or other stranger-to-stranger crimes receive certain diagnoses not given to other offenders. The diagnostic center (1) reports to the courts for use in developing treatment programs, the social, psychological, and physical needs of each adult convicted of one of these crimes and (2) recommends sentencing and treatment alternatives.

Little other diagnostic work is done in Multnomah County unless the convicted person is obviously mentally disturbed. The cases reviewed did not include any of those diagnosed by the center, as its first case was completed in November 1974. State corrections officials recognize the need for diagnosis, but they said caseloads were too large for a full implementation of the proposed statewide client case management system, which would incorporate assessment and diagnostic tools into the client evaluation process.

King

About 40 percent of the felons in King County received the services of the LEAA-financed community based diagnostic and evaluation project. (The rest received standard pre-sentence investigations.) Included were all offenders who committed certain serious crimes--first or second degree murder, manslaughter, first or second degree assault, arson, robbery, burglary, and all sex crimes, as well as others who displayed significant mental health problems or bizarre behavior.

Project teams which handle these offenders include a pre-sentence specialist and a community-resource specialist. Referrals may be made by these teams for psychological testing, psychiatric evaluation, vocational testing, and/or medical examinations. Client evaluation and recommendations to the court are based on staff's conclusions.

State officials believed they need similar diagnostic units in other areas. King County's diagnostic program had not been in operation long enough for us to review its effectiveness.

Philadelphia

The Philadelphia Adult Probation Department has a psychiatric unit to provide evaluations of offenders in addition to, or instead of, pre-sentence investigations. These evaluations are made when requested by a sentencing judge or a probation officer with the judge's approval. A psychiatric or psychological evaluation may be requested to (1) determine a defendant's competency to stand trial or (2) aid the judge in deciding sentence and the probation officer in helping the probationer.

The evaluations are aimed at diagnosing the subject, evaluating his threat to the community, and recommending treatment. If the subject is considered to be in an acute psychotic state or has a chronic or deteriorating mental condition, commitment to a mental hospital may be recommended. Probation may be recommended if the subject seems able to withstand the stress of normal community living, motivated towards self-improvement, and not dangerous to himself or the community. Finally, a subject who is emotionally unstable, has a criminal life style, and is a threat to the community may be recommended for imprisonment.

At the time of our review, the psychiatric unit had five psychiatrists and three psychologists under a contract with a local university. A psychiatrist and a psychologist team up to prepare an evaluation. Several Philadelphia judges indicated they request psychiatric evaluations for offenders who commit violent crimes or whose behavior appears strange. Of the 350 cases we sampled in Philadelphia, 87 had received a pre-sentence examination.

CONCLUSIONS

In about 46 percent of the 1,100 cases, no pre-sentence reports were prepared. Only about 15 percent of the offenders received professional evaluation to help the courts decide sentence. If each offender would be given simple diagnostic tests, such as educational, vocational, attitude, and aptitude, before sentencing, and followup comprehensive tests by psychiatrists and psychologists when necessary, judges would have better information which could improve sentencing decisions.

CHAPTER 6

LACK OF SERVICES TO PROBATIONERS

Important influences on whether probationers are rehabilitated are the extent and effectiveness of services they receive. To assess these services, we reviewed the closed cases in Maricopa, Multnomah, and Philadelphia counties¹ and sent questionnaires to probation officers who supervised or were familiar with the cases.

Although some offenders benefited from services provided during probation, many did not receive needed services.

--Only 23 percent completed programs designed to address their needs.

--About 59 percent of court-ordered conditions of sentence and rehabilitative services were not enforced by probation departments.

--There was a highly significant statistical relationship between the extent to which probationers received needed services and success on probation, that is, as the probationer received more of the services he needed, he was more likely to complete probation successfully.

Probationers can receive services from community organizations and from the probation departments which supervise them. Probation officers should provide a number of direct services to offenders, such as

--arranging for necessary job training, education, drug or alcohol treatment, health care, and counseling,

--providing personal and family counseling, and

--providing direct assistance in changing housing or obtaining specific benefits like unemployment insurance, welfare, or food stamps.

Some probation officers also perform investigations before writing pre-sentence reports. Probation officers also are

¹We were unable to include cases from King County, Washington, because case files are usually destroyed after the probation period expires, in accordance with probation department policy.

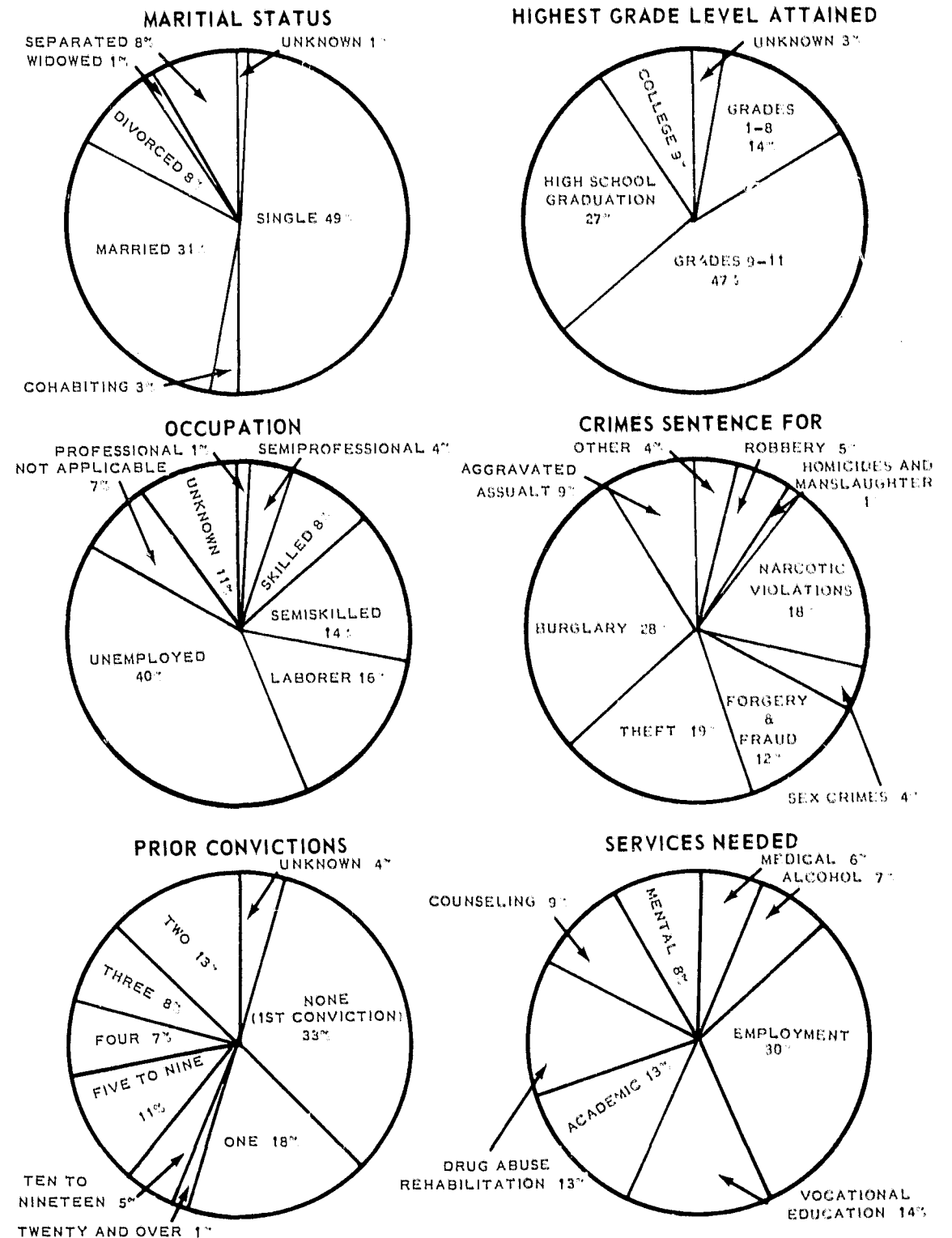
required to carry out investigations and write revocation recommendations when offenders on probation either violate conditions of probation or commit new crimes.

The following charts show information about the 900 probationers we sampled to assess service delivery and effect. More complete information can be found in appendix IV. Having such information makes it easier to understand some of the probationers' problems and needs.

These key facts show that:

- At least 61 percent had not completed high school.
- 40 percent were unemployed at arrest. Another 16 percent were employed in unskilled or manual labor.
- 59 percent of the offenses committed were property offenses, 19 percent were against persons, and 18 percent were drug offenses.
- At least 63 percent were not first-time offenders.
- 57 percent of the major treatment needs were related to employment and vocational and academic education.

KEY FACTS ABOUT PROBATIONERS



SERVICES CAN HELP

The results of our statistical tests indicated a positive association between receiving services and succeeding on probation.

The following table summarizes the results of statistical tests for individual services which we considered rehabilitative in nature. (See app. II for details.) In many cases, no tests were made because of the small number of probationers whose success or failure and amount of service received were both known.

Statistical Relationship Between
Services and Probation Success

Rehabilitative service	Relationship (note a)		
	Multnomah County, Oregon	Maricopa County, Arizona	Philadelphia County, Pennsylvania
Medical evaluation and treatment	No	-	-
Mental health treatment	No	-	No
Academic education	Yes	-	-
Vocational training	Yes	Yes	Yes
Employment services	Yes	Yes	Yes
Alcoholism treatment	No	-	No
Drug abuse rehabilitation	Yes	Yes	No
Individual or group counseling	-	-	No

^aAssociation established at the 95 percent confidence level.

As indicated above, receiving vocational education and employment services were associated with successful completion of probation in all three counties. So were drug abuse rehabilitation in Multnomah and Maricopa counties and academic education in Multnomah County.

The fact that the statistical tests for some services did not show a relationship to probationary success does not necessarily mean that these services were ineffective.

For example, the fact that alcoholism treatment could not be shown to be statistically associated with successful probation could be explained if a large number of probationers who received such treatment also had other problems which were untreated.

To avoid the problems associated with testing each service, we looked at the extent to which a probationer received the range of services listed on the previous page. We determined that there was a highly significant association in each of the three counties between the extent to which a probationer received needed services and success in probation. (See app. II.)

A recent study by Robert Martinson, an expert in criminal rehabilitation, concluded that rehabilitation has generally been unsuccessful and its role in the criminal justice system needed reexamining.¹ Our test results do not negate his conclusions. But we have shown that in certain circumstances rehabilitative services can help reduce offenders' tendency to commit additional crimes.

Our findings could have important implications for decisionmakers interested in improving probation operations. If probation departments could allocate their scarce resources more effectively, they could begin to more adequately rehabilitate offenders.

Following is an example of an individual who was helped because his probation officer found the type of service needed and arranged for the probationer to participate. A 30-year-old offender was sentenced to 3 years probation for illegal possession of narcotics. A special condition of sentence required him to take part in the State rehabilitation program. The probation officer found the probationer at his parents' home under the influence of drugs, several months after the probation began. Instead of sending the client to the State hospital, the probation officer arranged for him to enter a self-help rehabilitation program. The probation officer in this case was so impressed with his client's progress in removing himself from the drug scene and becoming involved in helping others with drug problems, that he recommended early end to probation, which was granted. A followup of this case after 19 months showed no further arrests or convictions.

¹"What Works? - Questions and Answers About Prison Reform," Public Interest, No. 35, Spring 1974.

PROBATIONERS' NEEDS WERE INADEQUATELY
IDENTIFIED AND ADDRESSED

To plan for services, a probation system should assess probationers' needs. Problem areas can thus be highlighted and priorities determined. This process makes it possible to specify how, for whom, when, and why the various needs are to be met. Specifying objectives in this manner makes it easier to evaluate the system's success in identifying and providing services.

In reviewing case files, we found (1) lack of rehabilitation plans, (2) failure to comply with court conditions, and (3) inadequate delivery of service for such needs as unemployment, drug and alcohol problems, and academic and vocational training deficiencies.

Lack of a rehabilitation plan

Corrections experts generally agree that an effective rehabilitation program should include a plan for each individual which recognizes what services that person needs to become a useful member of society. Interim evaluations are also needed to assess the plan's effectiveness and to change when necessary.

The extent of probationers' needs, such as education, drug abuse treatment, and employment are shown in the charts on page 27. Most probationers, however, did not have a written rehabilitative plan that identified their needs because such plans were not required by probation departments. Probation officers stated that an offender's plan is usually an unwritten composite of court-ordered conditions, probation-officer-analyzed conditions, and probationer-requested services. Responses to our questionnaires by 74 percent of the probation officers who supervised the 900 closed cases showed that written plans were prepared for only 38 percent of the probationers under their supervision.

<u>County</u>	<u>Total closed cases</u>	<u>Cases for which information was available on plans</u>	<u>Cases having plans</u>	
			<u>Number</u>	<u>Percent</u>
Maricopa	300	159	77	48
Multnomah	300	289	79	27
Philadelphia	300	220	99	45
Total	<u>900</u>	<u>668</u>	<u>255</u>	38

Oregon's new client case management system provides for a full analysis of needs and a written rehabilitation plan. Probation officers and probationers agree on a written plan and then carry it out. Oregon State probation officials said probation officers have resisted the new system because of already excessive caseloads and the amount of added work required. We were told by State Corrections Department officials that an increase in the number of probation officers, needed to reduce caseloads, has been denied by the State legislature.

Each county required progress reports to the court on every case supervised. Such a report, although not a formal rehabilitation plan, at least provides some indication of an offender's progress. The problem is that these reports usually cannot measure progress against specific goals because rehabilitation plans including such goals were not prepared. Maricopa and King county officers prepared progress reports every 120 days. Philadelphia County officers prepared reports about every 3 months. Multnomah County required progress reports semiannually, unless restitution or child-support payments were a condition of the offender's sentence. In such a case, or when the probation officer and his supervisor agreed that the case needed closer supervision, a quarterly report was submitted.

Most judges noted the need for formal rehabilitation plans. Of 101 judges responding to questionnaires in the 4 counties, 75 said a written, detailed rehabilitation plan is necessary to help assure treatment of diagnosed needs. In addition, 63 judges believed the plans should be approved by judges after the probation officers develop them.

Court-imposed conditions not met

At the time of sentence the court normally assigns certain standard conditions of probation, violation of which could cause probation to be revoked. Examples of standard conditions are

- remaining law-abiding,
- not leaving the State without the probation officer's approval,
- refraining from excessive use of intoxicating liquors, and
- not possessing or using drugs in violation of any law.

Judges may also require a probationer to fulfill special conditions, such as maintaining employment while on probation, paying restitution, or enrolling in rehabilitative programs.

We found that probationary conditions ordered by judges generally were not being met. The following table shows the extent of compliance with court-ordered conditions for the cases sampled in the three counties.

<u>Court-ordered conditions</u>	<u>Number of cases</u>	<u>Compliance</u>	
		<u>Number</u>	<u>Percent</u>
Restitution	145	89	61
Court costs	74	41	55
Mental health treatment	43	18	42
Medical evaluation	20	8	40
Alcoholism treatment	42	12	29
Drug abuse rehabilitation	79	17	22
Academic education	12	4	33
Vocational training	13	3	23
Employment (securing and keeping)	60	14	23
Counseling	<u>19</u>	<u>3</u>	16
Total	<u>a507</u>	<u>209</u>	41

^aThere were an additional 75 cases which had court-ordered conditions, but we could not determine compliance. Therefore, we did not include them in the analysis.

The average compliance with court-ordered conditions of probation in each county was as follows.

<u>County</u>	<u>Percentage</u>
Maricopa	46
Multnomah	33
Philadelphia	51

Because only 41 percent of court-ordered conditions were met before probation ended and courts generally did not monitor compliance, all States should have an information system which would indicate probationers' compliance with conditions of sentence. The percentage of court conditions met also indicates a need for better probation department management.

Some improvements were being made to insure that court conditions were met. For example, Multnomah County recently initiated a computerized listing of the account status of

those probationers sentenced to pay fines and restitution. Judges receive a monthly report which shows how well probationers whom they sentenced are meeting their obligations.

A similar tracking system has not been developed for monitoring the services that probationers are sentenced to receive. About 78 percent of the Multnomah County judges believed that probationers' compliance with conditions of probation has been only fair or poor, but neither the courts nor the probation department knew the extent of noncompliance with conditions. Information on fines and restitution payments should help probation departments make such determinations.

King County recently began requiring probation officers to write violation reports on all clients who do not comply with court conditions and commit technical violations. The judge then decides what action will be taken.

Following is an example of court conditions not enforced. In August 1973, an offender was sentenced to 5 years probation for burglary and larceny. The court recognized that the offender was a drug addict, and as a condition of probation, directed that the offender be placed in a drug rehabilitation unit and periodic urinalysis reports be provided to the court.

Our review of the case file shows the subject was assigned to the drug unit. The file contained no indication that urinalysis reports were ever provided the court. One year after being placed on probation, the probation officer notified the offender that an appointment had been made for a urinalysis test to comply with the court condition. The subject failed to appear for the scheduled test. In November 1974, the subject was arrested for robbery, theft, unlawful taking, receiving stolen property, criminal conspiracy, possession of a weapon, and violation of the Uniform Firearms Act. He was held for trial, and at the time of our review, a detainer was in force pending disposition of the new charges.

Allowing probationers to continue or complete probation once they have violated the basic conditions of probation seriously interferes with rehabilitation. Under these conditions, repeat offenders do not take conditions of probation seriously.

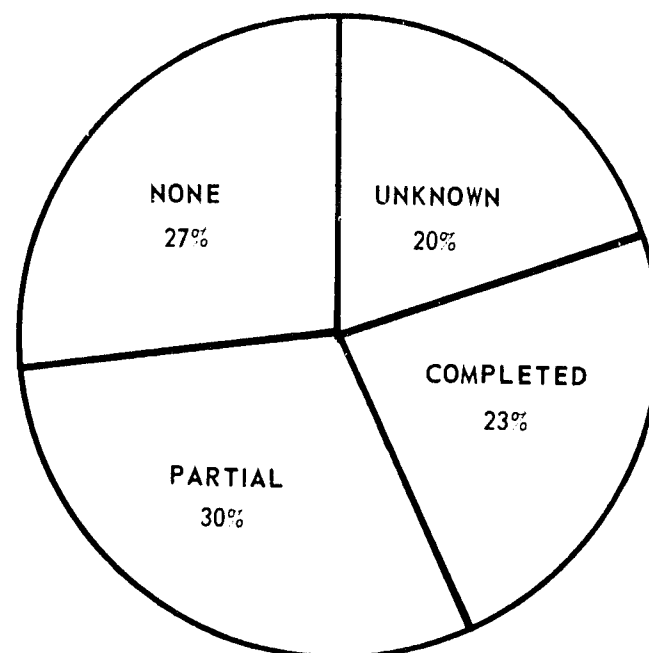
Service delivery inadequate

Probationers needed various services, but those that needed rehabilitation did not participate in relevant programs which might have helped meet those needs. Each county supplied a different amount of services.

We determined probationers' needs, participation in programs, and reception of services, by analyzing such information in case files as pre-sentence reports, court-imposed conditions, psychiatric diagnoses, and probation officer progress summaries. However, we cannot be sure that we identified all needs; for example, as noted on page 21, only about 14 percent of closed cases received a formal diagnosis. We did not determine the quality of the services provided.

The following graph shows the percentage of the major needs (medical, mental, academic, vocational, employment, alcohol and drug abuse rehabilitation, and counseling) that were satisfied for the 900 probationers sampled.

TOTAL IDENTIFIED NEEDS SATISFIED



Only about 23 percent of identified needs were satisfied in that an offender completed a treatment program.

The average percentage of services completed in each of the counties is shown below.

Maricopa	19%
Multnomah	21
Philadelphia	26

The following table shows how many probationers had specific service needs and how many completed participation.

Service	Cases of identified need	Number participating			Percent of participation (note a)
		Unknown	Partial or none	Complete	
Medical evaluation and treatment	108	27	34	47	58
Mental health service	142	28	77	37	32
Academic education	225	44	153	28	15
Vocational training	250	59	144	47	25
Employment (securing and keeping)	520	89	288	143	33
Alcohol programs	124	24	78	22	22
Drug programs	226	37	142	47	25
Counseling (group and individual)	156	46	85	25	23
Total	1,751	354	1,001	396	28

^aConsiders only known cases. Probation officials attributed the low participation (complete for only 28 percent of known cases) to probationers' lack of motivation and probation officers' excessive caseloads. Although services were not always delivered nor programs always attended, probation officers did make referrals to service agencies. For example, probationers had been referred to service agencies for treatment of at least 602 of their 1,751 identified needs (34 percent).

Detailed analysis of the sampled cases shows that probationers generally had problems in the following areas-- employment, academic education, vocational training, drugs, alcohol, and mental health.

Lack of employment opportunities

Of the 900 probationers, at the time of arrest,

- 363, or 40 percent, were unemployed.
- 377, or 42 percent, were employed.
- 65, or 7 percent, were not considered employable.
- For 95, or 11 percent, employment was unknown.

At the completion or termination of probation:

- 329, or 37 percent, were unemployed.
- 417, or 46 percent, were employed.
- 22, or 2 percent, were not considered employable.
- For 132, or 15 percent, employment was unknown.

The lack of job opportunities in most locations we reviewed limited the effectiveness of employment services. Unemployment rates were high and the types of jobs available to probationers were limited. For example, the seasonally adjusted unemployment rate for January 1975 was 9.6 percent in Maricopa County.

In the four States we visited, the unemployment rate for offenders was higher than the seasonally adjusted unemployment rate for the area. For example, while the unemployment rate for the Portland metropolitan area was 6.3 percent in December 1974, the unemployment rate for all offenders supervised by the Portland corrections division was 21 percent.

Many probationers were employed as waitresses, farmhands, and general laborers. While jobs were available for clerks, professionals, salespersons and manufacturing and construction workers, most of these require particular skill, professional training, or education to qualify.

Limited academic education and vocational training

The lack of marketable skills has limited probationers' ability to obtain employment. However, most probationers do not complete academic education or vocational training programs.

Of the 250 probationers we identified as needing vocational training, 37 percent were referred to service agencies by probation officers and 8 percent received services from probation officers without further referral. The other 55 percent were either not referred to programs or went on their own. The extent to which the 250 probationers participated in vocational training programs follows:

- 34 percent did not participate.
- 24 percent participated partially.
- 19 percent completed programs.
- Participation of 23 percent could not be determined.

In addition, 225 probationers needed academic education. Probation officers referred only 20 percent of these to service agencies and provided services to only 6 percent. Of the 225 probationers,

- 47 percent did not participate in any program,
- 22 percent participated partially,

- 12 percent completed programs, and
- could not determine the extent to which the remaining 19 percent participated.

The high unemployment among the sample probationers, along with their low incomes, indicates that probationers need special assistance to obtain and compete for available job openings. Educational or remedial programs should help these probationers get jobs.

Drug, alcohol, and mental health problems

Many of the probationers included in our sample of 900 closed cases had drug, alcohol, or mental health problems that were not adequately treated. The following table shows the extent to which the 492 identified needs were treated.

Service	Cases of identified need	Referrals		Service completions	
		Number	Percent	Number	Percent
Drug program	226	116	51.3	47	20.8
Alcohol program	124	54	43.6	22	17.7
Mental health service	142	68	47.9	37	26.1
Total	492	238	48.4	106	21.5

The reasons why probationers failed show the importance of addressing these needs. Analysis of 350 probationers who failed in 3 counties showed that many had drug, alcohol, or mental health problems that were insufficiently treated. While 273 treatment needs were identified among the 350 offenders who failed on probation, overall only 15 percent (41) of the needs were completely met. Service needs were adequately handled for 13 percent of drug problems, 11 percent of alcohol problems, and 22 percent of mental health problems.

CURRENT PROBATIONERS ALSO NOT RECEIVING SERVICES

To determine if probation services had improved since the closed cases were sampled, we also examined 200 active cases. About 65 percent of these active cases were not first-time offenders, compared with 63 percent of the 900 closed cases for which we obtained information. Service delivery has improved somewhat; however, a systematic assessment of all probationers' needs is still lacking, as is sufficient probationer participation in available rehabilitative programs.

Employment

When arrested, 50 percent of the 200 probationers were unemployed; 39 percent were unemployed at the time of our analysis.

One reason for these high unemployment rates is the probationers' lack of marketable skills. Only about 25 percent of the active probationers who were employed when arrested had jobs which could be classed as professional, semiprofessional, skilled labor, or semiskilled labor. This rate is similar to the 26 percent for closed cases. Although 57 percent of the active probationers and 56 percent of the closed cases were either unemployed or held common labor jobs when arrested, only 12 percent in both cases had learned a job skill.

Academic and vocational

Although many probationers needed academic education or vocational training to successfully complete probation, few had completed services to satisfy these needs at the time of our review. Overall 37 percent (73) of the active cases needed vocational training and 31 percent (61) needed academic education. However, at the time of our analysis, 52 percent and 41 percent, respectively, of those needing services had participated in vocational training and academic education. Only 18 percent and 11 percent, respectively, had completed vocational training and academic education. The participation of 11 probationers is not known.

Drugs, alcohol, and mental health

The majority of closed cases sampled failed probation. Many of these had drug, alcohol, or mental health problems that were inadequately handled. Many of the active probationers had similar needs that were not being sufficiently met. For example, the table shows how many were referred for treatment.

<u>Service</u>	<u>Cases of identified need</u>	<u>Referrals</u>	
		<u>Number</u>	<u>Percent</u>
Drug	62	33	53
Alcohol	27	18	67
Mental health	<u>43</u>	<u>28</u>	65
Total	<u>132</u>	<u>79</u>	60

The extent to which those referred will complete their treatment is unknown because they are still on probation and receiving services.

CONCLUSIONS

Our study showed that services provided do lead to success on probation. Therefore, probation departments should try to provide probationers with as many of the needed services as possible. At the same time, probation depends on the probationer's being positively motivated to (1) cooperate with his probation officer and (2) avail himself of the various supportive services.

Federal, State, and local probation officials stressed the importance of probation and supportive services to the corrections system. The following chapter discusses problems which limit the delivery of services.

CHAPTER 7

WHY SERVICES WERE NOT DELIVERED

The services discussed in chapter 6 were not delivered for many reasons, some beyond the control of the probation department, or other elements of the criminal justice system. For example, probationers may not be motivated to accept or complete programs. Community programs may not have adequate ways to insure participation. But service delivery could be improved. Problems affecting the system's ability to adequately deliver services include

- excessive caseloads,
- inadequate supervision of probationers,
- limited use and availability of community resources,
- poor coordination between probation and service organizations, and
- insufficient sentencing alternatives.

EXCESSIVE CASELOADS

In 1967 the President's Commission on Law Enforcement and Administration of Justice recommended that probation and parole caseloads should average about 35 cases per probation officer. In the 4 counties we reviewed, caseloads ranged from 64 to 93 and averaged 85 in December 1974. Based on the Commission's standard, the 4 counties had 419 fewer probation officers than recommended. The following table shows the number of additional probation officers needed.

County	Number of officers		
	Actual	Based on caseloads of 35	Required to meet staffing standard
King	51	136	85
Maricopa	33	60	27
Multnomah	42	79	37
Philadelphia	166	436	270
Total	292	711	419

In addition to supervising probationers, probation officers are responsible for preparing pre-sentence reports, violation reports, and other administrative reports. The effect of the large workload is that probationers are not closely supervised or provided necessary services.

The 1973 Standards and Goals report recommended a systems approach to identify service objectives and set up job tasks. This approach is similar to the workload concept which more accurately reflects the probation officer's responsibilities and time requirements than the caseload standard. An appropriate workload should aid the probation officer by allowing more time to diagnose, counsel, provide, or refer probationers to needed services.

One State we visited had adopted and two States were considering adopting a workload concept so more services and better supervision could be provided probationers. Under this type of program, a probation officer's workload would be based upon the service needs of each case and the time the officer has available to provide services during a month. "Work units," ranging from 1 to 5, are assigned to each probation case based on risk to society and service and time needs. An offender on minimum supervision would be 1 unit and an offender on maximum supervision would be 3 units. Other work such as pre-sentence investigations would also be assigned a number of work units, such as 5. Thus, on a 120-work-unit standard an officer might handle any number of cases at any level of risk or service need, up to a total of 120 work units.

However, without increased funding for additional staff to handle the workload, the two States that were considering adopting the workload system cannot implement a systems or workload approach as recommended by the 1973 Standards and Goals study.

Sentencing practices can also affect the number of cases probation departments supervise. In Philadelphia County, for example, if a person on probation is convicted of a new crime, a second judge may place the offender on a second probation. The probation officer has two cases to handle and two judges to write reports for. For example, in April 1971 an offender was sentenced to 2 years probation for burglary. While on probation, the subject was arrested four times and convicted twice. As a result, the subject was serving three probation sentences simultaneously under three different judges.

However, in Multnomah County, if a defendant is guilty of a second criminal offense, the two judges would discuss the new offense. The judges may decide to (1) revoke the first probation or (2) extend probation and add specific court conditions.

Probation officer turnover

Another factor limiting service delivery and probationer supervision is probation officer turnover, caused by termination of employment, promotion, or transfer. Probationers must therefore be reassigned to other probation officers, losing continuity of supervision and service delivery.

Staff changes are inevitable. But probation becomes less effective when new staff are assigned to work with probationers for whom no previous rehabilitation plan was prepared. Since written rehabilitation plans were prepared in only 38 percent of the closed cases (see p. 30), we believe the turnover rate has adversely affected probation departments' ability to properly supervise offenders. The following chart shows the county turnover rates.

<u>County</u>	1974 officer turnover rate (note a)
King	24%
Maricopa	34
Multnomah	34
Philadelphia	<u>b18</u>
Average	27

a/Officer turnover rate equals the number of staff changes for the year divided by the average number of probation officers employed during the year.

b/Excludes probation officers dismissed or asked to resign.

Probation officers told us that reasons for probation officer turnover were lower salaries than in the Federal probation system, large caseloads, massive paperwork, and frustration with the system.

NEED FOR CLOSER SUPERVISION

Large caseloads limit time for supervising probationers. Supervision allows the officer (1) to counsel probationers and refer them to service agencies and (2) when their life styles or behavior change, to perform close surveillance which may protect the public and preclude a new offense.

Lack of supervision due to high caseloads contributed to probationers' committing crimes and violating conditions of probation. As noted in chapter 4, almost half of the probationers in our closed-case sample were convicted of crimes and violated probation conditions while on probation. Furthermore, 37 percent of those still on probation had been convicted of new crimes. Probationers need closer supervision.

One hundred four judges responding to our questionnaire indicated the supervision provided by the probation department should protect society. However, 78 (75 percent) of the judges believed this supervision was only poor to fair.

Efforts to improve

In October 1974, a workload measurement study was completed on Washington State's probation and parole program. The study showed:

- Probation officers spend 22 percent of their time with offenders. However, of the contacts between officers and probationers (9,827 over a 4-week period), 70 percent were in the probation office, 15 percent were in jails, and only 15 percent were in the field--i.e., offenders' homes or places of employment.
- The average time for case supervision was 34 minutes per month per offender, including all paperwork and contacts with family, employers, and the offender. (The average time is not the usual time, as officers may spend hours on some offenders and almost no time on others.)
- Probation officers respond to crises that affect offenders under their supervision and to public officials who want investigative reports.
- 132 additional parole and probation officers are needed by the end of 1977.
- Many parolees and probationers are inadequately supervised. The public is thus not protected and offenders do not receive the help they need.

The Oregon Corrections Division--at the direction of the State legislature--completed a similar study in February 1973 to develop a case management system. The study found probation officers spent 73 percent of their time on indirect

activities such as investigations, reports, workload management, and travel; they spent only 27 percent of their time in face-to-face contact with clients and others. The study recommended that the Corrections Division reduce the amount of an officer's time spent on activities not related to direct contact with the probationer and others involved in the case.

Probation departments have been trying to improve supervision and service delivery by studying probation officers' workloads and by requesting additional LEAA, State, and local funding. However, State and local funding constraints have prevented reducing caseloads or purchasing needed services for probationers.

For example, in response to the workload measurement study conducted in Washington State, the Office of Adult Probation and Parole requested budgeting for 261 officers by the end of 1977, an increase of 132. The Governor's office reduced the request to 199 officers before submitting it to the legislature. Department officials estimated this reduction would cause 17 percent of the offenders to receive less supervision than is desirable. However, the State legislature established no additional funding but authorized the probation office to apply to the State Criminal Justice Planning agency for a Law Enforcement Assistance Administration grant for 48 additional officers.

The Washington Office of Adult Probation and Parole began drafting the application for an LEAA grant during our review. If LEAA approves the application, a total of 177 officers will be available, 22 less than the Governor's request. Therefore, more than the 17 percent of the offenders originally estimated will be undersupervised.

Likewise, the case management system to increase supervision of probationers developed by the Oregon Corrections Division was not implemented, because the State legislature did not provide funds.

Pennsylvania's Director of State Probation told us he is trying to reduce county caseloads from 95 to 65. An additional 215 county probation officer positions would be needed at a cost of \$2.5 million. The Director had asked for the officers but believed it unlikely that the State legislature would provide the necessary funding for fiscal year 1975.

Use of minimum service caseloads

To provide more services and better supervision to probationers who need them, Maricopa and King Counties have adopted minimum service caseloads. Minimum service caseloads differ from regular caseloads in that probationers receive minimum supervision and do not see a probation officer or obtain services except by their request. Probationers mail in monthly reports. One minimum service probation officer may thus handle many cases. King County minimum service officers, for example, each have about 378 cases. This system reduces caseloads for other officers and allows them more time to provide services and supervision. As of May 1975, King County had 1,891 and Maricopa County had 201 offenders on minimum supervision.

One problem associated with the minimum service caseload is selection of cases. The chief of King County probation said subjective criteria are used, such as the probation officer's opinion as to the potential for dangerous behavior and how well the probationer had done in the past. Maricopa County also established criteria for placing probationers on minimum service. The criteria include such factors as payment of restitution, arrests while on probation, attitude, and need for services. Predictive models (see chapter 8) could also help select offenders for minimum supervision.

OTHER PROBLEMS IN SERVICE DELIVERY

In all the counties reviewed, rehabilitation programs were available but were not always used because of limitations and lack of coordination among the various programs. As noted in chapter 6, there was a highly significant statistical relationship between providing needed services and successful probation; however, only about 23 percent of the service needs of probationers were satisfied.

Limited use and availability of community resources

Although community resource programs are needed, they were not always available to probationers because of limited capacity or various agency restrictions. We made a limited review of community services and did not evaluate the individual programs. However, examples were noted in two counties of either limited use or unavailability of community resources.

In Philadelphia County, probation officers said they cannot always refer probationers to a service agency because of factors which limit its availability to probationers. Such factors include (1) number and nature of a probationer's crime (2) his age, residential location, and ability to pay, (3) other program requirements, and (4) backlogs of applicants.

One officer maintained that a probationer's criminal record is the biggest problem prohibiting acceptance by service agencies. Another indicated that some agencies will not accept probationers who are over 45 years old or drug users. Some mental health centers will not accept probationers who are "too crazy or too violent." Some agencies do not want to accept sex offenders. Some accept only applicants whose residence is within specified geographical limits. Others do not want court referrals, because they believe that such people may not want help and would disrupt their program.

In King County, community service agencies listed similar eligibility requirements that limited availability. These requirements included limitations as to a probationer's offense, age, sex, and residential location.

The following case illustrates some of the referral problems and the limited use and availability of community resources. An offender was sentenced to 2 years probation for burglary, beginning in April 1971. Information contained in this probationer's case file shows that at least from the outset of probation, probation officials recognized that this individual (1) was a drug addict, (2) had previously had a nervous breakdown, (3) was living on welfare, and (4) may have been an excessive user of alcoholic beverages.

Throughout 1971, the probationer received little meaningful assistance from the probation department. On at least four occasions, the probationer was unable to enroll in drug rehabilitation programs or get treatment, because the programs were overcrowded or required waiting periods. The probation officer's assistance in this regard was limited to making telephone calls on the probationer's behalf and encouraging her to seek help.

In January 1972, after the probationer had been arrested twice and sentenced to 2 more years probation, she asked the probation officer to get her into a hospital for drug treatment. The officer telephoned an institution and was informed that no more room for female drug addicts would be available for an indefinite time.

The record shows that the probationer's drug addiction was a major reason for her criminal activity. Although this problem was recognized when the offender was first placed on probation in April 1971, she was not placed in a residential drug treatment program until June 1972.

In April 1973, the probationer was arrested on charges of prostitution and assignation. Although she was acquitted, in September 1973 another violation of probation hearing was held, and the judge terminated the probation sentence which began in April 1971. In October 1973 the probationer was arrested for larceny and subsequently was incarcerated in a State correctional institution for a maximum of 3 years.

Whether this probationer could have been rehabilitated is uncertain; however, the lack of prompt assistance from the probation department obviously did not help matters.

Need to improve coordination
between probation and service
organizations

Probationers' needs relating to drug and alcohol training, employment, and abuse rehabilitation are best provided for by outside agencies, because probation departments do not have the necessary resources. These services are available but restricted. The 900 closed cases sampled in 3 counties had 1,751 identified needs for such things as drug and alcohol abuse rehabilitation, training, and employment. Our data showed that probationers had been referred to service agencies for 34 percent of their identified needs.

One way to increase the probationers' participation in the various community programs would be to improve coordination. Following are examples of the need for action.

The chief of field operations for the Oregon Employment Division told us he has assigned eight full-time employment specialists to work with the Corrections Division. Employment and corrections officials said all of the specialists work primarily with offenders in institutions. Only one of these specialists works part time with the probationers in one of the three Portland region probation offices. We believe that the employment service should be provided to all probation offices and that by better coordinating their efforts, these specialists could spend more time working with probationers.

In Maricopa County, probationers are referred to the Department of Economic Security for job leads, so probationers receive at least limited employment assistance. However, the ex-offender service, a separate section of the Department of Economic Security, is not used by the probation department. Probation department officials stated that their employment coordinator had access to the same "job bank" data as the service and was more efficient in placing probationers. However, since 42 percent of the county's probationers were unemployed as of April 1975, we believe more probationers should be referred to the ex-offender service.

Maricopa County had only one inpatient drug abuse rehabilitation facility available to probationers, although we were told that 16 agencies provided rehabilitation in the county. The available facility has 59 beds and has operated at near capacity, with about 90 percent of the clients probationers. An April 1975 study showed that of the 3,058 active probation cases, 825 (27 percent) had a history of hardcore addiction. Thus additional facilities were needed to treat these probationers.

Before February 1973, probationers were being treated in the Narcotic Addict Rehabilitation Act facility in Phoenix. Subsequently, however, residents from Maricopa and six other Arizona counties were excluded from this facility by the Deputy Director of the National Institute for Drug Abuse, a community organization for drug abuse control which has a Federal grant to provide similar services. Since it invoked the residency restriction, the facility has treated an average of 20 clients below capacity. Probationers had been treated there in the past, and probation department officials said they would have used the project's facility had it not been for the restriction. We were told that the facility officials in Phoenix were seeking to change the policy to allow Maricopa County residents to be treated.

None of the counties reviewed had a formal working relationship with drug, alcohol, or mental health agencies. The establishment of such relationships would improve the coordination of services.

Written agreements to formalize working relationships between probation and service organizations were also rare in the States we visited. Such agreements could

--facilitate probationers' use of programs,

--alleviate problems that may occur when a new probation officer makes client referrals, and

--set criteria for the type and frequency of feedback information.

Instead, probation officers generally had informal working relationships.

The Directors of Corrections in Washington and Oregon agreed written service agreements would be useful to improve service delivery because, with formal agreements and possible payment for the services, agencies are likely to be used more and provide better services. However, staff was generally not available to develop agreements. In addition, the clients anticipated that the service agencies would request funds from the probation program to provide the services. Funds were judged unavailable for this purpose due to limited State funding.

Insufficient sentencing alternatives

Sentencing alternatives for probationers should range from secure residential treatment centers, such as halfway houses, to no supervision. Judges said they prefer more supervision; however ineffectiveness, overcrowding, and unavailability are inhibiting the use of such programs.

Of 79 judges responding to our questionnaire, 47 judges indicated they do not fully use halfway houses because the programs were not available, too crowded, or not effective. Twenty-three judges indicated they do not use county jails and 36 judges indicated they do not use minimum security institutions for the same reasons. Thirty-four judges said they used work release because it is available and effective.

In April 1975, a Washington corrections development task force studied the State's correctional system and reported its findings to the legislature. This task force

concluded: "The * * * system has, in most instances, two alternatives: a secure facility or the street. Little of a real graduation of release exists." To resolve this situation, the task force recommended supervised residency and work or training opportunities, with controlled access to the community.

Probation systems could provide more secure facilities like halfway houses. But in Oregon, for example, they are only available to parolees after release from prison. Other types of facilities, such as drug or alcohol programs, which have an open door policy, need to increase supervision.

An Oregon judge cited a recent offender that he had sentenced to 20 years in prison because (1) the offender needed specific medicines to function in society, (2) the offender could not be responsible for his own medicine, and (3) no probation officer or treatment agency could insure that the medicine would be taken. The judge concluded that other sentencing alternatives were needed and the executive and legislative branches of State government should address the problem.

Probation officials in Pennsylvania and Oregon agreed that a greater variety of sentencing alternatives were needed for probationers. Each of the counties reviewed needed different services. In Philadelphia, examples of needed resources included the following.

- Drug and alcohol abuse rehabilitation and mental health facilities for female and inpatient probationers.
- Residence centers for females.
- Halfway house for individuals with mental health problems.
- Vocational training facilities.

We recognize that the probation system does not control the community programs. However, better sentencing alternatives are needed.

CONCLUSIONS

Probation cannot effectively rehabilitate offenders and protect society so long as problems in delivering services exist. Eliminating these problems depends on the commitment of resources by all levels of government.

Making community resource agencies more responsive to probationers' needs may be beyond the authority of probation systems. But some improvement could be made through better cooperation and management. One of the challenges facing probation is to make the most effective use of available resources.

Decreasing caseloads in and of itself will not increase a probation system's effectiveness. A probation system must first systematically identify probationers' needs. It then must either directly satisfy these needs or arrange for them to be satisfied by other social institutions or resources. Furthermore, not only do probation officers need to be informed about the specific services available, they must also be able to evaluate the services to which probationers are referred and monitor probationers' progress.

Improvement in these areas, coupled with a reduction in caseloads, should help more probationers adjust to the community. The next chapter details a management process that could aid in such an effort.

CHAPTER 8

PROBATION PREDICTION MODELS:

TOOLS FOR DECISIONMAKERS

To focus services and attention on the probationers who need the most help and supervision, better decision-making tools are needed. One such tool is the predictive model.

Much criminological research has been focused on estimating the danger to society posed by offenders under the various rehabilitation options. Probation officials must recommend type of sentence, level of supervision, and length of probation. Although a good deal has been written on possible use of statistically based prediction tables as aids or guides, probation administrators and practitioners continue to rely almost solely on personal experience and subjective judgment to make these decisions. The failure to use statistical models appears to stem from doubts about

- validity, that is, whether a model developed in one location for one group of people would be valid in a different location for a different group of people, and
- predictive power, that is, the extent to which probationers' predicted outcomes correspond to their actual outcomes.

We tested the validity and predictive powers of existing models by applying them to the 900 closed cases in Maricopa, Multnomah, and Philadelphia counties.

We determined that:

- The models were transferable between locations. For example, three of the models were valid in each of the locations. Also, each of the other five models was valid or probably valid in at least one of the locations.
- Existing models may be useful in probation decisionmaking even though their predictive powers are less than might be desired. In one county, probationers with high model scores (indicating high potential for success) were 93 percent successful whereas those with low model scores were only 17 percent successful.

- Probation prediction models could improve probation systems' operations by allocating resources to offenders who most need help. For example, model scores appeared to be useful in determining supervision levels for probationers. The actual failure rate of probationers receiving minimum supervision in one location was 35 percent, but only 15 percent of those selected by a model for minimum supervision failed. Models more successfully selected probationers for early release.

WHAT ARE PROBATION PREDICTION MODELS?

A probation prediction model is developed by using statistical methods to summarize the characteristics and outcomes of many probationers in such a way that a decision-maker can forecast probation results for offenders on the basis of their characteristics. When statistical methods are used to predict success of probation, data is analysed objectively, rather than subjectively.

The actual form of a model will vary. The following table shows how a typical model might look. (This model is for illustrative purposes and is not an actual model.)

Illustrative Predictive Model

Individual risk score calculation

<u>Significant characteristics</u>	<u>Value</u>	<u>Score</u>
No history of opiate use	9	9
Family has no criminal record	6	6
Not an alcoholic	6	6
Is married	4	0
No prior arrests	<u>4</u>	<u>4</u>
Total possible score for probationer	<u>29</u>	<u>25</u>

Summary risk table

<u>Score</u>	<u>Success rate</u>
23-29	90%
10-22	70
0-9	10

To develop such a model, information about the personal and criminal history of a large number of probationers would be obtained. A statistical technique, such as regression analysis, could then be used to identify the characteristics which seem to differentiate the most between successful and unsuccessful probationers. These characteristics become the basis for the model. The weight or importance given to a particular characteristic is also determined statistically.

To use the model, the decisionmaker would obtain information about an individual either through an interview (while preparing a pre-sentence report) or from existing records (prior probation records or criminal records). On the basis of this information, the individual's score would be computed. In the above example, if the individual did not have a history of opiate use, he would receive nine points, if he had such a history, no points for that item. The individual's total score is interpreted in light of past experience with probationers having similar scores, to estimate the likelihood that he will succeed on probation.

In the sample model, an individual who scored 25 points would be considered a very good risk for probation. This information, along with other factors, could be used to decide whether the individual should be recommended for probation, subjected to only minimum supervision, or be released from probation early.

VALIDATING MODELS

One reason usually given for the limited use of models is the need to validate a model, that is, determine its validity. For example, due to differences in group characteristics and experiences, a model that was developed using parolees in Arizona may not be predictive of the success or failure of probationers in Pennsylvania. We attempted to validate eight existing models--the "Oregon Form," the "Newark, New Jersey, Form" developed by Professor Daniel Glaser of the University of Southern California, four models developed by California correction agencies using data on California parolees, and the "Salient

Factors Form" developed for use by the Federal Board of Parole. (See app. III for additional details.)

These eight models were chosen, after a review of many existing models, because they were the only models for which we believed that data required for testing validity would be readily available from probation case files and criminal records. Of the eight models used, five were developed for parolees and three for probationers.

How models were validated

After collecting the necessary data for our sampled cases, we computed a score (or category) for each probationer. Additionally, we classified each case as a success or a failure using our definition of recidivism. (See p. 11.)

We then used statistical tests to determine whether the probationer's model score (or category) correlated significantly with his actual outcome. The tests (see app. III) indicated that each of the eight models reviewed was valid in each of the three counties for all probationers whose model scores and outcomes could be determined. (Some of the 300 probationers sampled in each county could not be included in our tests because of incomplete information in case files and criminal records.)

The following table summarizes our conclusions on the validity of the models for the probation populations reviewed. (The results of our statistical tests are contained in app. III.)

<u>Results of Model Validation</u>				
	<u>Based on</u>	<u>Multnomah</u>	<u>Mulicopa</u>	<u>Philadelphia</u>
I	Oregon Form	Probably	No conclusion	No conclusion
II	Newark Form	Probably	No conclusion	No conclusion
III-A	Glaser Model	Yes	Probably	Probably
IV	California Form 61A	Probably	No conclusion	No conclusion
V-A	California Form 61B	Yes	Yes	Yes
VI-A	California Form 62A	Yes	Yes	Yes
VII-A	Association Analysis	Yes	Yes	Yes
VIII-A	Salient Factors	Yes	Probably	Probably

If at least two-thirds of the cases sampled were included in the statistical test, we concluded that the model tested was valid for the entire probation population under review (not just those probationers whose model scores and outcomes could have been determined). If at least half of the cases sampled were included in the statistical test, we concluded that the model was probably valid for the entire population. If less than half the cases sampled could be in the statistical tests, we reached no conclusion as to the model's validity for the entire population, even though the model was valid for the subpopulation for whom both model score and outcome could have been determined.

As shown above, three models were valid in each of the counties reviewed. If more complete information had been available, we would likely have found many of the other models to be valid in each location.

That we were able to validate three of the models in each location visited indicates that many of these models could be validated by local governments if need be. This contention is further supported by our overall results--of 24 possible validations (8 models at 3 locations), we obtained positive results in 46 percent and probable results in 29 percent.

PREDICTIVE POWERS OF MODELS

Even after a valid model is found for a given probation population, decisionmakers hesitate to use it, partly because the models developed to date do not have extremely high predictive powers. However, several studies, including ours, indicate that existing models are sufficiently predictive to be useful in deciding who should be recommended for probation, what level of supervision is needed, and who might be considered for early release.

While we did not make an exhaustive search of the successful users of models, we found three examples that we thought typified how models might be used.

In one use intended to reduce prison confinement costs, a large inmate population was screened, first by a parole model and then by prison personnel. A group of screened inmates were considered for parole at an earlier date than originally scheduled. This resulted in substantial savings in prison costs with no increase in parole violations.

In another prison, giving minimum parole supervision to those predicted by a model to be good risks enabled parole

officers to spend more time with other cases without increasing the failure rate.

In a third application, inmates were initially classified using model scores. Inmates in various classifications were provided with varying institutional treatment, some receiving earlier parole consideration. As a result, the prison population was reduced and money was saved.

These three examples relate to parolees rather than probationers; however, the fact that some parole models proved valid in predicting probation outcomes indicates that they might be used for that purpose.

HOW MODELS CAN IMPROVE PROBATION MANAGEMENT

To suggest possible applications by probation offices, we developed examples using model scores to decide who should be recommended for probation, what level of supervision is needed, and who might be released early from probation.

These examples of applications were developed using Model VI-A, one of the three models found to be valid in all of the counties reviewed. Model VI-A is based on California Base Expectancy Form 65A and is shown in the following table.

MODEL VI-A California Base Expectancy Form 65A

To obtain raw scores, add

11	for all persons	11
19	if no more than two prior arrests (note a)	___
15	if not arrested for 5 years previously	___
14	if no known prior incarceration	___
8	if offense was not check fraud or burglary	___
0.6	times age of offender	___
	Base expectancy 65A score	==

aBased on adult information if juvenile record unknown.

Given the scoring system for Model VI-A, one would expect people with high model scores to be better risks on probation than people with low scores. This expectation is borne out by the table below, which shows the actual success rates of probationers in our samples whose Model VI-A scores fell within three ranges.

Model score	Percent successful in county (note a)		
	Multnomah	Maricopa	Philadelphia
80.7 and above	89	93	93
41.3-80.6	68	65	52
41.2 and below	47	37	17

^aThis analysis and all that which follows is based on only those probationers for whom both model score and probation outcome are known.

Usefulness of models in recommending sentencing

Probation models can assist probation and court officials in recommending sentencing alternatives (prison, jail, or probation) for individual offenders. While recognizing that models used in this manner should be more broadly based and should include characteristics of those persons not placed on probation, we believe Model VI-A demonstrated predictive ability.

In our test we computed scores for probationers in each of the three counties and considered the 10 percent with the lowest scores as ineligible for probation. We found that had the model been used for decisionmaking, the success rates in all three counties would have improved. The original rates and the rates projected if the model had been used to make the decision were as follows:

County	Percent success	
	Without model	With model
Multnomah	66	68
Maricopa	56	61
Philadelphia	44	49

Usefulness of models in deciding level of supervision

Because of caseload sizes and other considerations, probation officers must decide the level of supervision a probationer should receive. By giving only minimum (rather than medium or maximum) supervision to those who are most likely to succeed, probation officers have more time to spend with other probationers who are expected to need close supervision.

To determine the usefulness of the probation model in deciding who requires minimum supervision, we assessed our sample of probationers with complete records, using the model to select some for minimum supervision. We found that when model scores were used to select probationers for minimum supervision in each of the three counties:

--Probationers selected had lower failure rates than did the group actually selected by the probation offices.

--Those probationers selected by both the model and the probation offices had lower failure rates.

Our sample of 186 probationers from Maricopa County contained 57 probationers who had been placed on minimum supervision. Of these, 14 did not successfully complete probation. When 57 probationers were selected for minimum supervision from the 186 using model scores alone, only 11 of the 57 were found to have failed. The following table shows the results of the selection process in terms of groups selected by the probation office, by the model, and by both.

	Selected by		
	Model	Probation office	Both
Number of people	33	33	24
Number of failures	9	12	2
Failure rate	27%	36%	8%

In Philadelphia County, Pennsylvania, 20 of 227 probationers in our sample were placed on minimum supervision. Of this group, 7 failed on probation. When the model was used to select 20 probationers for minimum supervision, we found that only 3 failed.

	Selected by		
	Model	Probation office	Both
Number of people	16	16	4
Number of failures	3	7	0
Failure rate	19%	44%	0%

In our sample of 251 probationers from Multnomah County, Oregon, 10 of the probationers were placed on minimum supervision. Of these probationers, three did not successfully complete their period of probation. Of the 10 probationers the model would have assigned to minimum supervision, only one was considered a failure. In this county none of the people selected by the probation office were also selected by the model.

In each of the three counties, the group of probationers selected by model scores for minimum supervision had a lower failure rate than the group actually selected by the probation office. Part of the lower failure rate of model selections might be attributable to the fact that some of them received more than minimum supervision. More importantly, in each of the counties the groups selected for minimum supervision by both the probation office and model had lower failure rates than the groups selected by the probation office. This implies that basing selection on model score in conjunction with the probation officer's evaluation would improve results.

Usefulness of models in selecting probationers for early release

Two of the counties we visited evaluated probationers during the course of their probation with a view toward terminating probation early. We attempted to evaluate the model's usefulness in making such decisions.

A total of 124 probationers in Multnomah County and 148 in Maricopa County were granted early releases. When the same number of people were selected using model scores alone, probationers selected by model score had slightly lower failure rates than the group selected by the probation office, and probationers selected for early release by both the model and the probation office had about the same or a lower failure rate.

The Multnomah County probation office selected 124 probationers for early release. Of these, 16 (13 percent) failed to complete probation successfully. When 124

probationers were selected using model scores, 12 (10 percent) were found to be failures.

	Selected by		
	Model	Probation office	Both
Number of people	45	45	79
Number of failures	4	8	8
Failure rate	9%	18%	10%

As can be seen above, the group selected by both as well as the model-selected group had lower failure rates than did the group selected only by the probation office.

In Maricopa County, 148 probationers were selected for early release and 25 (17 percent) were considered failures. When the same number of probationers were selected for early release using model scores, 22 (15 percent) were found to be failures.

	Selected by		
	Model	Probation office	Both
Number of people	30	30	118
Number of failures	9	12	13
Failure rate	30%	40%	11%

Again, the group selected by both as well as the model-selected group had a lower failure rate than the group selected by the probation office only.

We recognize that part of the reason probationers selected for early release by the model had a lower failure rate than those selected by the probation office might be that some of these probationers were not released early. This extra time on probation might have helped them become successful. But can the entire difference in failure rates be attributed to this fact? If not, the model would appear to be useful in selecting people for early release. More importantly, as indicated by our results, better results might well be achieved if selection were based on both model score and the clinical evaluation of probation officials.

CONCLUSIONS

Probation models do nothing more than statistically summarize and weigh the experience and characteristics of

probationers. In this way they function much like experienced probation officials--based on past experience, they attempt to predict the outcome of a probationer. The actual outcomes of probationers are then compared to those predicted and this new information helps make decisions on the next group of probationers.

The major advantages of models are their objectivity and efficiency as well as the fact that they provide a method to transfer past experience systematically. The advantages of human judgment relate to such factors as compassion and intuition.

We tried to validate existing models at locations other than those at which they had been developed and to establish their utility. Some of the existing models could be validated, three of them in all the locations visited. While the predictive powers of these models were far from perfect, they seem to be greater than those of probation officials. More importantly, even better accuracy could be obtained if both model score and human evaluations were used to make probation decisions. Although existing models have some utility, the full benefits of models for purposes of probation can only be obtained through additional use and research. This research should include:

- Systematically collecting data (1) on characteristics which might have predictive power, including those found to be predictive in other models, and (2) necessary to test hypotheses found in criminal behavior theory.
- Developing models for specific subgroups of the probation population, such as by type or number of offenses, age, etc.
- Evaluating the many mathematical techniques used to combine predictive characteristics.

CHAPTER 9

LEAA AND THE STATES NEED TO

IMPROVE PROBATION MANAGEMENT

We tried to determine how much the Law Enforcement Assistance Administration and the State planning agencies were doing to help States and localities to solve the problems discussed in previous chapters.

Although the responsibility for probation systems rests with State or local governments, LEAA and State criminal justice planning agencies can provide leadership, guidance, and expertise to improve probation systems. However, LEAA's efforts had a limited effect on probation operations. Among the areas in which LEAA and the SPAs were inadequate are:

- Developing minimum probation standards, goals, and guidelines, or otherwise insuring adequate planning to correct probation problems.
- Insuring that information systems were adequate to identify problems and evaluate the effectiveness of probation.
- Providing sufficient technical assistance to probation departments in developing and implementing programs.
- Establishing funding priorities to insure that resources are allocated to meet the needs of criminal justice systems.

INADEQUATE LEAA ASSISTANCE

LEAA and SPAs cannot decide State or county policy. Their leverage lies in the conditions they place on the use of Federal grant funds and in their recommendations and encouragement to State and local officials.

Since most of LEAA's funds are provided to the States as block grants, its leverage for bringing about positive changes is through approval of the States' comprehensive plans for spending money. These plans are required to include the States' strategies for developing standards and goals, analyses of needs and problems, and lists of priorities. LEAA, however, has provided only limited technical assistance to States in these areas.

Need to improve probation standards and goals

A 1973 report by the National Advisory Commission on Criminal Justice Standards and Goals, "A National Strategy to Reduce Crime," stated the importance of standards and goals as follows:

"* * * Operating without standards and goals does not guarantee failure, but does invite it.

"Specific standards and goals enable professionals and the public to know where the system is heading, what it is trying to achieve, and what in fact it is achieving."

Although the standards and goals recommended by the National Advisory Commission do not necessarily represent LEAA's official position, each of the States we reviewed had been awarded an LEAA grant to study and develop standards and goals. LEAA has endorsed the development processes but not the specific standards and goals.

In December 1973 LEAA first issued planning guidelines requiring States to include their proposed approach to establish State standards. States were told to develop a comprehensive set of standards for inclusion in the fiscal year 1976 comprehensive state plan.

However, LEAA did not provide the States with adequate, specific guidance for preparing standards and goals. For example, LEAA's initial guidelines for the 1974 plan for standards and goal development recommended that the States:

"* * * define the kind of law enforcement deemed 'ideal' yet attainable for the State and its localities in terms of manpower, training, equipment, facilities, workloads, operational standards, and services provided, even though achievement, under optimal conditions, will require several years (e.g., five to ten years).

"This definition [ideal law enforcement] should be as concrete as possible in terms of goals and capabilities to be pursued, e.g., * * * information system capabilities, * * *."

In March 1975, LEAA issued guidelines for the 1976 plans that require the States to discuss their standards and goals. These guidelines provide a broad framework within which the States can develop specific standards and goals,

but not adequate guidance on specific issues. The guidelines require the SPAs to describe long range criminal justice improvements. The SPAs were not specifically directed to address the diagnosis of offenders' needs, use of models, or coordination between probation systems and community resources for needed services.

Among the States we reviewed, only Oregon had developed long term standards and goals, which are to be implemented by 1980. Oregon had adopted the Commission's probation case-load standard of 35 probationers per probation officer. Oregon's standards and goals did not address such probation issues as the diagnosis of offenders, use of models, coordination between probation departments and community service agencies, and recidivism rate goals.

Arizona was considering adopting a portion of the Commission's standards for service delivery and for diagnosis. Washington State was reviewing the standards and goals, but had not adopted any. Pennsylvania was studying its criminal justice needs to determine to what extent the national standards and goals would meet the State's specific needs. This project was scheduled for completion in September 1975.

To effectively consider probation problems, SPAs should discuss these areas in their State plans. Without such information, it is difficult for an SPA to assume the leadership and coordination role LEAA has given it.

LEAA has required that by the end of fiscal year 1976 States establish at least a preliminary set of systemwide criminal justice goals. These standards and goals must appear in each State's fiscal year 1977 comprehensive plan. LEAA, in reviewing and ultimately approving the State plans, should not just look to determine that the States have incorporated standards and goals. To exercise the type of leadership we believe the Congress intended when it passed the 1973 Crime Control Act, LEAA should bring together appropriate State officials and, working with them and the data and information available from the LEAA-funded evaluation efforts, develop minimum standards and criteria by which LEAA can assess that portion of the States' comprehensive plans.

Inadequate State plans

We reviewed the 1975 comprehensive State plans for Arizona, Oregon, Pennsylvania, and Washington to determine if they were sufficiently detailed to identify probation system problems. We also reviewed LEAA's 1975 guidelines for State comprehensive plans and found them too general to

be effective. The 1975 State plans thus contained insufficient information about probation system problems to enable LEAA, SPAs, or the States to develop corrective strategies.

Although LEAA required the SPAs to discuss such needs as legislative change, research and information systems, and noninstitutional rehabilitation alternatives, it did not require these issues to be discussed in relation to each component--institutions, probation, parole, community-based activities--in the corrections system. Thus, the State plans did not address these needs on a component basis.

Furthermore, LEAA guidelines and the State plans did not discuss two major factors which the National Advisory Commission considered important for probation to achieve its full potential: the development of systems for (1) determining which offenders should be on probation and (2) delivering the support and services offenders need.

The 1975 Arizona comprehensive plan included basic statistics such as the numbers of probation cases under supervision and probation officers available. However, the State plan did not contain recidivism data to indicate probation effectiveness or show the treatment needs of probationers. Information in the State plan was inadequate for the SPA to establish priorities. The State plan noted that preparing a simple list of priorities was impossible because every activity in the plan had high priority.

The 1975 Oregon plan likewise included basic probation descriptive data but lacked the type of recidivism information required by LEAA. The plan failed to define who should be sentenced to probation, although it recognized that sentencing decisions were important. The plan stated, however,

"Perhaps the most important thing that the criminal justice planner has to say about the [trial-sentencing] sector is that we know very little about it."

The Oregon plan had insufficient information on rehabilitative services. The plan listed the estimated percentages of probationers and parolees who needed services in several problem areas but did not indicate the availability of such services or how the State intended to match needs and services. According to the plan:

"Staff shortages, inadequate referral processes, inadequate resources, the absence of specially designed treatment plans, the failure to monitor the progress of individuals in the rehabilitation process, all contribute to the high rates of recidivism."

The 1975 Pennsylvania plan stated the number of offenders on probation, number of probation officers, and average caseload and noted that the LEAA requirement for monitoring the progress and performance of the correctional system was not being met. The plan recommended that the State and county correctional systems analyze their needs, resources, and gaps in service and develop a systematic plan to implement the services; however, the number of probationers who needed treatment was not shown. Methods of determining who should be on probation were not discussed. Moreover, the plan showed that one problem area was the lack of information on establishing supervision levels and treatment needs.

The 1975 Washington State plan also included the numbers of offenders on probation and parole, probation officers, and caseloads; however, it did not enumerate the services needed by the State's probationers. Nor did it indicate any methods, such as decision models, to help determine who should be sentenced to probation.

The lack of such basic information in a State plan limits its effectiveness as a management tool.

LEAA's fiscal year 1976 planning guidelines for State plans were much more specific as to how the States were to describe their needs and problems. For example, the 1975 guidelines merely required the States to:

"* * * Provide an overview of major needs and problems as they exist throughout the State in all aspects of law enforcement and criminal justice. Statements of needs and problems in each of the State's areas of high crime incidence/law enforcement activity are to be included."

But the 1976 guidelines required States to:

"Provide a thorough, total, and fully integrated analysis of major needs and problems in the State and its political subdivisions, with emphasis on analysis of crime patterns and trends and on analysis of the problems faced by the criminal justice and juvenile justice systems in their efforts to prevent, reduce, and control crime and delinquency. Deficiencies of the criminal justice system must be identified, making clear the relationship between current system capabilities, the crime problems faced, and goals and standards. Analysis of problems anticipated in plan implementation, including technical assistance, manpower, and training needs, must be included. Analysis of

States' high crime areas are to [be] included. Sources of data utilized, limits on the quality of the data, and gaps in the data are to be identified, along with the presentation of as much data as are required to support the analytical conclusions."

In meeting this requirement LEAA noted that the appropriate section of the 1976 plan should include an:

"* * * analysis of problems faced by the law enforcement, criminal justice and juvenile justice agencies in dealing with the problems identified in the earlier sections of the analysis and with other problems identified by other methods. Deficiencies of the system should be stated clearly. This part of the analysis should take account of the capabilities of existing agencies, the extent, nature, scope, and trends in the crime problems and criminal justice system problems faced by the system, and should describe deficiencies in terms of the capability or lack thereof of the system to achieve the standards and goals set by the State for its criminal and juvenile justice systems. Deficiencies in technical assistance, in manpower, in training, and in other areas should be included here. This analysis may be organized by city, county, metropolitan area, region, and State; or by component of the criminal justice system (police, courts, corrections, etc.) or by categories the State believes appropriate. However, it must be a total analysis of all aspects of law enforcement, criminal justice, and juvenile justice at the State and local level."

These requirements go a long way toward providing an adequate framework for discussing the important problems facing the various components of the criminal justice system.

LEAA still permits the States to decide how to carry on this discussion. We support such a concept, but in certain instances LEAA could go further and suggest that the States address specific issues. LEAA could take such action when it has determined that certain problems are so great that they call for all States to set forth solutions. In determining the need for such action, LEAA should consult with the States but decide from a national perspective which problem areas should be addressed by all States. LEAA could thus play an active role in improving State plans and in insuring that States address critical needs. These needs

could change from year to year, depending on the State's ability to meet them.

One problem area LEAA should require States to address is probation.

INADEQUATE PROBATION DEPARTMENT INFORMATION SYSTEMS

To effectively plan their probation systems, operating agencies need data on the effectiveness of their programs. However, according to State officials, none of the States we reviewed had management information systems with the data needed to tell them how effective their systems were, what the needs of the probationers were, and what services were provided to meet probationers' needs. Instead, officials in most States relied on periodic, manually prepared, descriptive reports. These reports contained such data as the numbers of probationers under supervision, officer contacts with offenders, arrests and revocations. Statistics regarding numbers of probationers needing drug or alcohol abuse rehabilitation, mental health service, or vocational training were unavailable. So was information on recidivism of discharged probationers. None of the four counties reviewed did followup studies to obtain such information.

Multnomah County had an LEAA-funded information project to develop offender data. However, LEAA officials said the project was having operational difficulties and the probationer information was never compiled.

Although the Crime Control Act of 1973 requires State plans to provide for monitoring of the progress of the correctional system, the lack of information systems precluded such monitoring. Monitoring data was to include rates of prisoner rehabilitation and recidivism compared with the previous performance of the State or local correctional systems.

However, the four States we reviewed submitted 1975 plans to LEAA with insufficient data to allow LEAA and the SPAs to monitor probation program effectiveness. None of the four supplied adequate information on recidivism rates; needs of probationers, met and unmet; or the availability of community resources.

LIMITED USE OF TECHNICAL ASSISTANCE

One way to improve probation is with adequate technical assistance. LEAA has defined technical assistance to include:

"* * * conferences, lectures, seminars, workshops, on-site assistance training, and publications, as those activities are provided to planning and operating agencies to assist them in developing and implementing comprehensive planning and management techniques, in identifying the most effective techniques of controlling specific crime problems, in implementing new programs and techniques, and in assisting citizens and other groups in developing projects to participate in crime reduction and criminal justice improvements."

According to LEAA's guidelines for the 1976 comprehensive State plan, technical assistance is "primarily a way to respond efficiently and effectively to the problems and needs addressed in the State plan, and ultimately is a major vehicle for ensuring effective plan implementation."

Each regional office had correction specialists to give technical assistance to States, their planning agencies, and grant recipients. In general, if a technical assistance request required significant research, the regions referred the request to LEAA headquarters staff who, in turn, handled it through consultants.

However, technical assistance to some State probation programs has been limited. The chiefs of probation and parole in Oregon and Washington said they had made few technical assistance requests because they did not either know that assistance was available or have sufficient staff to contact the SPAs to identify their capabilities. Information describing the nature, extent, and cost of assistance had not been provided to the State.

SPA officials in Oregon and Washington indicated that technical assistance was provided only on request because of limited staff.

Maricopa County appeared to have adequate access to LEAA technical assistance. For example, one important technical assistance request led to a 1971 study of adult probation in the county by consultants from the University of Georgia. They depicted the program "almost devoid of administrative structure." A final technical assistance report for 1972 prepared by one of the original consultants stated that all of the major changes suggested had been meticulously executed. Further, the consultant stated that the revised adult probation department was equal to or better than most adult probation departments in the United States.

The following chart reflects the number of requests for assistance from LEAA by the four States.

State	Requests			Probation assistance provided
	Total	Corrections	Probation	
Washington	69	14	0	0
Arizona	49	28	10	6
Oregon	51	10	1	1
Pennsylvania	53	23	3	3
Total	222	75	14	10

In addition to providing technical assistance to the individual States, LEAA approved a \$51,420 contract to develop national probation guidelines. The contract was to run from June through December 1973. The guidelines developed by the contractor have twice been returned as inadequate, and at the time of our review no guidelines had been accepted or published. LEAA does not expect any guidelines to be published due to the poor health of the contractor.

Technical assistance can be an effective way for LEAA and SPAs to help operating agencies improve their programs. The problem is that LEAA and the SPAs generally provided technical assistance only on request, rather than actively seeking out program officials, asking them about their problems, and suggesting solutions. That the chief of probation and parole in two of the four States we visited were not even aware of the nature of assistance available indicates that the LEAA program has not been as effective as it might be. In its 1976 planning guide, LEAA noted what technical assistance could involve. Moreover, the guidelines note that LEAA intends to help the SPAs develop adequate technical assistance plans. We believe LEAA should (1) identify problems needing attention and (2) work more actively with the States to help and encourage them to address such problems. Such an approach is needed to help the States effectively address the problems of managing probation.

INADEQUATE PROBATION FUNDING PRIORITIES

During fiscal years 1969-75, LEAA allocated a total of \$3.5 billion to improve criminal justice systems. Of this sum, LEAA data showed that corrections programs for the 50 States received \$1.4 billion (41 percent) as follows:

	Number of projects	Funds (million)	Percent
Probation	4,167	277.8	19.3
Parole	2,956	272.0	18.9
Community-based corrections	4,754	450.4	31.4
Institutions	5,901	435.9	30.4
Total	17,778	\$1,436.1	100.0

Source: LEAA Grants' Management Information System--projects funded from fiscal year 1969 through March 1975.
(Not audited by GAO.)

The four States in our review were awarded about \$194 million for their criminal justice systems for fiscal years 1969-74. The four States distributed \$50 million to correction programs. Only about 35 percent (\$17.6 million) of this was awarded to probation-related projects, even though probation was the most commonly used sentencing alternative. Thus, probation received only 9 percent of the total money awarded to the criminal justice systems in the States.

The following table shows the funding of various probation projects (FY 1969-74) in the States reviewed.

Project purpose	Washington	Oregon	Arizona	Pennsylvania	Total	Percent of allocation
New or innovative projects	\$1,181,820	\$546,901	\$211,978	\$ 6,348,074	\$ 8,288,773	47.1
Training personnel	290,489	174,127	12,752	666,785	1,150,153	6.5
Expanding services	381,187	7,359	228,136	1,029,616	1,646,298	9.4
Improving services	313,301	4,263	34,396	5,863,437	6,215,402	35.3
Studying services	214,918	-	-	79,883	294,801	1.7
Total	\$2,387,715	\$732,653	\$487,262	\$13,987,795	\$17,595,427	100.0

As indicated above, Oregon and Arizona allocated only limited funding to studying and improving existing systems. Overall, about 47 percent of funds spent on probation-related projects in the four States were used to fund new and innovative projects.

The directors of corrections in Washington and Oregon agreed that the SPAs have not provided enough funds to fully

evaluate their probation systems. They considered state funds insufficient to do more than keep probation systems operating at current levels.

An LEAA official said probation was a priority area through LEAA discretionary funding several years ago, but it is not now. He added that specific probation programs are left to the initiative of individual States.

LEAA now requires SPAs to describe in their State plans their statewide priorities and to note which goals and standards will be addressed in what order. The priorities must be related to an analysis of crime and criminal justice problems and must reflect a determined effort to improve system performance.

The SPAs must establish their own priorities. But, given (1) the fact that most offenders are sentenced to probation and (2) the problems facing probation systems, the SPAs should consider whether probation activities are receiving sufficient priority when LEAA funds are allocated. The lack of data on probation problems may have kept SPAs from developing corrective strategies. By refining their management efforts, SPAs should be able to obtain better data so they will have a greater assurance that their allocation of resources corresponds to criminal justice systems' needs.

CONCLUSIONS

The States and localities must solve the problems facing probation systems. The legal framework exists for both LEAA and the SPAs to help States and localities better manage probation systems, develop standards and guidelines, and improve information systems for identifying problems and evaluating effectiveness. More action by both LEAA and the SPAs is needed.

CHAPTER 10

OVERALL CONCLUSIONS, RECOMMENDATIONS, AND AGENCY COMMENTS

OVERALL CONCLUSIONS

State and county probation systems are not adequately protecting the public; the majority of probationers do not successfully complete probation. Federal, State, and local government must cooperate to improve the situation. The Law Enforcement Assistance Administration can help by providing leadership, funds, and technical assistance, and our recommendations focus on actions LEAA should take to foster improvements.

But something more fundamental is needed. The priority given to probation in the criminal justice system must be reevaluated. One serious problem is the limited time that probation officers had to adequately supervise offenders assigned to them. The system is simply overburdened. Additionally, judges we questioned believed there were inadequate sentencing alternatives. They did not believe there were sufficient community-based sentencing alternatives, such as halfway houses or regional jails. Such facilities allow offenders to remain in the community but provide more protection for the public than does probation.

Deciding whether adequate resources are assigned to probation efforts or to other elements of the criminal justice system will ultimately be a political matter. But political leaders and the public need to know more about the programs that must compete for such resources. Our review of State and county probation systems indicates, at a minimum, that the allocation of criminal justice resources needs scrutiny. If action is not taken to correct probation systems' problems, the systems will probably deteriorate further, increasing the danger to the public and the amount of recidivism.

RECOMMENDATIONS

We recommend that the Attorney General direct the Administrator, LEAA, to:

- Work with the States to develop probation guidelines and minimum standards for improving State and local probation systems. Standards should cover such areas as probation officer workloads, pre-sentence investigations, levels of supervision, and probationer reporting frequencies.

- Improve sentencing by developing a model or similar approach to help judges and probation officials choose offenders for probation.
- Improve service delivery by developing a system to identify probationer's rehabilitative needs, refer probationers to services needed, and followup to determine whether persons actually received services.
- Improve information systems, evaluation, and accountability of probation programs by working with the States to (1) develop a standard formula for determining the success or failure of probation systems, (2) establish a standard range of expected results that can be used to evaluate probation systems, and (3) develop uniform probation statistical reporting systems.
- Develop and maintain national statistics on such probation areas as offenders on probation and caseloads.
- Require State planning agencies, as part of their analysis of problems faced by the criminal justice system, to address the problems of probation and their solutions. (This recommendation could be met by modifying the language that appeared in LEAA's "Fiscal Year 1976 Guideline for State Planning Agency Grants," M 4100.1D, ch. 3, par. 61(b)(5).)
- Develop better ways to provide technical assistance to probation organizations by addressing the type, depth, and cost of assistance to be offered.
- Evaluate the priorities for allocating discretionary funds, to assure that moneys are available to help States and counties implement systems to (1) better predict an offender's chances of successful probation, (2) improve diagnostic analysis and rehabilitation planning, and (3) better coordinate service delivery and supervision of probationers.

AGENCY COMMENTS

The Justice Department, by an April 28, 1976, letter, responded to our December 8, 1975, request for comments on the report. The agency generally agreed with our findings, conclusions, and recommendations, noting a series of actions LEAA will take or is taking to implement our recommendations. (See app. V.)

The Department stated that, "The need to improve Federal leadership and provide sufficient funds to seriously impact on State and local probation services is a view commonly shared by both LEAA and GAO."

The Department addressed our recommendations by stating that:

- LEAA has aggressively worked with the States to fund their development and implementation of standards.
- LEAA has revised the guideline manual for SPA grants. States must specify in detail how they will implement advance correctional practices. However, the Department noted it did not believe LEAA could require the States to address certain problems.
- LEAA is further considering the role it can play in developing and demonstrating predictive tools to improve sentencing.
- LEAA intends to devote further study to the appropriate mechanism for developing a model service delivery system.
- LEAA is addressing the need to develop better information about probation activities in its National Criminal Justice Information and Statistics Service and is studying the feasibility of committing funds to develop a national probation reporting system.
- LEAA recognizes the need to provide technical assistance and has revised its planning guidelines to try to assure that better technical assistance is provided.
- LEAA recognizes that probation services traditionally have received the smallest share of the correctional dollar at the State and local level and is now considering establishing funding priorities.

The Department's comments indicated that LEAA plans to take action to try to improve State and local probation systems. We believe LEAA's consideration and study of such issues as the need to improve sentencing and service delivery and to use more discretionary funds for probation should be completed as soon as possible. Action, not merely planning, must be taken. But the Department correctly notes that "the primary role for improving probation operations continues to remain with the States and local governments." Nevertheless, we continue to believe that:

--LEAA could strongly urge and encourage, if not require, the States to address problems of probation when developing State plans. Most offenders are sentenced to probation. (See pp. 68 and 69.)

--LEAA, in considering the role it should play in developing predicative tools and model service delivery systems, should recognize the research and leadership role the Congress envisioned for LEAA and act accordingly.

--More LEAA discretionary funds should be applied to probation problems.

The Department had additional comments relating to specific issues of the report, some of which warrant comment.

The Department noted that we did not adequately point out that State and local probation systems are part of a broader framework of probation systems, such as those operated by the executive and judicial branches of the Federal Government. The Department implied that standards developed for one governmental level of probation activities should apply to all levels. We are not aware of any concerted effort by various agencies of the Justice Department to develop such standards. We made this review to address a problem which we believe is within the scope of the Justice Department's responsibility: to try to help State and local governments solve the problem, according to the legislative mandate given to LEAA in the Omnibus Crime Control and Safe Streets Act of 1968, as amended. Delaying the development of standards, goals, and guidelines for State and local probation, in accord with the provisions of LEAA's authorizing legislation, is unnecessary just because of a need to consider their possible effects on the Federal system.

The Department noted that our use of the word "diagnosis" appeared related to the "mental health model." We do not believe such a "model" should be applied in all cases and never so stated. Diagnosis can mean merely having the probation officer assess a probationer's needs. Nevertheless, in certain circumstances, additional psychiatric examinations, for example, might be worthwhile. This is clearly the position taken on page 24, and apparently this philosophy was put into practice by King and Multnomah counties in the operation of their LEAA-funded diagnostic centers.

The Department incorrectly inferred that, because we detailed in a table in the report certain key facts about probationers (such as their marital status, educational and

employment backgrounds), we only used such factors in assessing probation needs. This is not correct. On page 34 we note that we determined the extent that probationers had needs and received services by "analyzing" information in case files, such as pre-sentence reports, court-imposed conditions, psychiatric diagnosis, and progress summaries.

The Justice Department also questioned whether, based on the statistical analyses we did, it was appropriate to conclude that a positive statistical relationship existed between services provided and probation success. But the Department provided no analytical evidence to contradict the results of our tests and our conclusion that rehabilitative services can help reduce an offender's willingness to commit additional crimes.

Generally, the States and localities agreed with our conclusions and recommendations relating to the need to improve probation systems and said they tried to support efforts to improve probation systems. Some were concerned that critics of probation might use the results of our report to challenge whether probation should be used. While we believe much can be done to make probation more effective, we support its use as a sentencing alternative.

Several officials pointed out that action is being taken to adopt probation standards. For example, the Administrator, Corrections Division, Oregon Department of Human Resources, noted that certain corrections standards published by the National Advisory Commission on Criminal Justice Standards and Goals relating to community classification teams, development of community-based alternatives to confinement, and organization and services of probation were accepted by the memberships of the three major professional organizations of adult corrections in the United States. The Acting Chairman, Pennsylvania Board of Probation and Parole, noted the efforts in the State to develop and implement probation standards and uniform administration of State and LEAA grants to the counties. For example, standards cover such areas as

--probation officer workloads,

--pre-sentence investigations, and

--levels of supervision and probationer reporting frequencies.

Moreover, when awarding State and LEAA grants to Pennsylvania counties, the standards must be implemented. The Acting

Director pointed out that, while our report adequately dealt with probation in Philadelphia County, it did not adequately address all the positive State efforts to improve probation, because the Philadelphia system "bears no resemblance to the other counties in the Commonwealth."

CHAPTER 11

SCOPE AND APPROACH

Our findings and conclusions are based on work at the Law Enforcement Assistance Administration's headquarters and three regional offices and at four State planning agencies and detailed work at probation offices in Maricopa County, Arizona; Multnomah County, Oregon; Philadelphia County, Pennsylvania; and King County, Washington. Our fieldwork was done between September 1974 and June 1975. The review covered adult felon probation activities.

We randomly selected samples of 50 active probation cases and 300 closed probation cases at each of the 4 locations.¹ In Arizona and Pennsylvania active cases were selected from those current on October 1, 1974, and closed cases were selected from those closed between July 1, 1972, and September 30, 1973. In Oregon the samples were selected from the probation cases which were active as of January 1975 and closed as of July 1973. In Washington, the sample cases were active April 1974 and closed from July 1, 1972, to March 30, 1973. The time periods varied because of the date we began the work at each location and the availability of records.

The probation universes from which we selected our sample cases² follow:

	Universe size	
	Active	Closed
Maricopa County	1,024	403
Portland region (note a)	2,887	300
Philadelphia County	2,264	928
King County	2,641	644
Total	8,816	2,431

^aThe Portland region included six Oregon counties--Multnomah, Washington, Clackamas, Tillamook, Columbia, and Clatsop--at the time of our review. For report purposes, the Portland region is referred to as Multnomah County.

¹In Multnomah, we reviewed all closed cases to achieve consistency in numbers among the counties for analytical purposes.

²See app. IV for a description of the characteristics of the probation cases in our sample.

We reviewed LEAA's processes for improving the probation system and the States' processes for identifying probation needs and problems. The review was made primarily by (1) reviewing the diagnostic process used to determine probationers' problems and needs, (2) analyzing the activities of probation officers after diagnosis, (3) determining the type of services that offenders received while on probation, and (4) ascertaining how many offenders, for closed cases only, were arrested or convicted of a new crime during probation or within a followup period averaging 22 months after their probation ended. In all cases the minimum followup time was 1 year.

We talked with various law enforcement officials, including judges, administrators, corrections specialists, and probation officers. We also contacted government agencies and community service organizations. Our review included examining documents relating to annual State plans and to pertinent statistics regarding probation, parole, and recidivism.

We recognize that certain factors, such as high unemployment rates, community service availability, and limited job training slots cannot be influenced by probation services and play a major role in determining whether probationers have the skills and employment to become rehabilitated. We did not measure how these factors directly affect the ability of probationers to become rehabilitated. We obtained general information, statistics, and probation officials' opinions on the prevalence of these factors in each location.

CLOSED-CASE APPROACH

These individuals were no longer under supervision. Therefore, our goal was to determine if services had helped them to complete probation. We reviewed closed cases to determine:

- Whether probationers' needs were diagnosed sufficiently to permit development of adequate treatment plans.
- Whether probationers completed court-ordered conditions of probation.

CONTINUED

1 OF 2

- Whether probationers received services¹ and, if so, whether the services were of the type that could help them complete probation.
- Whether probationers were able to complete probation without a new conviction and a year without arrest or conviction after the probationary period.

ACTIVE-CASE APPROACH

These offenders were still being supervised by the courts and probation officers. Therefore, our primary goal was to determine whether services were helping them complete probation. We determined:

- Whether sufficient diagnoses had been performed to develop adequate treatment plans.
- Whether services needed were adequately provided.

¹Although we were able to obtain followup arrest data about our sample cases in King County, we were unable to analyze case files. The chief probation officer stated that most case files were destroyed after the probationers completed their sentences because of probation department policy.

STATISTICAL ANALYSIS OF PROBATION DATA

We used statistical techniques to supplement our fieldwork. Our approach to the statistical analysis of probation data is described below.

SAMPLE SELECTION AND DATA COLLECTION

We selected random samples of 300 closed cases and 50 open cases in each of 4 locations from case files or computer listings supplied by local probation officials. We then collected data selected characteristics of probationers in our samples and program information.

PURPOSE OF ANALYSIS

Our analysis was intended to verify our empirical findings and conclusions rather than to serve as the sole basis for these conclusions.

STATISTICAL TECHNIQUES USED

Our analysis used three statistical techniques: the chi-square test of independence, the t-test, and the point biserial coefficient of correlation.

Chi-square tests of independence

These tests were made to establish whether there is an association (dependency relationship) between the variables we tested and to determine the strengths of identified associations.

For example, in the table below we can see that those who received needed vocational training were more successful on probation.

<u>Received vocational training</u>		<u>Probation outcome</u>		<u>Total</u>
		<u>Success</u>	<u>Failure</u>	
No	Number	37	30	67
	Row percent	55.2	44.8	100
Yes	Number	19	3	22
	Row percent	86.4	13.6	100
Total	Number	56	33	89
	Row percent	62.9	37.1	100

But is the difference in proportions significant or merely the result of chance? The chi-square test of independence can be used to evaluate these possibilities.

We determined the significance of the associations between the variables tested and confidence levels which represent the probabilities that the associations were not products of chance.

We interpreted the confidence levels obtained with the chi-square tests of independence using the following definitions.

<u>Confidence that observed association is not a product of chance</u>	<u>Definition of association</u>
95 percent or greater	Highly significant
90 to 94 percent	Significant
80 to 89 percent	Borderline significant
Less than 80 percent	Insignificant

Our chi-square tests of independence were made for categorical variables and continuous variables expressed in terms of ranges. Continous model scores were grouped into ranges to make the proportions of cases falling into each of the extreme categories roughly equal and containing enough cases to bring the expected cell frequencies to at least five.

T-test

Our t-test was to determine if statistically significant differences existed between the means of specific variables for successful and unsuccessful probationers.

We used the t-test to test the hypothesis that the mean of one population was less than or equal to the mean of another. For example, we hypothesized that the mean model score of successful probationers was less than or equal to the mean model score of unsuccessful probationers.

Using a t-statistic, we determined the significance of the difference between the sample means and a confidence level, which represents the probability that the difference was not a product of chance.

We interpreted the t-test confidence levels using the same set of definitions.

On the basis of the t-test results, we either accepted the hypothesis or the alternative hypothesis that the successful probationers had a higher mean model score.

Point biserial coefficient of correlation

The point biserial coefficient of correlation was computed to show the strength of the relationship between a dichotomous variable--such as success or failure on probation--and a continuous variable--such as model score. The absolute value of the coefficient can range from zero to one. A value of zero would indicate no relationship between the two variables while an absolute value of one would indicate a perfect relationship.

RESULTS OF STATISTICAL TESTS TO
EVALUATE THE EFFECTS OF SERVICES
ON SUCCESSFUL COMPLETION OF PROBATION

A probationer was considered to have received a service if he participated in at least 75 percent of the program or treatment.

Chi-square tests were done as shown in table I for all services, whenever data allowed an expected cell frequency of at least five. Successful and unsuccessful outcomes are defined on pages 10 and 11 of the report.

Tabel II summarizes the results of chi-square tests for independence 1/ done to determine the relationship between receiving a needed service and successful probation.

Table I

Sample Analysis of Association Between
Receipt of Vocational Training and Probation Outcome

Multnomah County, Oregon

<u>Received services</u>	<u>Probation outcome</u>		<u>Total</u>
	<u>Success</u>	<u>Failure</u>	
No	Number	37	67
	Row percent	55.2	100
Yes	Number	19	22
	Row percent	86.4	100
Total	Number	56	89
	Row percent	62.9	100
Significance of association		High	
Chi-square		5.614	
Degrees of freedom		1	
Confidence level		.98	

1/See app. I for explanation of statistical methods.

Table II

Analysis of Association
Between Receipt of Individual Services
and Outcome on Probation

	County		
<u>Service</u>	<u>Multnomah</u>	<u>Maricopa</u>	<u>Philadelphia</u>
Medical evaluation and treatment			
Number of cases	28		
Chi-square	.156	not	not
Confidence level	.31	tested	tested
Significance	insignificant		
Mental health treatment			
Number of cases	53		36
Chi-square	.775	not	.579
Confidence level	.62	tested	.55
Significance	insignificant		insignificant
Academic education			
Number of cases	98		
Chi-square	4.436	not	not
Confidence level	.96	tested	tested
Significance	high		
Vocational training			
Number of cases	89	21	54
Chi-square	5.614	8.144	3.856
Confidence level	.98	.99	.95
Significance	high	high	high
Employment services			
Number of cases	214	29	129
Chi-square	20.816	5.968	6.170
Confidence level	.99	.99	.99
Significance	high	high	high
Alcohol treatment			
Number of cases	41		34
Chi-square	2.036	not	.577
Confidence level	.85	tested	.55
Significance	borderline		insignificant

	County		
	<u>Multnomah</u>	<u>Maricopa</u>	<u>Philadelphia</u>
Drug treatment			
Number of cases	63	53	53
Chi-square	4.379	11.244	1.392
Confidence level	.96	.99	.76
Significance	high	high	insignificant
Individual and group counseling			
Number of cases			26
Chi-square	not	not	2.521
Confidence level	tested	tested	.89
Significance			borderline

In addition to testing services individually, we tried to determine if services in general had any impact on probation outcome. The services considered were:

Medical evaluation and treatment	Employment services
Mental health treatment	Alcohol treatment
Academic education	Drug treatment
Vocational training	Individual and group counseling

We felt that if a person needed two or more of the above services, receiving only one of the needed services would not be enough to affect his outcome on probation but receipt of all needed services might improve his chances of success.

We hypothesized that the extent to which all needed services were received would be related to probation outcome.

An index of the extent to which needed services were received was constructed as described below for those probationers who needed one or more services. First, data on the percent of each needed service received was categorized as follows:

<u>Percent of services received</u>	<u>Value</u>
0-24	2
25-49	3
50-74	4
75-100	5

Then the "average" extent of services received was computed by adding the values for each needed service and dividing by the number of services needed. Probationers were then divided into two categories. Those probationers with average values between 2.0 and 3.5 were considered to have received a low extent of needed services, and the rest were considered to have received a high extent.

Tables III through V show the results of chi-square tests of the association between the extent to which all needed services were received and probation outcome.

Table III

MULTNOMAH COUNTY

Analysis of Association Between Extent to Which
Services Were Received and Outcome on Probation

		<u>Probation outcome</u>		<u>Total</u>
		<u>Success</u>	<u>Failure</u>	
Extent of service received				
Low	No. of cases	50	60	110
	Row percent	45.5	54.5	100
High	No. of cases	81	17	98
	Row percent	82.7	17.3	100
Total	No. of cases	131	77	208
	Row percent	63.0	37.0	100
Significance of association		High		
Chi-square		29.184		
Degrees of freedom		1		
Confidence level		.99+		

Table IV

MARICOPA COUNTY

Analysis of Association Between Extent to Which
Services Were Received and Outcome on Probation

		<u>Probation outcome</u>		
		<u>Success</u>	<u>Failure</u>	<u>Total</u>
Extent of service received				
Low	Number	5	35	40
	Row percent	12.5	87.5	100
High	Number	22	14	36
	Row percent	61.1	38.9	100
Total	Number	27	49	76
	Row percent	35.5	64.5	100
Significance of association		High		
Chi-Square		17.483		
Degrees of freedom		1		
Confidence level		.99+		

Table V

PHILADELPHIA COUNTY

Analysis of Association Between Extent to Which
Services Were Received and Outcome on Probation

	<u>Probation Outcome</u>		<u>Total</u>	
	<u>Success</u>	<u>Failure</u>		
Extent of service received				
Low	Number	26	54	80
	Row percent	32.5	67.5	100
High	Number	30	21	51
	Row percent	58.8	41.2	100
Total	Number	56	75	131
	Row percent	42.7	57.3	100
Significance of association		High		
Chi-square		7.775		
Degrees of freedom		1		
Confidence level		.99		

RESULTS OF MODEL VALIDATION

Validation studies were done for eight predictive models in each of the three counties reviewed, to determine if there was a relationship between a probationer's model score (or category) and his success or failure on probation. For purposes of these studies, a person was considered a failure if

- his probation was revoked,
- he was incarcerated during probation, or
- he was sentenced to 60 days or more for a crime committed during probation or a followup period of at least 12 months after the termination of probation.

All others were considered successful.

Validation results for the eight existing models are summarized on page 55.

MODEL SELECTION

Certain models were chosen for review because it was felt that information to test the validity of these models would be readily available from probation case files or criminal history records. Other existing models could not be validated because they included either subjective characteristics or those which could not be determined from case files. For example, judgments on whether the probationer's values are predominantly conventional or criminal and information about the probationer's childhood.

PROBATION MODELS

Model I, the Oregon Form

Model I (see fig. I) is based on a model used by Oregon probation officers in deciding the level of probation supervision. It is a judgmentally modified version of a California parole model. Model I differs from the Oregon Form actually in use in one respect. We were unable to determine from case files whether the probationers had stable marriages for 18 months or longer before probation. Therefore, we replaced this element with the element, "legally married and living with spouse at time of arrest." Validation results are shown in figures I-A through I-C.

Model II, the Newark Form

Model II (see fig. II) is based on a model used by the Newark, New Jersey, probation office. That office is gathering model scores on current probationers so that a validation study can be done. Validation results are shown in figures II-A through II-C.

Model III, the Glaser Model

Model III (see fig. III) is based on a model presented in a paper by Daniel Glaser. The Glaser Model was developed using data on 190 men sentenced to probation for 1 year or more during 1947 and 1948 in the U.S. District Court for the Northern District of Illinois.

Glaser's model assigns a score for each of six attributes--work record, residence stability, dependency, age at first arrest, total previous detention, and previous convictions. Model III assigns a score based on the same six attributes; however, on four of the six attributes different information was used to measure the attributes as follows:

Glaser Model

Model III

Work record

Employed 80 percent or more of time in the labor market, or student never in labor market

Employed at least 25 percent or student or unemployable at least 75 percent of last 2 consecutive years of civilian life

Employed less than 80 percent of time in the labor market

Employed less than 25 percent of time and not a student or unemployable 75 percent of time or more

Residence stability

One address for a year or more at time of offense

12 or more months in State when arrested

More than one address in year preceding offense

Less than 12 months in State

Dependency

No debts overdue and no dependency in year preceding offense

Employed full time when arrested

Relief, dependency, or "economic marginality" in year preceding offense

Not employed full time when arrested

Total previous detention

None

None

Less than 6 months

One previous detention

6 months or more

Two or more previous detentions

Validation results are shown in figures III-A through III-C.

FIGURE I

Model I--Oregon Form

Base Expectancy Score Calculation

(NAME)

Circle points if characteristic is APPLICABLE.
Cross out points if characteristic is NOT APPLICABLE.

CODE	CHARACTERISTICS	POINTS
A.	Arrest-free period of five or more consecutive years	12
B.	No history of any opiate use.	9
C.	Few jail commitments (none, one or two).	8
D.	Not checks, forgery or burglary. (Most recent court commitment)	7
E.	No family criminal record.	6
F.	No alcohol involvement.	6
G.	Married and living with wife at time of arrest.	5
H.	Six or more consecutive months for one employer.	5
I.	No aliases.	5
J.	Full-time employment available.	5
K.	Favorable living arrangement.	4
L.	Few prior arrests (none, one or two).	4
M.	() BE SCORE, 00-76, Sum of Circled Points.	

Low
00-32

Medium
33-45

High
46-76

Compiled by:

Office:

Date of Calculation:

FIGURE I-A

Results of Statistical Tests

Model I--Oregon Form

Multnomah County

Distribution of Model Scores

Score group	Number of		Percent successful
	Successes	Failures	
76 - Highest	18	2	90
61 - 66	23	7	77
46 - 60	49	15	77
36 - 45	23	14	62
Lowest - 35	7	11	39
Total	120	49	71

Significance of association
Chi-square value
Degrees of freedom
Level of confidence

High
15.356
4
.99+

	Successes	Failures
Mean score	54.9	45.7
Standard deviation	11.3	14.6

Difference between means t-value
Confidence level
Significance of difference

3.95
.99+
High

Point biserial correlation
coefficient (model score
vs. actual outcome)

$r_{pb} = .3214$

FIGURE I-B

Results of Statistical Tests

Model I--Oregon Form

Maricopa County

Distribution of Model Scores

Score group	Number of		Percent successful
	Successes	Failures	
64 - Highest	14	0	100
41 - 63	17	10	63
Lowest - 40	<u>3</u>	<u>11</u>	21
Total	<u>34</u>	<u>21</u>	62

Significance of association High
 Chi-square value 18.338
 Degrees of freedom 2
 Level of confidence .99+

	Successes	Failures
Mean score	60.1	42.5
Standard deviation	12.3	11.8

Difference between means t-value 5.22
 Confidence level .99+
 Significance of difference High

Point biserial correlation coefficient (model score vs. actual outcome) $r_{pb} = .5826$

FIGURE I-C

Results of Statistical Tests

Model I--Oregon Form

Philadelphia County

Distribution of Model Scores

Score group	Number of		Percent successful
	Successes	Failures	
50 - Highest	12	7	63
34 - 49	13	19	41
Lowest - 33	<u>2</u>	<u>17</u>	11
Total	<u>27</u>	<u>43</u>	39

Significance of association High
 Chi-square value 11.212
 Degrees of freedom 2
 Level of confidence .99+

	Successes	Failures
Mean score	49.6	37.1
Standard deviation	13.6	12.0

Difference between means t-value 3.90
 Confidence level .99+
 Significance of difference High

Point biserial correlation coefficient (model score vs. actual outcome) $r_{pb} = .4371$

FIGURE II

Model II--Newark, N.J., Form

The Base Expectancy Scoring Form is as Follows:

<u>POINTS</u>	<u>CHARACTERISTIC</u>	<u>SCORE</u>
12	(A) Arrest free period of five or more consecutive years.	_____
9	(B) No history of any opiate use.	_____
8	(C) Few jail commitments (not more than two).	_____
7	(D) No checks, forgery or burglary (most recent court commitment).	_____
6	(E) No family criminal record.	_____
6	(F) No alcohol involvement.	_____
5	(G) Not first arrested for auto theft.	_____
6	(H) 12 or more consecutive months for one employer (prior to present offense).	_____
4	(I) 4 to 11 months with one employer (if given 6 for H, add 4 for this.)	_____
5	(J) No aliases.	_____
4	(K) Favorable living arrangement.	_____
4	(L) Few prior arrests (note more than two).	_____
Total Base Expectancy Score		_____

FIGURE II-A

Results of Statistical Tests

Model II--Newark Form

Multnomah County

Distribution of Model Scores

<u>Score group</u>	<u>Number of</u>		<u>Percent successful</u>
	<u>Successes</u>	<u>Failures</u>	
69 - Highest	23	5	82
62 - 68	24	5	83
51 - 61	38	13	75
44 - 50	29	12	71
Lowest - 43	11	17	39
Total	125	52	71

Significance of association High
 Chi-square value 17.474
 Degrees of freedom 4
 Level of confidence .99+

	<u>Successes</u>	<u>Failures</u>
Mean score	57.2	49.6
Standard deviation	11.2	13.5

Difference between means t-value 3.59
 Confidence level .99+
 Significance of difference High

Point biserial correlation
 coefficient (model score
 vs. actual outcome) $r_{pb} = .2814$

FIGURE II-B

Results of Statistical Tests

Model II--Newark Form

Maricopa County

Distribution of Model Score

Score group	Number of		Percent successful
	<u>Successes</u>	<u>Failures</u>	
70 - Highest	19	0	100
48 - 69	15	14	52
Lowest - 47	<u>8</u>	<u>11</u>	42
Total	<u>42</u>	<u>25</u>	63

Significance of association High
Chi-square value 16.240
Degrees of freedom 2
Level of confidence .99+

	<u>Successes</u>	<u>Failures</u>
Mean score	63.1	47.6
Standard deviation	12.0	10.9

Difference between means t-value 5.29
Confidence level .99+
Significance of difference High

Point biserial correlation coefficient (model score vs. actual outcome) $r_{pb} = .5484$

FIGURE II-C

Results of Statistical Tests

Model II--Newark

Philadelphia County

Distribution of Model Scores

Score group	Number of		Percent successful
	<u>Successes</u>	<u>Failures</u>	
55 - Highest	11	5	69
40 - 54	11	16	41
Lowest - 39	<u>1</u>	<u>15</u>	6
Total	<u>23</u>	<u>36</u>	39

Significance of association High
Chi-square value 13.202
Degrees of freedom 2
Level of confidence .99+

	<u>Successes</u>	<u>Failures</u>
Mean score	54.4	41.8
Standard deviation	13.7	11.6

Difference between means t-value 3.66
Confidence level .99+
Significance of difference High

Point biserial correlation coefficient (model score vs. actual outcome) $r_{pb} = .4494$

FIGURE III

Model III--Glaser Model

<u>Characteristic</u>	<u>Score value</u>
Work record in last 2 consecutive years of civilian life:	
Employed at least 25% of time or student or unemployable at least 75% of time	1
Employed or student less than 25% of time or unemployable less than 75% of time	-1
Residence stability when arrested:	
12 or more months in State	0
Less than 12 months in State	-1
Dependency when arrested:	
Employed full time	1
Not employed full time	0
Age when first arrested:	
30 years or over	1
20 to 29 years	0
Under 20	-1
Total previous detention:	
None	1
1	0
2 or more	-1
Previous convictions:	
None	1
Misdemeanors only	0
Felonies	-1

FIGURE III-A

Results of Statistical Tests

Model III--Glaser Model

Multnomah County

Distribution of Model Scores

<u>Score group</u>	<u>Number of</u>		<u>Percent successful</u>
	<u>Successes</u>	<u>Failures</u>	
4 - 5	27	4	84
3	26	6	81
1 - 2	49	12	80
-1 - 0	33	24	58
-5 - 2	13	21	38
Total	<u>148</u>	<u>67</u>	69
Significance of association			High
Chi-square value			28.896
Degrees of freedom			4
Confidence level			.99+
		<u>Successes</u>	<u>Failures</u>
Mean score		1.5	- .3
Standard deviation		2.1	2.4
Difference between means t-value			5.10
Confidence level			.99+
Significance of difference			High
Point biserial correlation coefficient (model score vs. actual outcome)			$r_{pb} = .3455$

FIGURE III-B

Results of Statistical Tests

Model III--Glaser Model

Maricopa County

Distribution of Model Score

Score group	Number of		Percent successful
	Successes	Failures	
3 - 5	32	6	84
0 - 2	34	22	61
-5 - -1	<u>15</u>	<u>16</u>	48
Total	<u>81</u>	<u>44</u>	65

Significance of association High
 Chi-square value 10.348
 Degrees of freedom 2
 Confidence level .99+

	<u>Successes</u>	<u>Failures</u>
Mean score	1.6	.2
Standard deviation	1.9	1.9

Difference between means t-value 4.08
 Confidence level .99+
 Significance of difference High

Point biserial correlation coefficient (model score vs. actual outcome) $r_{pb} = .3449$

FIGURE III-C

Results of Statistical Tests

Model III--Glaser Model

Philadelphia County

Distribution of Model Score

Score group	Number of		Percent successful
	Successes	Failures	
3 - 5	9	5	64
-2 - 2	16	22	42
-5 - -3	<u>1</u>	<u>13</u>	7
Total	<u>26</u>	<u>40</u>	39

Significance of association High
 Chi-square value 9.849
 Degrees of freedom 2
 Confidence level .99+

	<u>Successes</u>	<u>Failures</u>
Mean score	1.2	-1.1
Standard deviation	2.1	2.3

Difference between means t-value 4.18
 Confidence level .99+
 Significance of difference High

Point biserial correlation coefficient (model score vs. actual outcome) $r_{pb} = .4627$

PAROLE MODELSCalifornia parole models

Models IV through VII (see figs. IV through VII) are based on models developed and validated using data on men paroled in California during 1956. California Base Expectancy Forms 61A and 61B were derived through multiple regression analysis on 873 parolees and validated on a sample of 937 parolees. A third model was developed using association analysis. These three models were developed using a 2-year followup on each parolee. Later, when 8 years of followup information was available for the parolees, another regression analysis resulted in a fourth model called Form 65A.

Model IV is the same as California Form 61A except that it omits, as inapplicable to probationers, whether the subject sentence is the first in imprisonment.

Models V and VI are California Forms 61B and 65A, respectively. Model VII is the California model developed using association analysis. Validation results are shown following each model.

Model VIII

Model VIII (see figure VIII) is a model developed for the use of the Board of Parole using a sample of Federal parolees of fiscal years 1966 and 1968. Chi-square tests were used to determine which characteristics were predictive of parole outcome. These characteristics were then weighted using the Burgess method.¹ The parole board currently uses the model scores to help decide parole. Validation results are shown in figures VIII-A through VIII-C.

¹The Burgess method assigns equal weights to each of a large number of characteristics.

FIGURE IV

Model IV--California
Base Expectancy Form 61A
(modified)

TO OBTAIN RAW SCORES:

<u>Characteristics</u>	<u>Score</u>
Arrest free 5 or more years	12
No history of any opiate use	9
Less than three jail commitments	8
Offense not checks, fraud or burglary	7
No criminal record among family	6
No alcohol involvement	6
Not first arrested for auto theft	5
6 months or more in any one job	5
No aliases	5
Favorable living arrangement	4
Less than three prior arrests	4
Total	<u>71</u>

FIGURE IV-A

Results of Statistical Tests
Model IV--California Form 61A
Multnomah County

Distribution of Model Scores

Score group	Number of		Percent successful
	Successes	Failures	
67 - Highest	14	3	82
61 - 66	26	7	79
47 - 60	53	17	76
40 - 46	23	13	64
Lowest - 39	9	12	43
Total	<u>125</u>	<u>52</u>	71

Significance of association High
Chi-square value 11.652
Degrees of freedom 4
Confidence level .98

	<u>Successes</u>	<u>Failures</u>
Mean Score	54.8	47.8
Standard deviation	10.0	13.0

Difference between means t-value 3.48
Confidence level .99+
Significance of difference High

Point biserial correlation coefficient (model score vs. actual outcome) $r_{pb} = .2808$

FIGURE IV-B

Results of Statistical Tests
Model IV--California Form 61A
Maricopa County

Distribution of Model Scores

Score group	Number of		Percent successful
	Successes	Failures	
67 - Highest	16	1	94
45 - 66	20	13	61
Lowest - 44	<u>6</u>	<u>11</u>	35
Total	<u>42</u>	<u>25</u>	63

Significance of association High
Chi-square value 12.695
Degrees of freedom 2
Confidence level .99+

	<u>Successes</u>	<u>Failures</u>
Mean score	59.1	45.0
Standard deviation	11.4	10.4

Difference between means t-value 5.05
Confidence level .99+
Significance of difference High

Point biserial correlation coefficient (model score vs. actual outcome) $r_{pb} = .5308$

FIGURE IV-C

Results of Statistical Tests
Model IV--California Form 61A
Philadelphia County

<u>Distribution of Model Scores</u>			
<u>Score group</u>	<u>Number of</u>		<u>Percent successful</u>
	<u>Successes</u>	<u>Failures</u>	
53 - Highest	10	4	71
35 - 52	12	20	38
Lowest - 34	<u>1</u>	<u>12</u>	8
Total	<u>23</u>	<u>36</u>	39
Significance of association			
Chi-square value			High
Degrees of freedom			11.577
Confidence level			2
			.99+
	<u>Successes</u>	<u>Failures</u>	
Mean score	50.7	39.8	
Standard deviation	13.0	11.1	
Difference between means t-value			
Confidence level			3.31
Significance of difference			.99+
			High
Point biserial correlation			
coefficient (model square vs. actual outcome)	$r_{pb} = .4137$		

FIGURE V

MODEL V
California
Base Expectancy Form 61B

TO OBTAIN RAW SCORES:

If	Add
A. Arrest free five or more years	16
No history of any opiate use	13
No family criminal record	8
Not checks or burglary (subject offense)	13
B. Age at subject offense times .6	
21 is added for all persons	21
C. Subtotal: A + B	
D. Aliases: -3 times number	
E. Prior incarcerations: -5 times number	
F. Subtotal: D + E	
G. Score: Subtract F from C	

FIGURE V-A

Results of Statistical Tests
Model V--California Form 61B
Multnomah County

Distribution of Model Scores

Score group	Number of		Percent successful
	Successes	Failures	
86.7 - Highest	22	1	96
76.5 - 86.6	38	8	83
58.5 - 76.4	65	28	70
43.5 - 58.4	27	19	59
Lowest - 43.4	<u>9</u>	<u>15</u>	38
Total	<u>161</u>	<u>71</u>	69

Significance of association High
Chi-square value 25.236
Degrees of freedom 4
Confidence level .99+

	<u>Successes</u>	<u>Failures</u>
Mean score	70.2	57.2
Standard deviation	15.6	18.6

Difference between means t-value 5.12
Confidence level .99
Significance of difference High

Point biserial correlation coefficient (model score vs. actual outcome) $r_{pb} = .3401$

FIGURE V-B

Results of Statistical Tests
Model V--California Form 61B
Maricopa County

Distribution of Model Scores

Score group	Number of		Percent successful
	Successes	Failures	
86.1 - Highest	13	1	93
71.3 - 86.0	25	4	86
50.8 - 71.2	33	21	61
30.3 - 50.8	9	23	28
Lowest - 30.2	<u>3</u>	<u>11</u>	21
Total	<u>83</u>	<u>60</u>	58

Significance of association High
Chi-square value 36.090
Degrees of freedom 4
Confidence level .99+

	<u>Successes</u>	<u>Failures</u>
Mean score	70.1	45.7
Standard deviation	18.1	20.6

Difference between means t-value 7.36
Confidence level .99+
Significance of difference High

Point biserial correlation coefficient (model score vs. actual outcome) $r_{pb} = .5346$

FIGURE V-C

Results of Statistical Tests

Model V--California Form 61B

Philadelphia County

Distribution of Model Scores

Score group	Number of		Percent successful
	<u>Successes</u>	<u>Failures</u>	
78.9 - Highest	14	1	93
63.9 - 78.8	10	8	56
45.5 - 63.8	7	21	25
31.9 - 45.4	3	15	17
Lowest - 31.8	<u>1</u>	<u>14</u>	7
Total	<u>35</u>	<u>59</u>	37

Significance of association High
 Chi-square value 33.833
 Degrees of freedom 4
 Confidence level .99+

	<u>Successes</u>	<u>Failures</u>
Mean score	70.2	44.9
Standard deviation	20.0	18.3

Difference between means t-value 6.26
 Confidence level .99+
 Significance of difference High

Point biserial correlation
 coefficient (model score
 vs. actual outcome) $r_{pb} = .5468$

FIGURE VI

MODEL VI

California

Base Expectancy Form 65A

TO OBTAIN RAW SCORES, ADD

11	for all persons	11
19	if no more than two prior arrests	_____
15	if arrest free five or more years or if never before arrested	_____
14	if no prior incarceration	_____
8	if subject offense was not checks or burglary	_____
.6	times age at subject offense	_____

Base Expectancy 65A Score

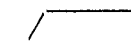


FIGURE VI-A

Results of Statistical Tests
Model VI--California Form 65A
Multnomah County

Distribution of Model Scores

Score group	Number of		Percent successful
	<u>Successes</u>	<u>Failures</u>	
81.5 - Highest	23	3	88
77.6 - 81.4	43	8	84
45.7 - 77.6	62	33	65
31.1 - 45.6	25	24	51
Lowest - 31.0	<u>14</u>	<u>12</u>	54
Total	<u>167</u>	<u>80</u>	68

Significance of association High
Chi-square value 20.307
Degrees of freedom 4
Level of confidence .99+

	<u>Successes</u>	<u>Failures</u>
Mean score	64.0	51.2
Standard deviation	19.0	18.5

Difference between means t-value 4.98
Confidence level .99+
Significance of difference High

Point biserial correlation coefficient (model score vs. actual outcome) $r_{pb} = .3030$

FIGURE VI-B

Results of Statistical Tests
Model VI--California Form 65A
Maricopa County

Distribution of Model Scores

Score group	Number of		Percent successful
	<u>Successes</u>	<u>Failures</u>	
80.3 - Highest	25	2	93
64.7 - 80.2	33	9	79
35.9 - 64.6	52	35	60
29.7 - 35.8	18	27	40
Lowest - 29.6	<u>6</u>	<u>20</u>	23
Total	<u>134</u>	<u>93</u>	59

Significance of association High
Chi-square value 39.862
Degrees of freedom 4
Level of confidence .99+

	<u>Successes</u>	<u>Failures</u>
Mean score	59.6	41.6
Standard deviation	20.4	16.4

Difference between means t-value 7.36
Confidence level .99+
Significance of difference High

Point biserial correlation coefficient (model score vs. actual outcome) $r_{pb} = .4271$

FIGURE VI-C

Results of Statistical Tests
 Model VI--California Form 65A
 Philadelphia County

Distribution of Model Scores

Score group	Number of		Percent successful
	Successes	Failures	
77.9 - Highest	13	1	93
59.3 - 77.8	14	10	58
37.7 - 59.2	13	21	38
24.9 - 37.6	6	18	25
Lowest - 24.8	<u>0</u>	<u>14</u>	0
Total	<u>46</u>	<u>64</u>	42

Significance of association	High
Chi-square value	30.712
Degrees of freedom	4
Level of confidence	.99+

	Successes	Failures
Mean score	64.8	42.1
Standard deviation	19.3	16.9

Difference between means t-value	6.40
Confidence level	.99+
Significance of difference	High

Point biserial correlation coefficient (model score vs. actual outcome)	$r_{pb} = .5329$
---	------------------

FIGURE VII

MODEL VII

ASSOCIATION ANALYSIS

Parole performance of a sample of men
paroled in California during 1956

Subgroup	Number		Percent favorable
	Favorable	Unfavorable	
Late offenders	37	2	95
Conventional offenders I	114	49	70
Conventional offenders II	38	28	58
Persistent offenders	169	159	52
Persistent violators	86	71	55
Narcotics users	43	72	37
Delinquent users	<u>22</u>	<u>41</u>	<u>35</u>
Total	<u>509</u>	<u>422</u>	<u>55</u>

Based on the definitions given on the next page, a parolee is identified as belonging to one of the subgroups in the model. The last column of the table shows for each subgroup the success rates experienced by parolees in the sample.

CLASSIFICATION OF OFFENDERS INTO SEVEN SUBGROUPS

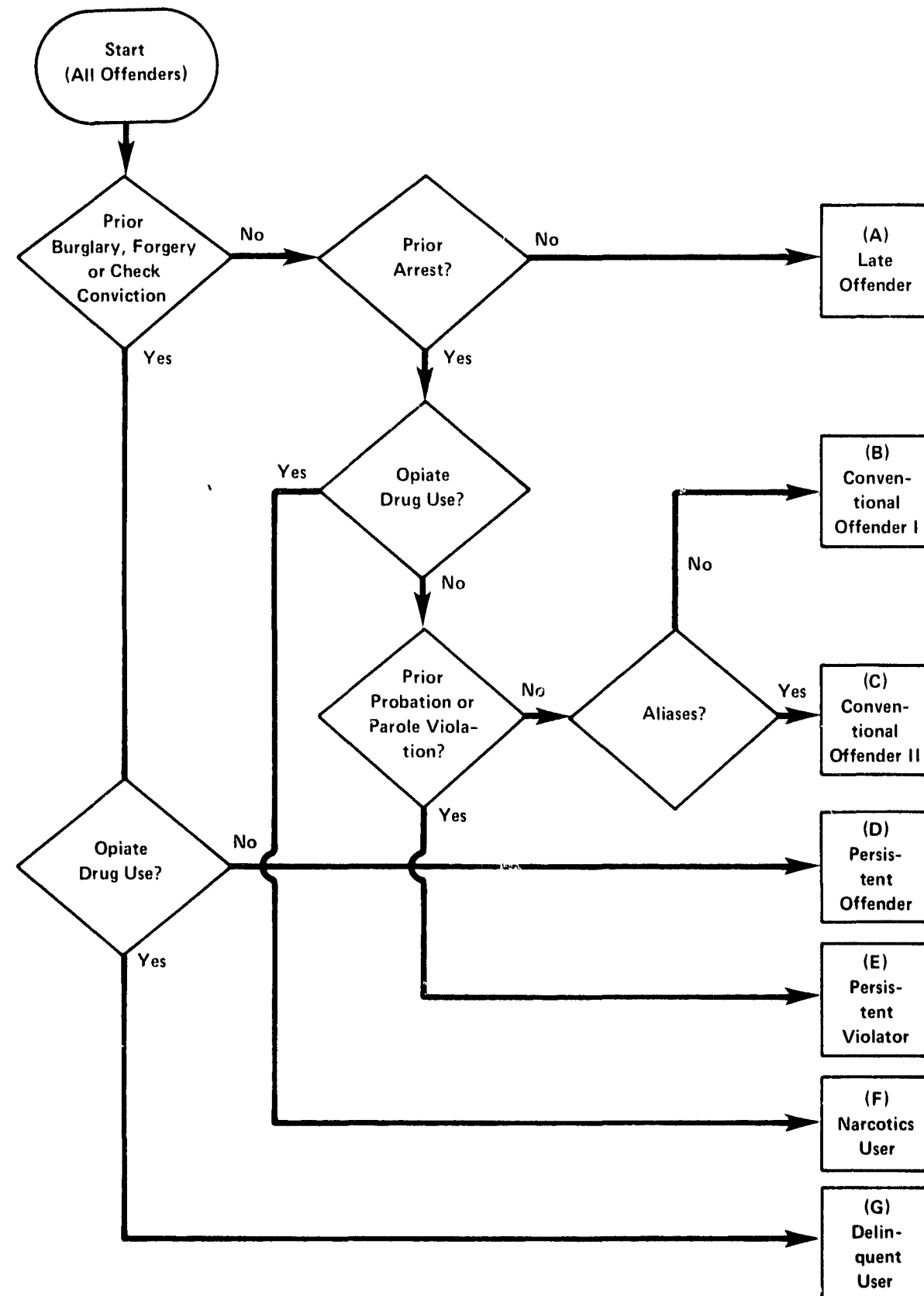


FIGURE VII-A

Model VII--Association Analysis
Multnomah County

Subgroup	Cate- gory	Number of		Percent Successful
		Successes	Failures	
Late offenders	A	53	10	84
Conventional offend- ers I	B	69	28	71
Conventional offend- ers II	C	2	6	25
Persistent offenders	D	18	11	62
Persistent violators	E	11	6	65
Narcotics users	F	15	11	58
Delinquent users	G	<u>2</u>	<u>5</u>	<u>29</u>
Total		<u>170</u>	<u>77</u>	<u>69</u>
Significance of association	High			
Chi-square value	21.817			
Degrees of freedom	6			
Level of confidence	.99+			

FIGURE VII-B

Model VII--Association Analysis
Maricopa County

Subgroup	Cate- gory	Number of		Percent Successful
		Successes	Failures	
Late offenders	A	28	4	88
Conventional offend- ers I	B	50	17	75
Conventional offend- ers II	C	6	6	50
Persistent offenders	D	25	27	48
Persistent violators	E	7	3	70
Narcotics users	F	14	21	40
Delinquent users	G	<u>3</u>	<u>21</u>	<u>13</u>
Total		<u>133</u>	<u>99</u>	<u>57</u>

Significance of association High
Chi-square value 46.854
Degrees of freedom 6
Level of confidence .99+

FIGURE VII-C

Model VII--Association Analysis
Philadelphia County

Subgroup	Cate- gory	Number of		Percent Successful
		Successes	Failures	
Late offenders	A	13	6	68
Conventional offend- ers I	B	11	6	65
Conventional offend- ers II	C	4	10	29
Persistent offenders	D	55	43	56
Persistent violators	E	3	4	43
Narcotics users	F	4	15	21
Delinquent users	G	<u>7</u>	<u>37</u>	<u>16</u>
Total		<u>97</u>	<u>121</u>	<u>44</u>

Significance of association High
Chi-square value 32.812
Degrees of freedom 6
Level of confidence .99+

FIGURE VIII

Model VIII--Salient Factors

Case Name _____ Register Number _____

Item A _____ ☐

No prior convictions (adult or juvenile) = 2
One or two prior convictions = 1
Three or more prior convictions = 0

Item B _____ ☐

No prior incarcerations (adult or juvenile) = 2
One or two prior incarcerations = 1
Three or more prior incarcerations = 0

Item C _____ ☐

Age at first commitment (adult or juvenile)
18 years or older = 1
Otherwise = 0

Item D _____ ☐

Subject offense did not involve auto theft = 1
Otherwise = 0

Item E _____ ☐

Never had parole revoked or been committed for a
new offense while on parole = 1
Otherwise = 0

Item F _____ ☐

No history of heroin, cocaine, or barbiturate
dependence = 1
Otherwise = 0

Item G _____ ☐

Has completed 12th grade or received a high school
equivalency certificate = 1
Otherwise = 0

Item H _____ ☐

Verified employment (or full-time school attendance)
for a total of at least 6 months during the last
2 years in the community = 1
Otherwise = 0

Item I _____ ☐

Release plan to live with spouse and/or children = 1
Otherwise = 0

Total Score _____ ☐

FIGURE VIII-A

Results of Statistical tests
Model VIII--Salient Factors
Multnomah County

Distribution of Model Scores

Score group	Number of		Percent successful
	Successes	Failures	
10 - 11	46	9	84
7 - 9	74	30	71
1 - 6	29	24	55
Total	149	63	70

Significance of association High
Chi-square value 10.882
Degrees of freedom 2
Level of confidence .99+

	Successes	Failures
Mean score	8.3	6.8
Standard deviation	1.8	2.6

Difference between means t-value 4.31
Confidence level .99+
Significance of difference High

Point biserial correlation coefficient (model score vs. actual outcome) $r_{pb} = .3219$

FIGURE VIII-B

Results of Statistical Tests
Model VIII--Salient Factors
Maricopa County

Distribution of Model Scores

Score group	Number of		Percent successful
	Successes	Failures	
10 - 11	36	5	88
8 - 9	38	14	73
1 - 7	23	24	49
Total	97	43	69

Significance of association High
Chi-square value 16.105
Degrees of freedom 2
Level of confidence .99+

	Successes	Failures
Mean score	8.6	6.8
Standard deviation	1.7	2.1

Difference between means t-value 4.88
Confidence level .99+
Significance of difference High

Point biserial correlation coefficient (model score vs. actual outcome) $r_{pb} = .4088$

FIGURE VIII-C

Results of Statistical Tests
Model VIII--Salient Factors
Philadelphia County

Distribution of Model Scores

Score group	Number of		Percent successful
	Successes	Failures	
9 - 11	12	3	80
6 - 8	10	19	34
Lowest - 5	3	16	16
Total	25	38	40

Significance of association High
Chi-square value 15.046
Degrees of freedom 2
Level of confidence .99+

	Successes	Failures
Mean score	7.9	5.6
Standard deviation	2.3	1.9

Difference between means t-value 4.11
Confidence level .99+
Significance of difference High

Point biserial correlation coefficient (model score vs. actual outcome) $r_{pb} = .4806$

SUMMARY OF VALIDATION RESULTS

Statistical results for the eight models validated are summarized in the tables below:

		Point Biserial Correlation Between Model Score and Probation Outcome					
Model	Based on	Multnomah		Maricopa		Philadelphia	
		No. of cases	Correlation coefficient	No. of cases	Correlation coefficient	No. of cases	Correlation coefficient
I	Oregon Form	169	.321	55	.583	70	.437
II	Newark Form	177	.281	67	.548	59	.449
III	Glaser Model	215	.346	125	.245	66	.463
IV	California Form 61A	177	.281	67	.531	59	.414
V	California Form 61B	232	.340	143	.533	94	.547
VI	California Form 63A	247	.303	227	.427	119	.533
VIII	Salient Factors	212	.322	140	.499	63	.481

Chi-square Tests for Independence Between Model Category and Probation Outcome (Model VII--Association Analysis)

	Multnomah	Maricopa	Philadelphia
No. of cases	247	232	218
Chi-square	21.817	46.854	32.812
Confidence level	.99+	.99+	.99+

As shown in the above tables, each model was statistically valid in each of the three counties.

However, the lack of information needed to determine model score or (success or failure) caused a large number of the 300 cases in each county to be excluded from the tests of most models. This lack of information was especially noticeable for the Maricopa and Philadelphia samples and on the probationer's juvenile criminal record, employment, and family's criminal record.

MODIFIED MODELS

After reviewing the kind and extent of missing information problems, we modified four models to increase the number of cases which could be included in the validation.

Model III-A (see fig. IX) is based on Glaser's model and differs from model III in the following respects:

- "Age at first arrest" and "total previous detention" were determined using only adult information when juvenile information was unknown.
- "Work record" was scored depending on whether the offender was employed when arrested, rather than on percent of employment in last 2 consecutive years of civilian life.

Validation results are summarized in figures IX-A through IX-C.

Model V-A (see fig. X) is based on California Form 61B and is the same as model V except that "family criminal record" is deleted, and "prior incarcerations" was changed to "prior known incarcerations." Validation results are shown in figures X-A through X-C.

Model VI-A (see fig. XI) is based on California Form 65A and is the same as model VI except that "prior arrests" are based on only adult information if juvenile records are unavailable and "prior incarcerations" was changed to "prior known incarcerations." Validation results are shown in figures XI-A through XI-C.

Model VIII-A (see fig. XII) is based on Salient Factors and differs from model VIII in that item H became "employed when arrested" instead of "verified employment for at least 6 months during the last 2 years in the community." Also "prior incarcerations" was changed to "prior known incarceration" and "age at first commitment" was based on only adult history when juvenile record was unavailable. Validation results are shown in figures XII-A through XII-C.

Statistical results for the four modified models are summarized in table III below. Each model was statistically valid for the cases tested in each of the three counties.

TABLE III

		Point Biserial Correlation Between Model Score and Probation Outcome					
Model	Based On	Multnomah		Maricopa		Philadelphia	
		No. of cases	Correlation coefficient	No. of cases	Correlation coefficient	No. of cases	Correlation coefficient
III-A	Glaser Model	235	.343	175	.400	159	.414
V-A	California Form 61B	253	.370	253	.506	209	.521
VI-A	California Form 65A	258	.299	262	.410	229	.458
VIII-A	Salient Factors	227	.324	192	.448	175	.431

FIGURE IX

Model III-A

	Score value
Work record	
Employed at time of arrest	1
Unemployed at time of arrest	-1
Residence stability	
12 or more months in State at time of arrest	0
Less than 12 months	-1
Dependency	
Employed full-time at time of arrest	1
Not employed full-time at time of arrest	0
Age at first known arrest (note a)	
30 years or over	1
20 to 29 years	0
under 20	-1
Total known previous detention (note a)	
None	1
1	0
2 or more	-1
Previous convictions	
None	1
Previous misdemeanor convictions only	0
Previous felony conviction	-1

^aBased on only adult information when juvenile information is unknown.

FIGURE IX-A

Results of Statistical Tests

Model III-A

Multnomah County

Distribution of Model Scores

Score group	Number of		Percent successful
	Successes	Failures	
4 - 5	27	1	96
3	22	7	76
0 - 2	70	27	72
-2 - -1	30	19	61
Lowest - -3	12	20	38
Total	161	74	69

Significance of association High
Chi-square value 26.913
Degrees of freedom 4
Level of confidence .99+

	Successes	Failures
Mean score	1.0	-.8
Standard deviation	2.3	2.4

Difference between means t-value 5.42
Confidence level .99+
Significance of difference High

Point biserial correlation coefficient (model score vs. actual outcome) $r_{pb} = .3425$

FIGURE IX-B

Results of Statistical Tests

Model III-A

Maricopa County

Distribution of Model Scores

Score group	Number of		Percent successful
	Successes	Failures	
3 - 5	29	1	97
-2 - 2	63	50	56
-5 - -3	12	20	38
Total	104	71	59

Significance of association High
Chi-square value 24.269
Degrees of freedom 2
Level of confidence .99+

	Successes	Failures
Mean score	.8	-1.2
Standard deviation	2.4	2.0

Difference between means t-value 5.91
Confidence level .99+
Significance of difference High

Point biserial correlation coefficient (model score vs. actual outcome) $r_{pb} = .3995$

FIGURE IX-C
Results of Statistical Tests
Model III-A
Philadelphia County

FIGURE X
Model V-A

Distribution of Model Scores

Score group	Number of		Percent successful
	Successes	Failures	
2 - 5	29	10	74
-1 - 1	30	49	38
-5 - -2	7	34	17
Total	66	93	42

Significance of association High
Chi-square value 27.824
Degrees of freedom 2
Level of confidence .99+

	Successes	Failures
Mean score	1.1	-.9
Standard deviation	2.1	2.2

Difference between means t-value 5.70
Confidence level .99+
Significance of difference High

Point biserial correlation coefficient (model score vs. actual outcome) $r_{pb} = .4139$

TO OBTAIN RAW SCORES:

If	Add	
A. Arrest free five or more years	16	_____
No history of any opiate use	13	_____
Not checks or burglary (subject offense)	13	_____
B. Age at subject offense times .6		_____
21 is added for all persons	21	_____
C. Subtotal: A + B		<div></div>
D. Aliases: -3 times number		_____
E. Prior known incarcerations: -5 times number		_____
F. Subtotal: D + E		<div></div>
G. Score: Subtract F from C		<div></div>

FIGURE X-A

Results of Statistical Tests

Model V-A

Multnomah County

Distribution of Model Scores

Score group	<u>Number of</u>		<u>Percent successful</u>
	<u>Successes</u>	<u>Failures</u>	
77.9 - Highest	24	1	96
72.5 - 77.8	42	9	82
52.9 - 72.4	72	29	71
37.7 - 52.8	23	28	45
Lowest - 37.6	<u>10</u>	<u>15</u>	40
Total	<u>171</u>	<u>82</u>	68

Significance of association High
Chi-square value 35.380
Degrees of freedom 4
Level of confidence .99+

	<u>Successes</u>	<u>Failures</u>
Mean score	64.0	50.5
Standard deviation	14.5	18.5

Difference between means t-value 5.78
Confidence level .99+
Significance of difference High

Point biserial correlation
coefficient (model score
vs. actual outcome) $r_{pb} = .3697$

FIGURE X-B

Results of Statistical Tests

Model V-A

Maricopa County

Distribution of Model Scores

Score group	<u>Number of</u>		<u>Percent successful</u>
	<u>Successes</u>	<u>Failures</u>	
77.5 - Highest	25	2	93
61.9 - 77.4	39	10	80
44.5 - 61.8	64	37	63
27.5 - 44.4	13	36	27
Lowest - 27.4	<u>4</u>	<u>23</u>	15
Total	<u>145</u>	<u>108</u>	57

Significance of association High
Chi-square value 64.100
Degrees of freedom 4
Level of confidence .99+

	<u>Successes</u>	<u>Failures</u>
Mean score	61.5	40.9
Standard deviation	16.7	18.4

Difference between means t-value 9.15
Confidence level .99+
Significance of difference High

Point biserial correlation
coefficient (model score
vs. actual outcome) $r_{pb} = .5057$

FIGURE X-C

Results of Statistical Tests

Model V-A

Philadelphia County

Distribution of Model Scores

Score group	Number of		Percent successful
	<u>Successes</u>	<u>Failures</u>	
75.9 - Highest	22	0	100
63.3 - 75.8	27	13	68
42.9 - 63.2	35	49	42
26.9 - 42.8	9	32	22
Lowest - 26.8	<u>3</u>	<u>19</u>	14
Total	<u>96</u>	<u>113</u>	46

Significance of association High
Chi-square value 52.738
Degrees of freedom 4
Level of confidence .99+

	<u>Successes</u>	<u>Failures</u>
Mean score	64.5	43.7
Standard deviation	17.6	16.7

Difference between means t-value 8.78
Confidence level .99+
Significance of difference High

Point biserial correlation
coefficient (model score
vs. actual outcome) $r_{pb} = .5208$

FIGURE XI

Model VI-A

To obtain raw scores, ADD

11	for all persons	11
19	if no more than two prior arrests (note a)	—
15	if arrest free five or more years or if never before arrested	—
14	if no prior know incarceration	—
8	if subject offense was not checks or burglary	—
0.6	times age at subject offense	—
	Base expectancy 65A score	==

a/ Based on adult information if juvenile record unknown.

FIGURE XI-A

Results of Statistical Tests

Model VI-A

Multnomah County

Distribution of Model Scores

Score group	Number of		Percent successful
	Successes	Failures	
81.4 - Highest	23	4	85
77.7 - 81.4	43	8	84
45.7 - 77.6	65	36	64
31.1 - 45.6	26	26	50
Lowest - 31.0	<u>14</u>	<u>13</u>	52
Total	<u>171</u>	<u>87</u>	66

Significance of association High
Chi-square value 20.587
Degrees of freedom 4
Level of confidence .99+

	<u>Successes</u>	<u>Failures</u>
Mean score	63.8	51.4
Standard deviation	18.8	18.4

Difference between means t-value 5.02
Confidence level .99+
Significance of difference High

Point biserial correlation coefficient (model score vs. actual outcome) $r_{pb} = .2992$

FIGURE XI-B

Results of Statistical Tests

Model VI-A

Maricopa County

Distribution of Model Scores

Score group	Number of		Percent successful
	Successes	Failures	
80.3 - Highest	27	2	93
64.1 - 80.2	36	13	73
35.9 - 64.0	58	46	56
29.7 - 35.8	21	30	41
Lowest - 29.6	<u>6</u>	<u>23</u>	21
Total	<u>148</u>	<u>114</u>	56

Significance of association High
Chi-square value 41.574
Degrees of freedom 4
Level of confidence .99+

	<u>Successes</u>	<u>Failures</u>
Mean score	59.1	42.5
Standard deviation	20.2	16.0

Difference between means t-value 7.46
Confidence level .99+
Significance of difference High

Point biserial correlation coefficient (model score vs. actual outcome) $r_{pb} = .4095$

FIGURE XI-C

Results of Statistical Tests

Model VI-A

Philadelphia County

Distribution of Model Scores

Score group	Number of		Percent successful
	<u>Successes</u>	<u>Failures</u>	
78.5 - Highest	22	3	88
70.1 - 78.4	30	18	63
41.3 - 70.0	37	50	43
26.7 - 41.2	11	33	25
Lowest - 26.6	<u>1</u>	<u>24</u>	4
Total	<u>101</u>	<u>128</u>	44

Significance of association	High
Chi-square value	49.041
Degrees of freedom	4
Level of confidence	.99+

	<u>Successes</u>	<u>Failures</u>
Mean score	66.2	47.5
Standard deviation	17.9	18.3

Difference between means t-value	7.76
Confidence level	.99+
Significance of difference	High

Point biserial correlation coefficient (model score vs. actual outcome)	$r_{pb} = .4578$
---	------------------

FIGURE XII

Model VIII-A

Case Name _____ Register Number _____

Item A ----- ☐

No prior convictions (adult or juvenile) = 2
One or two prior convictions = 1
Three or more prior convictions = 0

Item B ----- ☐

No prior known incarcerations (adult or juvenile) = 2
One or two prior incarcerations = 1
Three or more prior incarcerations = 0

Item C ----- ☐

Age at first commitment (adult or juvenile)
18 years or older = 1
Otherwise = 0 (note a)

Item D ----- ☐

Subject offense did not involve auto theft = 1
Otherwise = 0

Item E ----- ☐

Never had parole revoked or been committed for a new
offense while on parole = 1
Otherwise = 0

Item F ----- ☐

No history of heroin, cocaine, or barbiturate
dependence = 1
Otherwise = 0

Item G ----- ☐

Has completed 12th grade or received GED = 1
Otherwise = 0

a/Based on adult history only if juvenile history unknown.

Item H -----
Employed at time of arrest = 1
Otherwise = 0

Item I -----
Probation plan to live with spouse and/or
children = 1
Otherwise = 0

Total Score -----

FIGURE XII-A
Results of Statistical Tests
Model VIII-A
Multnomah County

Distribution of Model Scores			
Score group	Number of		Percent successful
	Successes	Failures	
10 - 11	36	6	86
6 - 9	104	43	71
Lowest - 5	17	21	45
Total	157	70	69
Significance of association			
Chi-square value			High
Degrees of freedom			16.198
Level of confidence			2
			.99+
	Successes	Failures	
Mean score	8.1	6.6	
Standard deviation	1.8	2.4	
Difference between means t-value			4.58
Confidence level			.99+
Significance of difference			High
Point biserial correlation coefficient (model score vs. actual outcome)			$r_{pb} = .3240$

FIGURE XII-B

Results of Statistical Tests

Model VIII-A

Maricopa County

Distribution of Model Scores

Score group	Number of		Percent successful
	Successes	Failures	
10 - 11	33	1	97
6 - 9	74	40	65
1 - 5	<u>11</u>	<u>33</u>	25
Total	<u>118</u>	<u>74</u>	39

Significance of association High
 Chi-square value 43.457
 Degrees of freedom 2
 Level of confidence .99+

	<u>Successes</u>	<u>Failures</u>
Mean score	8.0	5.8
Standard deviation	2.0	2.3

Difference between means t-value 6.69
 Confidence level .99+
 Significance of difference High

Point biserial correlation coefficient (model score vs. actual outcome) $r_{pb} = .4478$

FIGURE XII-C

Results of Statistical Tests

Model VIII-A

Philadelphia County

Distribution of Model Scores

Score group	Number of		Percent successful
	Successes	Failures	
9 - 11	37	11	77
6 - 8	34	46	43
Lowest - 5	<u>7</u>	<u>40</u>	15
Total	<u>78</u>	<u>97</u>	45

Significance of association High
 Chi-square value 37.432
 Degrees of freedom 2
 Level of confidence .99+

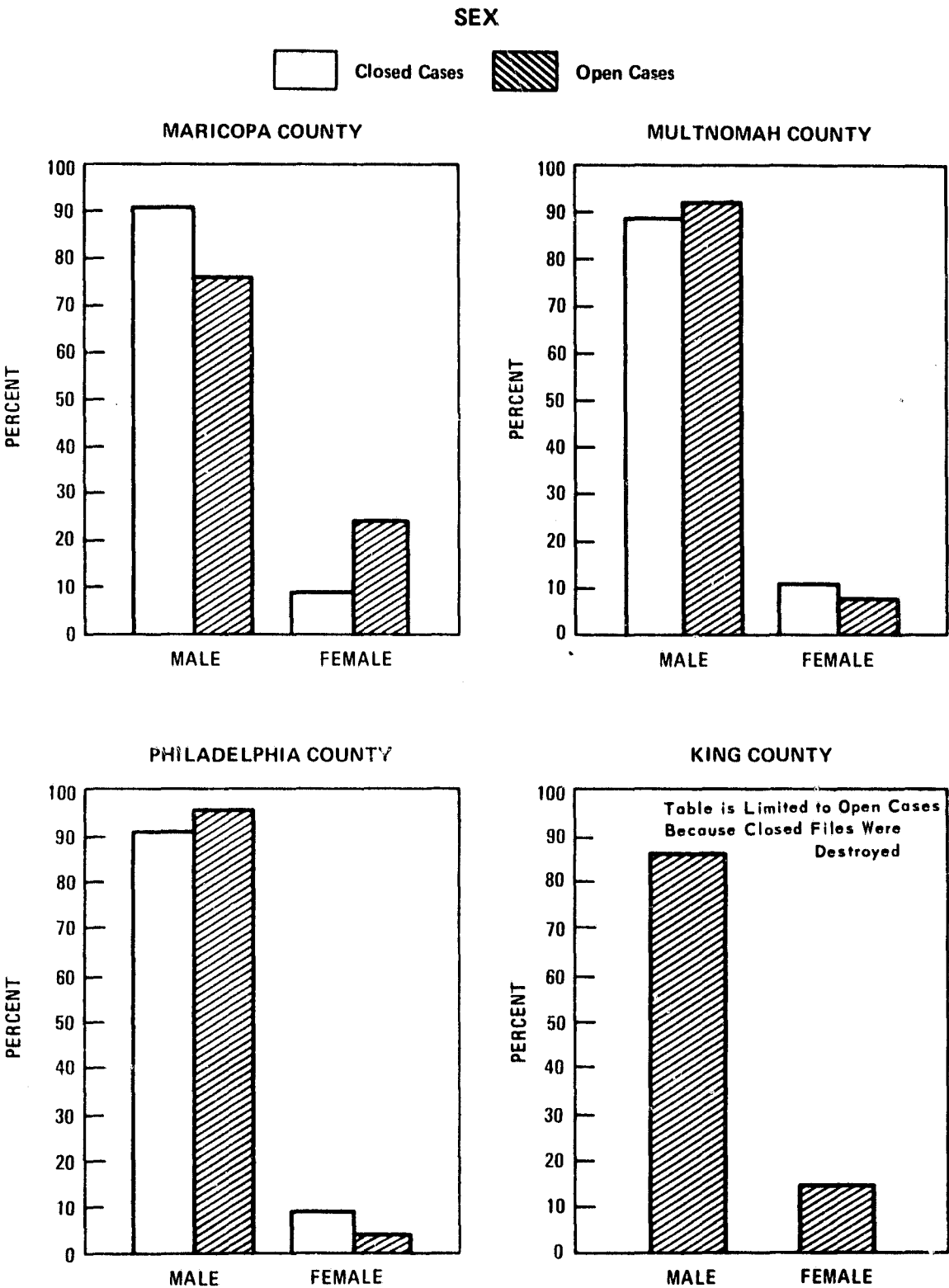
	<u>Successes</u>	<u>Failures</u>
Mean score	8.0	6.1
Standard deviation	1.9	2.1

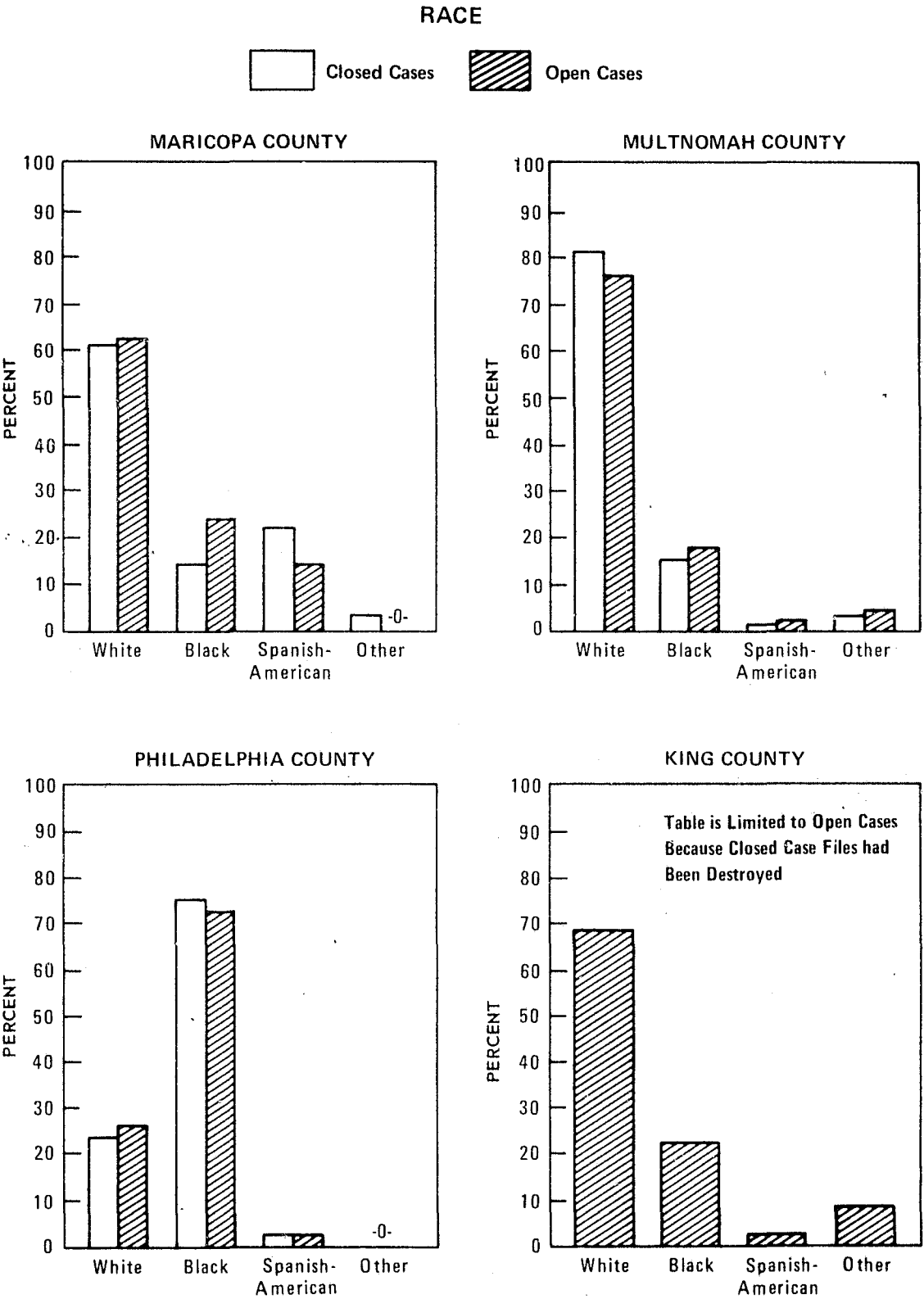
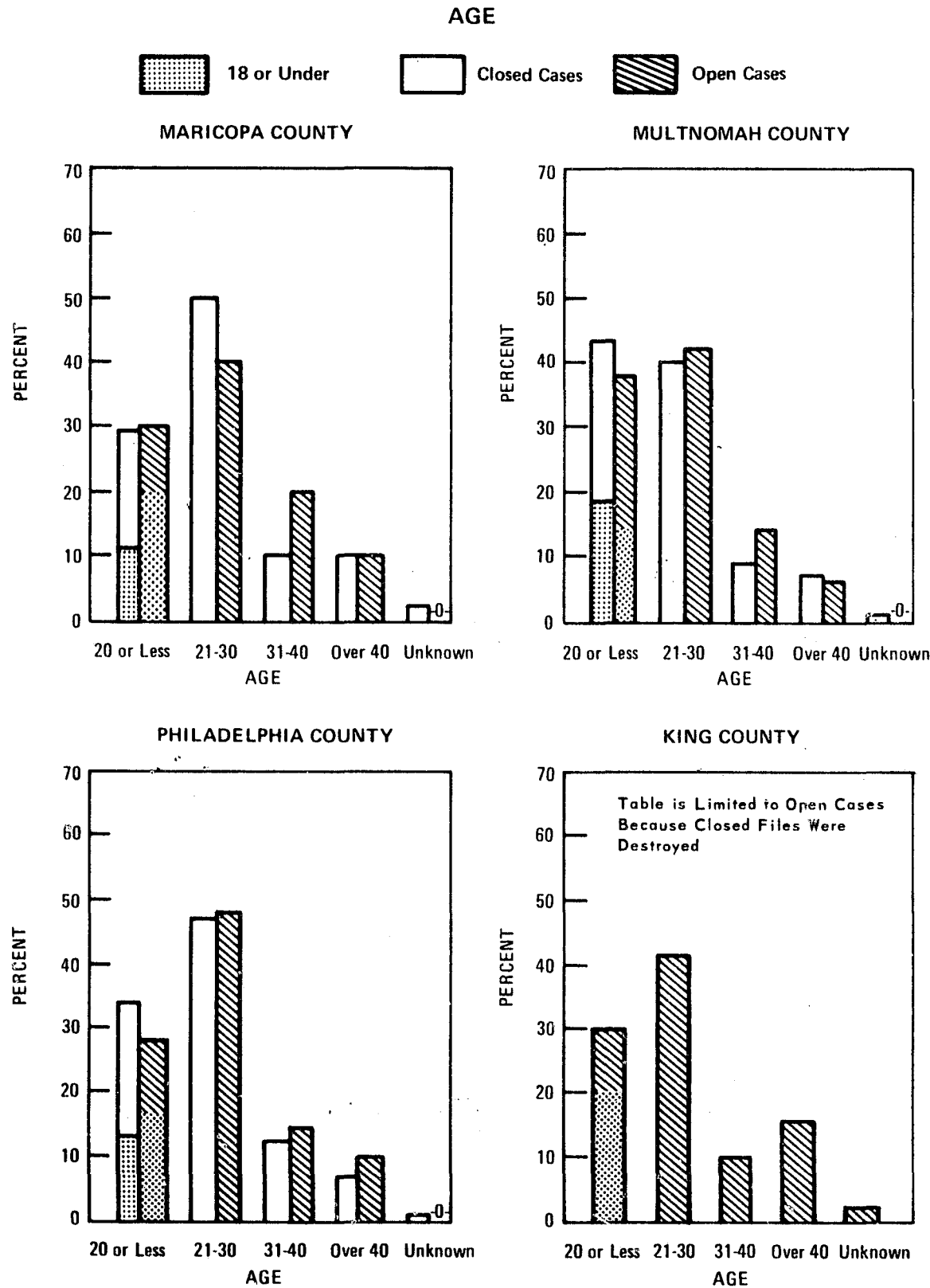
Difference between means t-value 6.33
 Confidence level .99+
 Significance of difference High

Point biserial correlation coefficient (model score vs. actual outcome) $r_{pb} = .4308$

CHARTS OF PROBATIONERS' CHARACTERISTICS
THAT WE SAMPLED

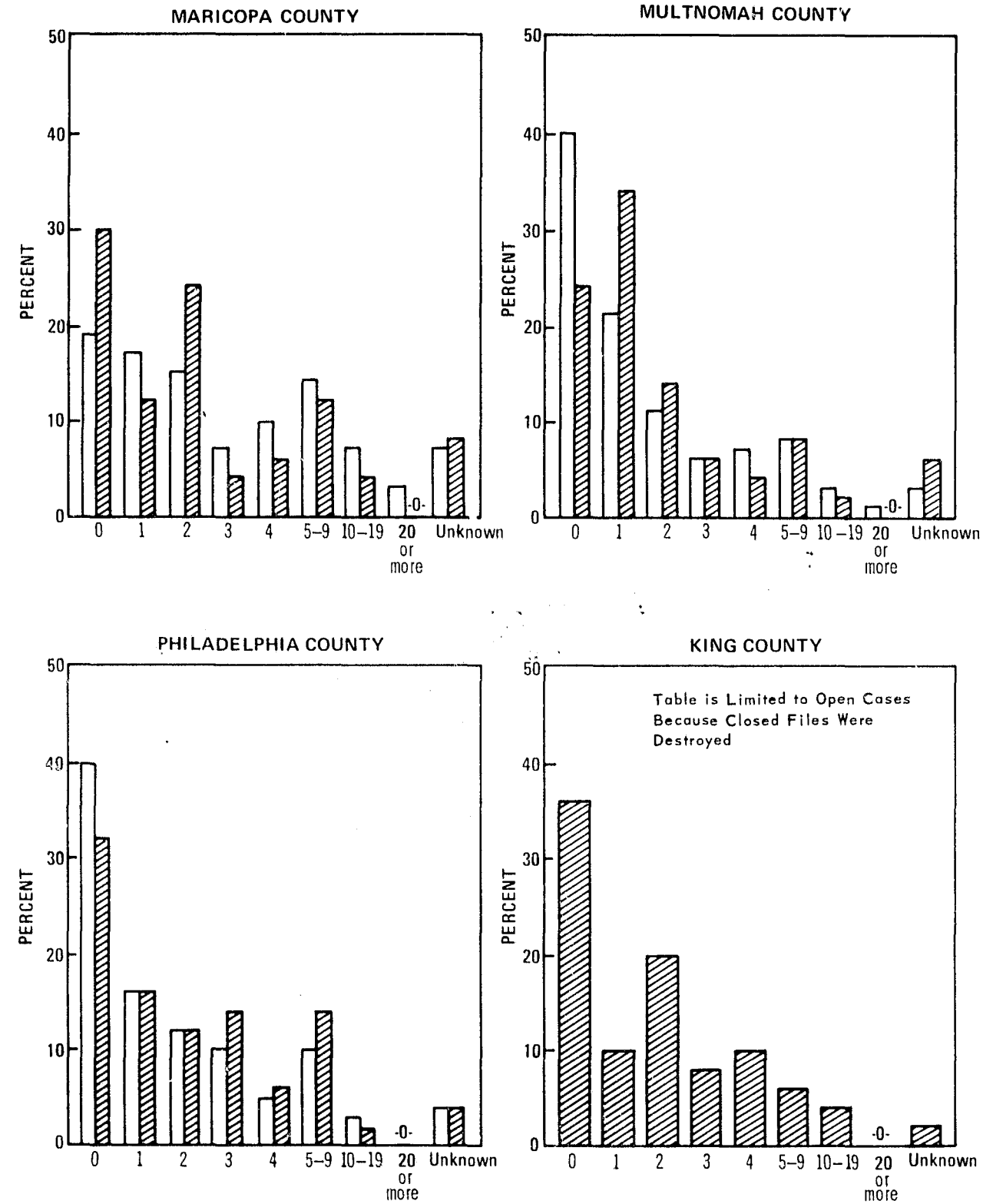
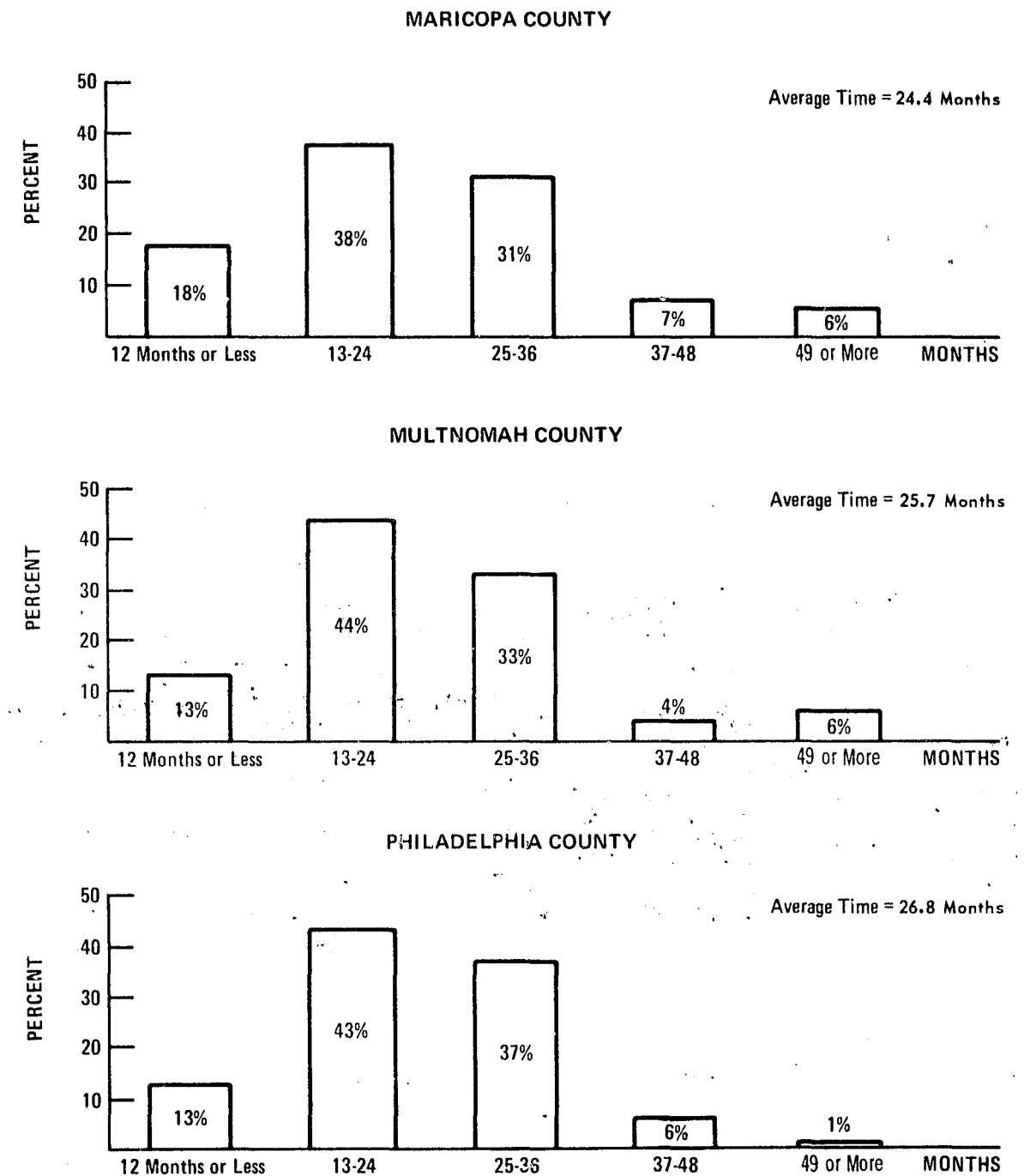
- 1. Sex
- 2. Age
- 3. Race
- 4. Total prior convictions
- 5. Time on probation
- 6. Employment status at time of arrest
- 7. Crimes sentenced for





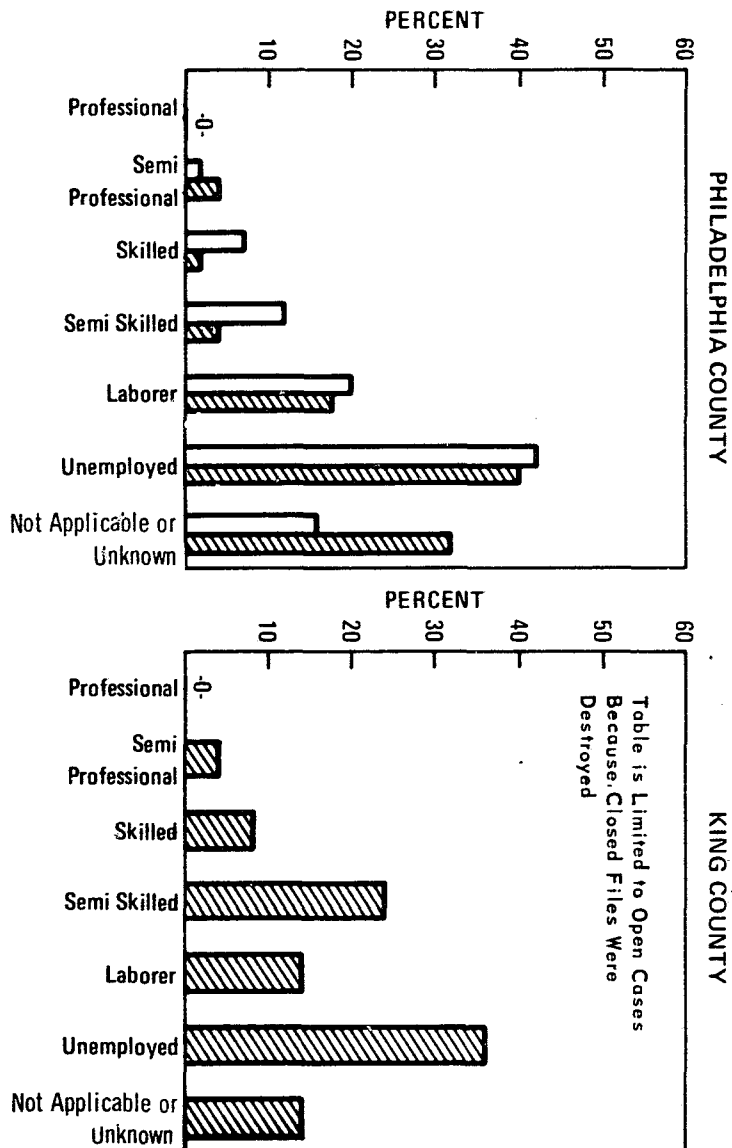
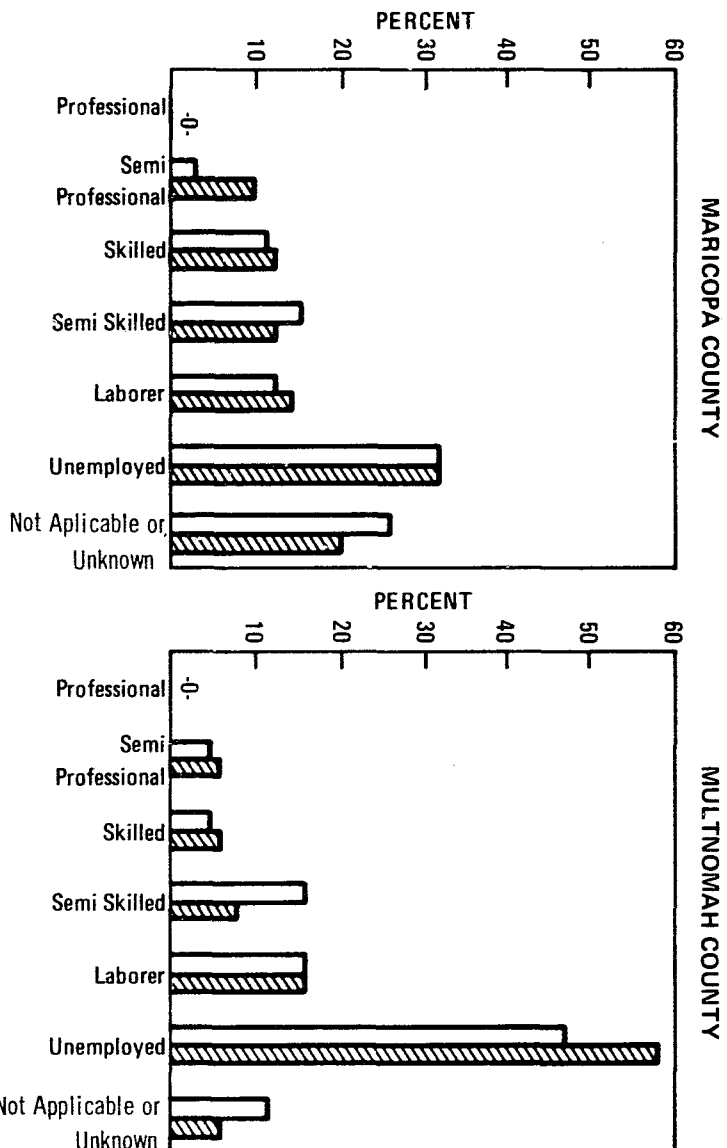
TOTAL PRIOR CONVICTIONS

Closed Cases
 Open Cases

TIME ON PROBATION
(Closed Cases)

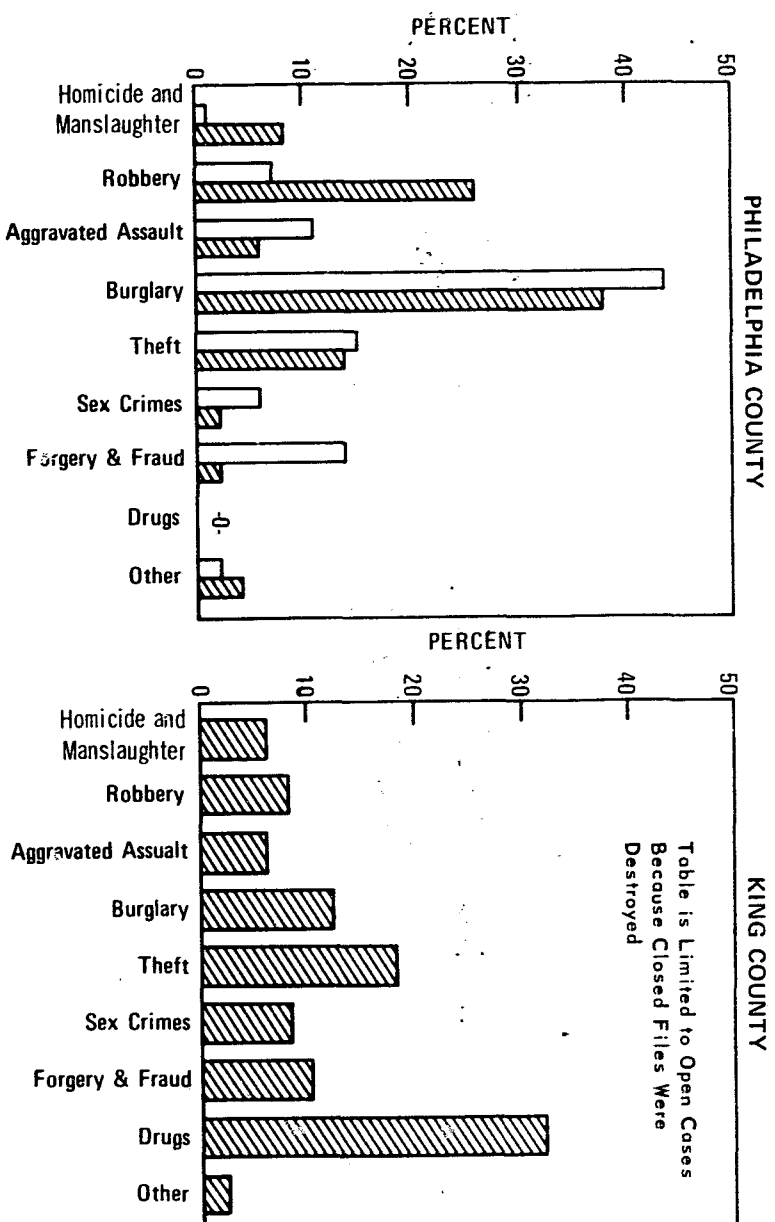
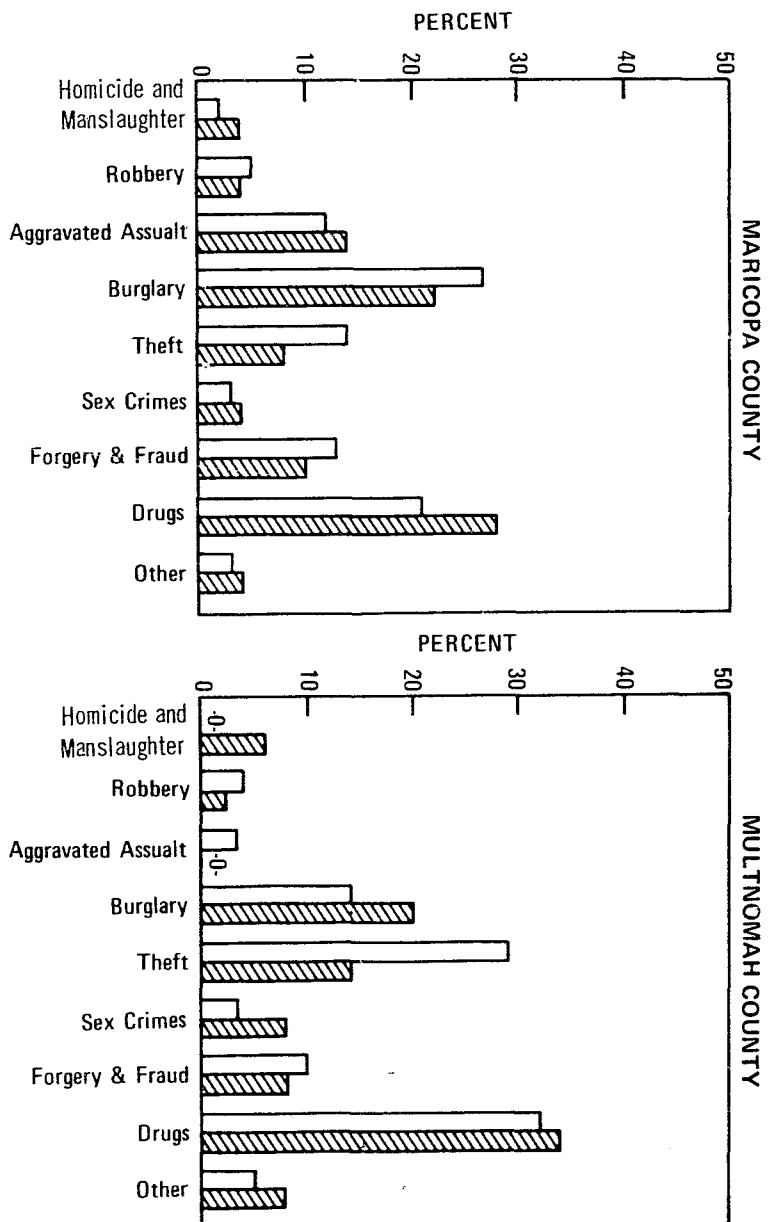
EMPLOYMENT STATUS AT TIME OF ARREST

☐ Closed Cases
☒ Open Cases



CRIMES SENTENCED FOR

☐ Closed Cases
☒ Open Cases





UNITED STATES DEPARTMENT OF JUSTICE

WASHINGTON, D.C. 20530

Apr. 28, 1976

Address Reply to the
Division Indicated
and Refer to Initials and Number

Mr. Victor L. Lowe
Director
General Government Division
United States General Accounting Office
Washington, D.C. 20548

Dear Mr. Lowe:

This letter is in response to your request for comments on the draft report entitled "State and County Probation: Systems in Crisis."

Generally, we agree with the report and share GAO's concern regarding the need to address the problems of improving State and county probation systems. Recognizing this need, the Administrator of LEAA appointed a Blue Ribbon Consultant Committee in June 1975 to assist in the development of an LEAA corrections strategy. The Committee recently submitted its final report. It contains a number of observations similar to those included in the GAO report pertaining to various inadequacies present in State and county probation systems. As in the GAO report, the Blue Ribbon Consultant Committee concluded that probation was not effective in keeping a considerable number of offenders from committing further crimes.

While both the GAO and the Committee reports note the same or similar deficiencies and effects, there are some significant distinctions. In particular, the members of the Committee were much more dubious about the efficacy of rehabilitation. Nevertheless, GAO and the Committee clearly recognize that neither restraint nor rehabilitation services are adequately and effectively provided today, if provided at all. The need to improve Federal leadership and provide sufficient funds to seriously impact on State and local probation services is a view commonly shared by both LEAA and GAO.

To foster needed improvements in State and county probation systems, GAO recommends that LEAA:

1. Work with the States to develop probation guidelines with minimum standards to assist State and local governments to improve their probation systems.
2. Require the State Planning Agencies (SPAs), as part of their analysis of problems faced by the criminal justice system, to address the problems of probation in their States and how these problems are to be overcome.
3. Improve sentencing by developing a system to assist judges and probation officials to determine which offenders should be on probation based on a probation expectancy model, or similar approach.
4. Improve service delivery by developing a model service delivery system.
5. Improve information systems, evaluation, and accountability of probation programs by working with the States.
6. Develop and maintain national corrections statistics.
7. Develop better ways to provide technical assistance to probation organizations which covers the type, depth, and cost of assistance to be offered.
8. Evaluate the priorities assigned to use of discretionary funds to provide assurance that moneys are available to assist States and counties to implement systems to (a) better predict an offender's chances of succeeding on probation, (b) improve diagnostic analysis and rehabilitation planning, and (c) better coordinate service delivery and supervision of probationers.



With respect to the first recommendation, it must be recognized that LEAA has taken a number of significant steps to promote the development of probation guidelines with minimum standards to assist State and local governments to improve their probation systems. Not only have LEAA guidelines to SPAs called for the development and implementation of correctional standards, goals, and priorities, the LEAA Office of National Priority Programs has aggressively marketed the standards and goals concept to States and provided both discretionary funding and the technical assistance necessary for the development and implementation of the standards. In addition to these continuing efforts LEAA funded a report undertaken by the National Advisory Commission on Criminal Justice Standards and Goals. The Commission's report, issued in six volumes, contains one volume entitled "Corrections," which includes standards for probation services. While LEAA can contribute to the improvement of probation systems through the issuance of guideline requirements and standards, it is the interest and aggressiveness of the States and local jurisdictions in meeting these standards that will determine the extent to which probation systems are upgraded. If local governments are not committed to improving probation systems, they simply will not "buy-in" to an LEAA program, particularly if strict standard-setting requirements are conditioned with the grant.

In reference to the second recommendation, LEAA has revised its Guideline Manual for State Planning Agency Grants so that States must specify in detail how they will meet the conditions required by Part E of the Crime Control Act relating to corrections. Also, LEAA regional offices have been instructed to enforce State and local governments receiving Federal funds to comply with the conditions stated in Part E of the Crime Control Act. This portion of the Act calls for implementation of advance correctional practices. Again, we must point out that the Crime Control Act, while imposing certain conditions for approval of grants which SPAs must meet, leaves selection and implementation of law enforcement programs in the hands of the States. LEAA interprets its role as being limited to increasing the capabilities of State and local governments by means of example, experiment, research, development, and funding incentives which encourage, but do not force, fund recipients to adopt Federally supported projects or project goals. LEAA has and will continue to lend technical assistance and support to States to the greatest extent possible, but the primary role for improving probation operations continues to remain with the States and local governments.

With respect to the third recommendation, the LEAA Blue Ribbon Consultant Committee recommended additional research before predictive tools, such as probation expectancy models, be considered reliable and valid. LEAA is giving further consideration to the role it can play in the development and demonstration of predictive tools, including the appropriate mechanism for providing funds for development and testing.

The recommendation that LEAA improve service delivery by developing a model service delivery system has considerable merit, and LEAA intends to devote further study to the appropriate mechanism for developing such a service delivery model. It would appear that a model delivery system, at the very least, would apprise probation officials of the types of services that, under ideal conditions, would contribute to a more effective probation program. This approach would hopefully encourage probation officials to seek out those services available at the local and State levels and, where needed services are not available, initiate actions to bring these services into being. As an additional benefit, a service delivery model would be a useful tool for SPAs to evaluate existing State and local systems, and would serve as a guide to LEAA regional offices in evaluating the adequacy of SPA planning grant applications and State comprehensive plans.

Regarding recommendations five and six, LEAA agrees that information systems, evaluation, accountability and statistical data are all necessary components for an effective probation system. Currently, LEAA is addressing the need to improve information systems and develop statistical data concerning probation programs through systems development grants administered by LEAA's National Criminal Justice Information and Statistics Service. In addition, LEAA is studying the feasibility of committing funds to develop a national probation reporting system. In the long run, LEAA believes that the development and continuation of such efforts should improve the quality of information and provide additional knowledge on corrections and probation.

Regarding recommendation seven, LEAA recognizes the need to develop better ways to provide technical assistance to State and local units of government. In June 1974, LEAA undertook an analysis of LEAA and SPA technical assistance capability and found that both the LEAA and the SPAs were not adequately fulfilling their responsibility for providing technical assistance to State and local units of government. As a result of this analysis, the State planning guidelines for

fiscal year 1976 were changed to require that the States develop a plan for the provision of technical assistance within their own States. It required that a needs assessment be conducted and an identification of resources within the State be developed so that such resources could be matched to identifiable needs. In support of this change in the guidelines, a policy instruction was issued which specified in detail the roles the regional offices and various headquarters offices must play in ensuring that technical assistance be delivered promptly and effectively.

Regarding the final recommendation, LEAA recognizes that probation services traditionally have received the smallest share of the correctional dollar at the State and local level. Similar to the recommendation of the GAO report, the Blue Ribbon Consultant Committee called upon LEAA to commit a sizeable portion of its Part E discretionary grant funds for probation services. A decision establishing funding priorities to meet the needs of criminal justice systems is currently pending.

Several aspects of the report are of concern to organizational elements within the Department other than LEAA. Those aspects of principal concern involve (a) improving Federal, State and local probation activities in concert, rather than focusing independently on State and local probation activities, (b) developing or explaining the base for presentation of statistical data, (c) meaning of the term "diagnosis," as it relates to the presentence report, and (d) using simplistic assumptions, particularly regarding probation supervision. In our opinion, the basic weaknesses we see in these areas tend to lessen the impact of the report. The following comments, which are referenced to the applicable pages, attempt to point out the basis for the criticisms.

The cover page of the report states that "Federal, State, and local governments must cooperate in developing better ways to improve probation systems." While we agree with this statement, the report deals only with State and local probation activities as indicated on pages 6 and 7 of Chapter 2. The report does not adequately point out that State and local probation systems are only elements of a much broader spectrum of probation activities. The report overlooks the fact that in addition to State, State/local or local probation systems, probation systems are operative within the Executive and Judicial Branches of the Government, as well as in combinations between the two.

GAO note: Page numbers refer to draft report.

The report also overlooks the fact that there may be combination adult and juvenile systems. Viewing probation activities in this broader framework, it is important to recognize that the development of overall standards, goals and guidelines must be in concert with probation systems at all levels, not only the State and county levels. Consequently, the development of these standards, goals and guidelines is a formidable task.

Our use of the statistical presentations in the report indicated some differences that we were unable to reconcile. For example, the table on page 21 shows that 22 percent of the probationers in Kings County had their probation revoked, whereas a table on page 15 indicates 26 percent. Similar differences are noted among the other three counties. Likewise, it appears from the table on page 21 that 14 percent of the probationers in Kings County were convicted of new crimes and failed probation; but a table on page 17 indicates that the recidivism factor for those convicted of new crimes was 26 percent. Percentage differences were also noted on pages 18 and 21 relating to offenders who successfully completed probation and were not convicted of a serious crime. If the differences in the above percentages arise from the use of different baseline figures, the report should so indicate. [See GAO note below.]

A statement is made on page 25 that "37 percent of the offenders on probation were convicted of new crimes. More importantly, society was not adequately protected because all of the offenders remained on probation." This statement appears to be a judgmental evaluation implying that all persons on probation convicted of new crimes without regard to type or seriousness of the crime, should have had their probation revoked in order to adequately protect society. An entirely different viewpoint was taken in determining recidivism. The report states on page 16 that in determining recidivism some convictions should be discounted because they "may include less serious crimes such as traffic offenses." We believe the latter statement is of equal significance in determining whether an offender should remain on probation.

Page 33 provides an analysis of the adequacy of recommendations contained in 593 presentence reports relating to sentence recommendations, risk classifications, types of supervision recommended and likelihood to succeed on probation. The criteria used as the basis for evaluating the

GAO note: We state on page 13 that the second set of percentages is based on data that includes estimated absconder rates.

adequacy of the information would be beneficial to LEAA and the States as a basis for performing similar evaluations and developing guidelines with minimum standards for preparation of presentence investigations. Accordingly, we would like to have this criteria made available to the LEAA staff.

Page 34 begins a discussion on "diagnosis," followed by a section on "existing diagnostic services." It appears that the basic concept of the word "diagnosis" as it relates to the probation field has been misunderstood--the mental health model has been used. This conclusion is reached based on the description of the "existing diagnostic facilities" in the four probation units studied by GAO and by a concluding statement made by GAO on pages 39-40. The statement reads, "Only about 15 percent of the offenders received expert professional evaluation to aid the courts in making critical sentencing decisions. If each offender would be given relatively simple diagnostic tests prior to sentencing, and follow up comprehensive tests by psychiatrists and psychologists when deemed necessary, we believe better information would be available to judges which could improve sentencing decisions." Individuals directly associated with probation activities are aware that the word "diagnosis" as used in many correctional publications does not imply the utilization of psychiatrists and psychologists. The word "diagnosis" simply means that the probation officer preparing the report will be expected to make an analysis of what he believes to be the causal factors. In our opinion, the manner in which the term "diagnosis" has been used with respect to the presentence report weakens the significance of the chapter.

Chapter 6 has a very basic weakness in that the report recognizes, but treats very lightly the issue concerning the need to secure information from probationers as to what they define as their needs and priorities. In our opinion, this is one of the more significant approaches to determining a probationer's needs and developing an effective individualized rehabilitation plan. However, the subject is covered in four sentences and then abandoned. The report suggests that the records be used to determine which services should be provided. Essentially, this means probation officers define the problems and the services to be given based on records.

Research in the field of probation and parole indicates that (a) probation staffs are usually unable to describe or define adequately the problems and services needed, and (b) there is a considerable disagreement about the problems and services required when both staff and probationers are asked to list them.

A further weakness in this chapter is an assumption that by providing some "key facts about probationers," their major needs can then be interpreted. In our opinion, the key facts reported in the table on page 42a are not sufficient to identify service needs that will enhance probation success. The key facts diagrammed in the report relate to marital status, education attained, employment background, crimes committed, and prior convictions. Another diagram in the same table lists the treatment needs, e.g., vocational, academic, drug, counseling, mental, medical, alcohol, etc. In our opinion, the key facts shown in the table are not sufficient to determine a particular probationer's service needs.

To further emphasize the importance of providing services to probationers, the report attempts to establish a statistical relationship between services provided and probation success. Based on the statistical tests, a statement is made on page 45 that "in certain circumstances, rehabilitative services can help in reducing offenders' propensity to commit additional crimes." We consider the relationships to be overstated. We doubt whether many researchers in the probation field would be willing to make a similar statement based on the same data utilized in this report.

Page 50 concerns the subject of compliance with court-ordered sentence conditions. We agree that when conditions of probation are not enforced, offenders do not take any of them very seriously. However, it is difficult to interest judges in taking seriously the enforcement of some conditions, such as "securing and keeping employment." In fact, employment is one of the conditions of probation cited as having low compliance. In this regard, page 57 points out the problems probationers have in securing employment and indicates that the unemployment rate for offenders is significantly higher than the unemployment rate for the area. Under these circumstances, the probationer's failure to fulfill court-ordered

employment conditions must be carefully evaluated in terms of his attempts to seek employment. In general, we have no problem with the development of a monitoring system to determine a probationer's compliance with his conditions of sentence and preparation of violation reports when required. We are concerned, however, as to whether we can expect the court to be concerned and react to noncompliance with such probation conditions as securing and keeping employment, being counseled, obtaining academic training, etc. Without a reaction from the courts, little will be accomplished despite the efforts put forth.

Page 64 lists excessive caseloads as one of the reasons services are not being adequately delivered and states that "the President's Commission on Law Enforcement and Administration of Justice recommended that probation and parole caseloads should average about 35 cases per probation officer." A casual reader is likely to assume that lower caseloads mean better protection to the public or better service to the probationers; neither assumption is valid.

The discussion on page 68 concerning the need for closer supervision of probationers implies that there is a relationship between the amount of time the staff spends with probationers and their successful rehabilitation. While it is not our intent to disparage the time studies done in Washington and Oregon, we do question the assumption that increasing the time spent by staff members with probationers will change the outcome of a probation case.

A rather simplistic assumption is made on page 68 that services needed by probationers are available in the community, agencies will willingly provide these services, and staff members need only make referrals and probationers will get the services. This is not the experience of most probation agencies. Obtaining such services is a much more time-consuming aspect of the supervisor's work than the report leads one to believe. In fact, this problem has become so critical that probation agencies are now seeking to train their staffs in the techniques of negotiating with service agencies to secure their commitment to provide services when referrals are made. This is another subject needing coverage in the report.

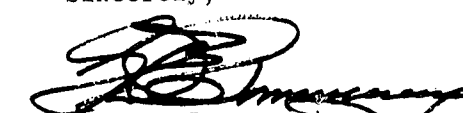
We agree with the point made on pages 79 and 80 that a greater variety and number of sentencing alternatives are needed for use by the courts and probation agencies.

With respect to community resource agencies, we are not in full accord with the statement on page 81 that "Problems concerning the degree to which community resource agencies can be made more responsive to probationers' needs are beyond the scope of what probation systems can directly affect." We believe probation agencies can strongly influence the services community resource agencies provide. Much more needs to be done by probation agencies to focus the attention of the community on the need for certain services, negotiate to have these services performed, and establish a referral system that encourages participation by community resource agencies. Realistically, if one accepts the premise of the reintegration model, the probation agencies are committed to the task of attempting to secure some modifications in the acceptance of the probationers by the community.

Chapter 8 is one of the more pertinent sections of the report. This chapter makes an excellent case for using probation prediction models as decision-making tools to improve probation success and more effectively allocate resources. This model is based on characteristics having predictive power to compute success or failure on probation. Similarly, the "diagnostic information" required on the presentence report is geared to determining service needs that will enhance probation success. While both are concerned with probation success, the key characteristics designed for use in the probation model are much more pertinent than those designed for the presentence report--a point which we made earlier. The probation models designed in this chapter use about six to eight pertinent items such as prior arrests, age at time of arrest, work record, and residence stability. In contrast to the "key facts" established for presentence reports, these models do not contain any information on marital status, social history, family relationships and other factors.

We appreciate the opportunity given us to comment on the draft report. Should you have any further questions, please feel free to contact us.

Sincerely,


Glen E. Pommerening
Assistant Attorney General
for Administration

PRINCIPAL OFFICIALS OF THE DEPARTMENT OF JUSTICERESPONSIBLE FOR ADMINISTERING ACTIVITIESDISCUSSED IN THIS REPORT

	<u>Tenure of office</u>	
	<u>From</u>	<u>To</u>
ATTORNEY GENERAL:		
Edward H. Levi	Feb. 1975	Present
William B. Saxbe	Jan. 1974	Feb. 1975
Robert H. Bork (acting)	Oct. 1973	Jan. 1974
Elliot L. Richardson	May 1973	Oct. 1973
Richard G. Kleindienst	June 1972	May 1973
Richard G. Kleindienst (acting)	Mar. 1972	June 1972
John N. Mitchell	Jan. 1969	Feb. 1972
ADMINISTRATOR, LAW ENFORCEMENT ASSISTANCE ADMINISTRATION:		
Richard W. Velde	Sept. 1974	Present
Donald E. Santarelli	Apr. 1973	Aug. 1974
Jerris Leonard	May 1971	Mar. 1973
Vacant	June 1970	May 1971
Charles H. Rogovin	Mar. 1969	June 1970

END