

CRITICAL ISSUES IN ADULT PROBATION

TECHNICAL ISSUE PAPER
ON
DOMESTIC INNOVATIONS
IN ADULT PROBATION

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DOMESTIC INNOVATIONS IN ADULT PROBATION

REPORT #5

By

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TABLE OF CONTENTS

	<u>Page</u>
I. Introduction	1
II. Shock Probation	4
III. Specialized Employment and Guidance Programs	20
IV. Probation Subsidy	25
V. Residential Treatment Programs	39
VI. Restitution	53
VII. Outreach	60
VIII. Conclusion	67
Bibliography	71

I. Introduction

Probation as a legal measure is designed to fill the gap between sanction and treatment and to mitigate the execution of penalty, generally incarceration. The objective is to avoid the disadvantages of prison experience while fulfilling the societal objectives of protection, rehabilitation, and prevention. Probation itself is based on the assumption that combining help, assistance, guidance and supervision outside the institutional setting facilitates reintegration into the society by the offender and ultimately will reduce re-involvement in crime.

Data on the effects of probation itself have been incomplete and at times inconsistent. Recidivism by probationers has challenged the assumptions of probation though no one has yet devised a measure of acceptable or unacceptable recidivism rates. Conflicting views of probation are common. Some see it as too lenient and not a deterrent to crime, others see it as inefficient due to the lack of resources and excessive caseloads, and still others view it as providing too much control and too little assistance.

The assumptions of probation are appealing and from a theoretical perspective it should be successful. Whatever view one holds of probation, many, especially those in the field, are dissatisfied with current practices. As a result, a number of attempts have been made to improve probation acceptance and performance. Whatever changes are made, either in delivery or emphasis, they reflect the perceived weakness of probation by legislators, probation workers, and the public.

Very loosely, innovations in probation involve any attempt to restructure it to meet specific objectives. These objectives vary from program to program

but in general involve efforts to improve the rate of success for individuals. Innovations as employed in this report involve changes in either the structure, emphasis or delivery of probation to better serve probationer and societal needs.

Shock Probation is one program considered to be innovative. It is assumed that if an offender experiences a short-sharp shock by being incarcerated he will succeed better on probation. This program emphasizes the deterrent effect of possible reincarceration. Probation is presumed to be more effective for offenders who have experienced deprivation of liberty but have not become socialized into the inmate subculture.

Emphasizing the assumption that more offenders could be released on probation and that it could be more successful if intensive supervision case-loads were established, Probation Subsidy has been developed. Through subsidy financial inducements are given to counties to reduce institutional commitments and develop specialized probation units. The assumption here is that funds traditionally spent on institutions could have a greater impact if directed toward the offender. Subsidy assumes probation could be more successful if funds were available.

Another innovative attempt has been to emphasize the need for improved guidance, vocational, and educational training. These programs are referred to as Employment and Guidance Programs which assume employment is socially integrative. These programs have attempted to improve the chances of probation success by improving the employment capability of probation clients.

Some offenders may not need the confinement of a total institution such as jail or prison, yet also may not be capable of functioning adequately

given the less restrictive requirements of probation. To deal with these offenders and avoid the negative effects of incarceration, Residential Treatment Centers have been established. Organized like half-way houses for parolees, Residential Centers are a form of "half-way-in" house that provides structure and guidance. The goal is to maximize the community contacts and resources.

Rehabilitation may be seen to come about through a variety of methods. One employed recently has been the institutionalization of Restitution. By providing restitution to the victim, the offender is seen to gain a better comprehension of his social responsibility and the public gains greater confidence that justice is being done.

Finally this report deals with Outreach efforts in probation. Such efforts involve establishing decentralized probation offices and employing indigenous para-professionals who maintain greater contact with the client than is possible under regular probation office structures. The emphasis here is on the need for continued service and assistance.

All of the programs discussed in this report emphasize the same theme: how can probation better serve the client and the society? Each program emphasizes a different element of the crime problem and taken together they suggest, different theories and assumptions.

II. Shock Probation*

In July 1965, the General Assembly of the State of Ohio passed a law providing for the early release from prison of convicted felons by placing them on probation. This law, Ohio Revised Code, 2947.06.1, was the first in the country and made any felon eligible for early release provided he had not committed an act for which Ohio law precludes probation. The law has become known as "shock probation" and was basically intended as a treatment tool and as a compromise between the advantages of incarceration and of probation. The procedure provides, according to the Ohio Adult Parole Authority:

(1) a way for the courts to impress offenders with the seriousness of their actions without a long prison sentence, (2) a way for the courts to release offenders found by the institutions to be more amenable to community-based treatment than was realized by the courts at time of sentence, (3) a way for the courts to arrive at a just compromise between punishment and leniency in appropriate cases, (4) a way for the courts to provide community-based treatment for rehabilitable offenders while still observing their responsibilities for imposing deterrent sentences where public policy demands it, and (5) ... it affords the briefly incarcerated offender a protection against absorption into the "hard rock" inmate culture (Denton, et. al., 1971).

Unlike federal split sentencing provisions, shock probation is not part of the original sentence. According to the law, the offender is sentenced to an institution (not a jail as with the federal statute) for his crime and must file a petition to the court to suspend further execution of the sentence no earlier than thirty days nor more than sixty days after the original sentence date. Until the court acts upon the petition, which must

* Much of this material is freely taken from the author's own works: Friday, Petersen, and Allen, 1973; Friday and Petersen, 1973a; Friday and Petersen, 1973b; Friday, et. al., 1974; Petersen and Friday, 1975.

be within ninety days, the defendant does not know whether his institutional stay will be two months, until he is eligible for parole, or to the end of his sentence. In addition to the "shock" value, Ohio has also added the element of uncertainty.

In general, a convicted felon in the United States is faced with two possible dispositions -- the court may place him on probation or sentence him to an institution. The process involved in determining which alternative is employed is not always clear, but is assumed to depend upon the nature of the crime, the circumstances and characteristics of the offender.

Criminologists and the courts see definite advantages and disadvantages to each alternative. Incarceration first serves to protect the society; it isolates the offender, takes him out of circulation thereby reducing his opportunities to commit the crime again and subsequently reduces community anxiety over his presence. It may also fulfill punitive (atonement), therapeutic, or preventive objectives. In addition, incarceration may function to deter others from committing the offense, provide a setting where rehabilitative therapy may be employed and reinforce cultural norms and values by demonstrating the absolute power of the State.

Probation, on the other hand, is designed to keep the offender in the community and not isolate him from his family and the possible influence of noncriminal values. It attempts to avoid many of the perceived disadvantages of incarceration such as the exposure of the naive offender to more sophisticated and hardened criminal elements or the increased bitterness and negativism associated with the deprivation of liberty.

Shock probation is essentially a split sentence which attempts to combine the advantages of both incarceration and probation. It does so by incarcerating him for part of his sentence, suspending the remainder and placing him on probation. Under the provision of Shock Probation, this is a judicial decision, not one made by a division of corrections or parole board. This procedure attempts on the one hand to avoid the long-term prison commitment and subsequent hardening of attitudes, while at the same time providing constant supervision for a short period of time. Moreover, it is intended to impress the offender with the hardships and psychological problems of isolation and prison life.

There has been some debate about the possible advantages of combining a short period of incarceration with probation. One argument for such a practice is that the short period of incarceration may actually be to the offender's advantage. It is argued that incarceration may allow the institution's professional personnel to analyze and evaluate the needs of the offender in depth, while at the same time allowing the offender to take advantage of training and other educational services which may be provided at the institution. In addition, the greater control over the incarcerated offender can provide greater protection for society (Master, 1948).

Another advantage of a mixed or split sentence is to "shock" or "jolt" the individual into a realization of the realities of prison life through the experience of imprisonment (Jayne, 1956:319; Kaufman, 1962:8; Hartshorne, 1959:10). For example, the United States provision under Public Law 85-741, 85th Congress, 72 Stat. 834, provides a minimum sentence of six months to be served in a county or local jail instead of federal or state institutions.

This permits the offender to remain in his local community and close to his family while at the same time he experiences the negative aspects of incarceration.

Those opposed to mixed sentences argue that a person is either eligible for probation or he is not; prison and probation represent a dichotomy that cannot and should not be mixed (Campbell, 1960; Chandler, 1950; Report of the Committee on Probation, 1948). One spokesman for this position has pointed out "...that once having determined that a person can be trusted to remain in the community and can benefit most under community supervision, no appreciable benefits can be derived from committing to a short period of incarceration...(Barkin, 1962)."

In addition, the argument is made that mixed sentences "contaminate" the individual and any chance he might have of rehabilitation. This argument suggests that any time spent in an institution is disruptive of normal therapeutic efforts which might be made in a more open setting (Chandler, 1950; Kaufman, 1962). Short-term stays may even harden attitudes, expose the individual to more criminals, and make him resentful and cynical (Chappell, 1947; Scudder, 1959; Chandler, 1950).

A third argument against mixed sentences is more abstract than the first two, but along the same lines. It is held that to mix sentences is to act contrary to the stated purpose and objectives of probation; jail time is inconsistent with the philosophy of probation (President's Commission on Law Enforcement and Administration of Justice, 1967). Probation is viewed as nonpunitive and any use of prison makes the work of probation officers more complex and, in the long run, may defeat the purpose of community

supervision (Scudder, 1959; Chappell, 1947). The purpose of probation is to avoid incarceration, not be a supplement to it.

Most of the debate on mixed sentencing has occurred in the United States, but according to Friday et al. (1973) there is no empirical research in this country to support or reject the practice. Experimental programs have been set up to test split sentence effectiveness in Sweden, France, Norway and the Netherlands (European Committee on Crime Problems, 1967), but statistical or empirical results are incomplete.

Few studies have concentrated on the effectiveness of the short-term prison experience itself. Only one study is available which indirectly tests the assumptions regarding the advantages of short-term incarceration. Christiansen (1971) in Denmark, looked at short-term prisoners who were randomly placed in an intensive socio-psychological treatment group or in a control group, without such treatment. He concluded that short-term incarceration may be effective as a sanction only when combined with intensive social and psychological services and when used for non-career offenders, but not first offenders. The experimental group had a lower rate of recidivism. While the study did not draw conclusions regarding the effectiveness of short-term incarceration except in terms of the incidence of recidivism, which increased with the length of sentence, it did state that noninstitutional treatment should be utilized if at all possible. In this way the individual can remain in the community, maintain family contact, retain his job, and avoid the stigma of institutionalization (Christiansen, 1971). This conclusion supports the findings of the Small Committee of Research Workers of the Council of Europe who concluded that noninstitutional commitments should

be attempted and, where incarceration is required, that it should be applied to only certain types of offenders; those types are not specified (European Committee on Crime Problems, 1967).

Hartshorne (1959), a federal judge in the United States, concluded from his experiences in sentencing that such a practice of imposing short-term prison treatment should be applied only when probation is not applicable. He notes two conditions when split sentences should be used: (1) when probation is not sufficient on the merits of the case (i.e., the nature of the crime and the societal reaction to it), and (2) when the individual has already demonstrated that he has violated a probation order. In sum, previous research does not enable one to draw any definite conclusions regarding the use of split sentences as a correctional tool.

Research on shock probation is available only from Ohio and Kentucky. Faine and Bohlander (1976) reviewed sentencing patterns over an 18-month period in Kentucky. They determined that the shock probation alternative tended to be used to replace traditional incarceration. Prior to the introduction of shock, 57.1 percent of the felony offenders were incarcerated; after shock, the percentage decreased to 49.97. They found distinct variations in the application of regular probation, shock and incarceration; but these did not fall into any distinct regional variation or pattern. Angelino et al. (1975) found much more disparate use in Ohio than Faine and Bohlander found in Kentucky. Angelino et al. found the use of shock related to the population of the county. Offenders receiving shock probation from urban districts varied significantly from those granted it in rural areas. Urban shock probationers were more likely to be black, have a more extensive criminal history, and have committed more serious offenses.

This conclusion is based on correlational analysis.

Four basic sets of studies have been conducted on the characteristics of those given shock probation. They include Bohlander's Ohio study (1973) and his Kentucky study with Faine (Faine and Bohlander, 1976); Angelino et al. (1975); and Petersen and Friday (1975).

Petersen and Friday (1975) and Bohlander (1973) show consistent results when they compare those granted shock probation with those who remain in custody.

Shock probationers were:

- (1) disproportionately white;
- (2) generally young -- 22 to 26 years old -- but ranged upward to 69 years of age;
- (3) of slightly higher socio-economic status, generally from middle and upper-middle class families;
- (4) usually high school graduates, while many attended college;
- (5) rarely had parents or siblings with criminal records;
- (6) as likely to be married as single, but more were divorced than in the other sample populations;
- (7) more likely to have been convicted for fraud or narcotics violations than for property or personal offenses;
- (8) usually represented by privately retained attorneys;
- (9) generally received a recommendation for incarceration from the probation department;
- (10) usually entered a plea of guilty;
- and (11) generally had prior criminal records, but the majority had not previously been confined in an adult correctional institution.

Angelino et al. (1975) disagreed with these findings in terms of age, education, and offense type. Looking at shock probation the year prior to the studies by Bohlander and Petersen and Friday, he contradicts their findings. Angelino's shock probationers were older, more poorly educated, and found guilty of more violent offenses than the other studies. The sample included all females granted shock probation between 1966 and 1970 and 472 of the 480 males granted shock in 1969. No control group, either regular probationers or those denied shock, were included. Both the Bohlander (1973) and Petersen and Friday (1975) studies compared the differences between shock probationers and a control group; Angelino

et al. look only at within group differences.

In assessing the significance of variables which distinguish between the incarcerated and probation samples, Petersen and Friday (1975) utilize predictive attribute analysis. The sample design included all persons granted shock probation during 1970 (N=202). This group was compared with a control group of persons who were eligible for release on shock under Ohio Law during the same period, but were not released (N=373). The control group was selected by taking the case appearing before and after each shock probation case as listed in the institutional admissions log book. This sample selection makes it possible to make some assertions regarding the granting of shock.

The following were found to be significantly associated with early release from prison: (1) non-legal variables: race, education, father's education and legal residence; and (2) legal variables: probation department recommendation, offense, prior record, number of bills of indictment and plea. Variables which did not produce statistically significant variables include: age, marital status, number of dependents, outstanding detainers and father's occupation. The significance level of the chi-square statistics for each variable show that the non-legal variables of race and education were first and second in rank order of their ability to discriminate between those who receive shock and those denied it. The legal variables of offense type and prior record ranked fourth and fifth.

Predictive attribute analysis is based on the sociological assumption that in any heterogeneous sample, relationships among the possible predictors and the criterion may vary from one subsample to another. In other

words, these methods suggest that relationships between predictive attributes and criterion are not always constant. In this research where race was found to be a significant factor each of the other significant variables may have a different effect in predicting the outcome for either the black subsample or the white subsample. The procedure Petersen and Friday followed was to determine the overall association of each variable-attribute with those receiving shock probation. The chi-square method was used and a rank ordering of the variables determined. The next step was to divide the population according to the criterion most closely associated with receiving shock probation -- race. Then, it was necessary to consider the two subsamples (white and black) independently and repeat the chi-square measures of association. This process was continued with each group being again subdivided on the variable with the strongest association, until no significant associations were found, or frequencies became too low to allow for statistical analysis.

This procedure indicated that for the black felon his race was the major variable affecting early release from prison. Education was considered, but it did not appreciably affect the probabilities of receiving shock probation. Education was significant for the black inmate in increasing his probabilities of release on shock but only if he had a high school diploma. Thus, for the black felon, his race was the most important variable affecting early release on shock probation. The next most important variables were education and probation department recommendation. The significant point of this analysis was that neither offense nor prior arrest emerged as strong discriminators.

Analysis of white felons showed a different pattern. After considering race, offense was the most important distinguishing variable. White felons convicted of narcotic violations had the greatest chance of early release on shock probation. Of those convicted of personal, property or fraud offenses, education then entered as the most strongly associated variable. Almost 99 percent of whites convicted of a personal, property or fraud offense who had a high school diploma or advanced education were granted shock probation, while only 31.1 percent of those with less than a high school diploma were granted early releases. For the felons in the latter category, the probation department recommendation became important. The fact of a positive or negative recommendation of probation was unimportant. The important factor was whether there was any recommendation. Almost 45 percent of those with either a positive or negative recommendation received early releases, while only 18 percent of those with no recommendation received such a disposition.

In sum, Petersen and Friday (1975) found that for whites the legal variable of offense was important in granting shock probation. The next important variable was education. As with black felons, prior record did not emerge as a dominant variable. They therefore state: "... the conclusion is inescapable: when other factors are considered equal, blacks have less chance of receiving shock probation than whites."

There have been no new studies on shock probation in Ohio, but in Kentucky Faine and Bohlander (1976) use multiple discriminant analysis to determine significant differences between shock probationers and those who remained incarcerated. They supported most of the findings of Petersen and Friday (1975), especially the racial factor, but did not find education or probation department recommendation to significantly discriminate between

the two groups, and found only a slight relationship with offense type. They did find residential stability to be a factor.

Faine and Bohlander (1976) went beyond the analysis of Petersen and Friday by comparing shock probationers with regular probationers. Here, using multiple discriminate analysis, they found race to be less significant, but marital status did play a role as did peer criminality, probation recommendation, residential stability, plea, prior record and offense seriousness. Unfortunately, the study does not assess the relative importance of each variable.

One of the principle objectives of shock probation was the short-sharp shock, i.e., short incarceration. Both Bohlander (1973) and Angelino (1975) found that the 130 day maximum as imposed by Ohio law was violated in fully one-third of the cases studied. Angelino states, "For almost eight percent of the males who were released, more than ten months after incarceration, the use of the shock probation statute was not particularly merciful, as many in that group were serving one year minimum sentences and thus were eligible for parole."

Bohlander's (1973) state-wide survey indicated that in 1970, 23 percent were released after the 130-day statutory limit. He also suggested that race was a factor in those remaining after the 130 days. Although far more whites received shock, a significantly larger percentage of blacks were released after the limit.

Ultimately, the question of major concern is effectiveness; basically, what is the rate of recidivism? Of the research in Ohio, Angelino's (1975) is probably the most accurate and reliable in terms of assessing recidivism.

Instead of relying on the Ohio Adult Parole Authority rate of reincarceration and probation violation within the Ohio System as Bohlander (1973) and Friday et al. (1973), Angelino et al. use arrest and conviction rates as reported by the Federal Bureau of Investigation's criminal abstracting service.

According to Angelino et al., Ohio Department of Rehabilitation and Correction Task Force Report indicates a 9.1 percent "failure" through 1969. This figure was based on the number of shock probationers reincarcerated in Ohio prisons since 1966 divided by the total who have been released under the statute. Angelino (1975) criticizes these figures as highly optimistic since:

1. The measure is based on reincarceration and probation violation and does not include convictions of persons who have completed probation, unless they are reincarcerated.
2. Does not include out-of-state convictions.
3. Recidivism is not controlled for length of time since release from the institution.

Friday, Petersen and Allen (1973) report a 15 percent rate of failure but their definition of success includes only those who completed the term of probation. Since probation terms varied and no follow-up after completing the probation term was made, particularly for possible out-of-state convictions, the figure is not complete.

Bohlander (1973), using the same criteria of re-arrest, reincarceration or probation violation in Ohio, reported a 26.7 percent failure rate. This figure, however, was only for the single county studied and is not generalizable.

Angelino et al. followed up their group of 1969 shock probationers through FBI files. They found that nearly half (47.7 percent) were arrested at least once after serving shock; 33.3 percent were convicted of a felony and 24 percent served at least one prison sentence after release. As a point of comparison, when Angelino used criteria similar to that of the Ohio Adult Parole Authority, their "failure" rate was reduced to 16.9 percent. Looking more closely at recidivism, they state:

Our correctional data further indicate that among the men recidivism is related to age, race, employment, school attendance, and area of residence. Recidivism tends to be slightly higher among younger men, blacks, the unemployed, those who were attendance problems in school, and those who lived in urban areas. These correlations, although significant, are small ranging from .10 ($p < .05$) for employment to .13 ($p < .05$) for all the other variables. The pattern is somewhat different among the women: although higher recidivism was also associated with being black, urban, and an attendance problem in school; additional factors included lower intelligence and school achievement, being a behavior problem in school, and having served a longer time preceding shock probation. The correlations were somewhat higher for the females, ranging from .15 for race, IQ, and urbanization to approximately .30 for school attendance, behavior, and time served.

Several personality factors derived from the MMPI scale correlate moderately with recidivism. Among the males, recidivists tend to be higher on measures of psychopathy, masculinity, and a non dissimulating test taking attitude. Among the females, seriousness of offense correlated positively with measures of psychopathy and schizophrenia.

Faine and Bohlander (1976) conducted a comprehensive follow-up of their samples in Kentucky, using a minimum period of eight months and maximum period of 28 months after release from prison. This is not totally satisfactory as they point out, but since the probability of recidivating is highest within the first six months, their figures may be used as a general guide. In addition, they distinguished technical from legal violations. Using what they call "every available data source", overall, they found a failure rate of 19.2 percent. It is not clear if only Kentucky records were used or not.

Employing multiple discriminate analysis, the Kentucky "successes" had characteristics similar to probationers in general; "failures" were similar in characteristics with the incarcerated group having more extensive previous felony histories, greater criminal associations and poorer community stability and integration.

Perhaps the most significant contribution of the Faine and Bohlander study is the attempt made to determine the impact of incarceration. Interviewing the first 502 new admissions to the Kentucky State Reformatory at La Grange, excluding parole violators and institutional transfers, they attempt to measure change on nine scales: identification with crime, self-esteem, self-derogation, radicalism, rejection of staff, legitimacy of values, inmate solidarity and peer isolation, and perception of danger. They conducted interviews the first and fifth week and, using other demographic and institutional variables, assessed the effects of institutionalization on the offender. Unfortunately, they did not control for previous jail time served prior to prison transfer, but they did control for prior time served in an adult felony institution.

The results are important, not only for shock probation but for sentencing policy in general. Conclusion: the effects are negative and changes occur in attitude which are clearly contradictory to the objectives and goals of incarceration. As they cogently state their conclusion:

The "shock" of confinement seems to be found in the anticipation of confinement rather than in the actual incarceration of the offender. Long-range effects of protracted incarceration as opposed to those associated with abbreviated confinement must be assessed in order to differentiate the impact of these penal sanctions upon offender attitudes. The findings reported here seem to indicate that even the short minimum period of 30 days allowable under the program is sufficient to enhance the anti-social, and even radically hostile attitudes of offenders.

On the surface, data reported on shock probation appeared to be contradictory, but the apparent differences were more a function of sample representativeness and accuracy and sophistication of statistical measures. The studies by Friday et al. (1973, 1973a, 1973b, 1974, 1975) are most important in describing the program and assessing sentencing disparity. Angelino's study is important in the validity of his follow-up methods and recidivism rates. Faine and Bohlander (1976) contribute most significantly to identifying not only sentencing disparities between shock probationers and incarcerated felons, but between shock probationers and straight probationers as well. In addition, their assessment of the impact of incarceration adds the final bit of information necessary to assess shock probation.

In essence, shock probation is based on the idealism of combining punishment and leniency but its operationalization defeats its purpose since at this point in time it is discriminatory. Faine and Bohlander's finding that shock successes were much like normal probationers raises the question whether they might not have succeeded on probation without the prison term. The variables Angelino et al. (1975) found correlated with failure are the same variables associated with failure on straight probation even though no study actually compares the two.

Theoretically, the value of shock probation lies in the "shock" impact of being in prison, particularly for short periods of time, but the Faine and Bohlander study indicates that even 30 days is too long to be incarcerated and the effects are less positive than one would expect. Their finding is, incidentally, consistent with some international data on the same issue (Rudnik, 1970).

In sum, the research to date, given the different areas of application, is valid and reliable. They all indicate much the same thing: the application of shock, the results of shock and the underlying assumption of shock are questionable.

III. Specialized Employment and Guidance Programs

Probably one of the issues in criminal justice upon which most authorities agree is the need for and the importance of employment for offenders. Jobs are seen to be the first priority need for offenders (Dell'Apa., 1976). This would seem to be an important consideration not only for incarcerated offenders, in terms of meaningful job training, but for those offenders released in the community as well. Without a job individuals suffer economic, social and psychological deprivation and the chances of recidivating are increased significantly. Employment is a mechanism of social integration and a method whereby one increases his commitments to conformity and the status quo.

Probation officers and others in the field have long been aware of the role of employment as a mechanism of social integration. The Monroe County New York Probation Department inaugurated in 1973 a pilot Probation Employment and Guidance program (PEG) to maximize employment for unemployed and underemployed probationers. The program aimed at utilizing the skills of community volunteers from industrial psychology, manpower training and personnel fields (Croft, 1974).

The program itself does not provide educational or vocational training, but instead acts as a screening and guidance mechanism using the PEG coordinator for follow-through assistance. Through diagnostic services and vocational evaluation, the program is designed to locate, recommend, and place probationers in appropriate vocational training programs or in suitable jobs. In this sense, the program acts in a supportive capacity to the probation officer.

The program itself consists of the following major components (Chitren and Reynolds, 1973):

1. Diagnostic Services: These services include the utilization of objective probation reports and investigative findings of the Probation Department. The aim is to develop extensive information on an individuals' academic achievement, vocational abilities and aptitudes, and general personality traits.

2. Vocational Evaluation: Experience with disadvantaged people has led Singer Graflex to develop a Vocational Evaluation System which is felt to play a key role in successful employment placement. The system consists of eleven work stations, each of which involve actual work tasks in different occupational areas. Work stations are outfitted with tools, supplies, evaluation forms and a filmstrip cassette that provides step-by-step instruction on how to use the equipment and perform work tasks. It is expected that through this "hands-on" experience, individuals will be better able to judge their interests, limitations, tolerance and innate abilities.

3. Education: The intent of the education component is to upgrade academic achievement levels of program participants in order to improve their employability. To this end, it provides structured subprograms to accomodate a wide range of educational levels. The primary methods used in this component are individual programmed instruction, group instruction and tutoring. This part of the program also aims at providing job knowledge and practical information about roles as wage earners, consumers, family members, and responsible citizens.

4. Guidance and Counseling: Various techniques are employed to initiate and reinforce positive behavior and the development of constructive self-direction. These techniques are intended to reduce communication barriers, promote positive peer group influence and provide the staff with unique observation opportunities. A major topic in the counseling and guidance section is called "job survival skills." These include a number of factors which are important in terms of being a member of the work force.

5. Supportive Services: Efforts are made to mobilize, coordinate and utilize community resources on the client's behalf. The Council of Social Agencies in Rochester works with the program to provide health, welfare, child care, legal, family, and other services necessary for adjustment or to correct underlying conditions which may have led or contributed to the offenders anti-social behavior.

6. Job Training and Placement: The program itself does not offer skill training. Instead it attempts to obtain placement in training positions through existing manpower sources and programs. Job development personnel explain to employers the social value of the project for the community and the project staff's belief that capable and trustworthy probationers can be supplied to employers through the project.

7. Job Coaching: The basic responsibility of the job coach is to deal with specific problems surrounding actual employment. The coaches meet with the clients in the first weeks of the project and prepare an employment history detailing the client's previous work experience. Job coaches instruct participants in filling out job applications and other pre-employment procedures. Major attention is devoted to the techniques of the job interview. After individuals have been employed, job coaches maintain regular contact with them and their employers, checking on individual progress and giving attention to problems that may arise having to do with the client or his job.

8. Stipend: As an incentive to the probationer to attend the non-mandatory training, a stipend of \$30 per week is offered for attendance at the Monroe County Pilot Program (MCP) during the first four weeks of the program when basic skills are taught. Additionally, following the completion of this phase, for the next five months, meetings are conducted once a week at night to discuss client progress, problems, and reinforce the skills taught during the first phase of the program. A stipend of \$30 per week is also given to any client who attends these weekly meetings. The stipend is in addition to any previously received welfare or unemployment benefit. (Probationers who were underemployed must quit their jobs if they attend the center).

There are, however, a few external problems which may interfere in the operation of such a program. The primary problem is the labor market itself. Given the high rates of unemployment even for non-offenders, good stable jobs are hard to locate. Such a program while recognizing the need for employment is not in a position to create the needed jobs.

Probationers, of course, need to cooperate and be willing to undergo the training necessary without any guarantee of placement. On the other hand, labor unions and the general public are likely to resist employment of offenders when "law abiding" citizens are unemployed. This is a basic conflict between the objectives of the program and the realities of its success.

Assessment of the program is incomplete. Community interest remains strong, despite the inherent conflicts revolving around the need for jobs and their availability. Interagency cooperation is high. Croft (1974) gives

a few uninterpretable percentages comparing an experimental group (25 randomly selected probationers who appeared before the Employment Guidance Council) and a control group (undefined). The data show 48 percent of the experimental group to have acquired employment while only 20 percent of the control group has done so. This means very little since nothing is known about the groups and no controls are made, nor has any tests of statistical significance been performed.

Phillips (1974) looked more closely at employment in terms of adjustment. He concludes the employment and guidance program appears to be effective. After nine months, both experimental and control groups (straight probationers) were followed-up. At six months after entering the program, 59 percent of the experimental group had found jobs; this compares with 43 percent of the control group (Phillips, 1974). More dramatically, 40 percent of the control group had raised their employment status after six months compared with only 8 percent of the control.

Chitren and Reynolds (1973) compiled employment and recidivism data on 202 probationers who had MCPP experience and 46 controls without the experience. According to them, the research incorporated an earlier NCCD study of the same program which had analyzed 256 probationers and 50 controls. They found the experimental and control groups differed significantly with the experimental group having more drug or alcohol problems and lower employment while the control group had more persons ordered by the court for mental observation. These factors, however, are weighted and controlled by the researchers in assessing the program (Chitren and Reynolds, 1973).

The Chitren and Reynolds (1973) study concludes that the rate of recidivism

is not reduced by participation in the employment and guidance program. Neither could a significant difference be found between the two groups on the basis of actual raw data on recidivism over a 25 month period or from the Recidivism Prediction Models generated in the study.

However, when recidivism is compared for those who completed the program and those who did not, it was significantly higher for the drop-out group. This does not imply causality and the researchers stress this. The same factors which lead to successful completion of the program may also lead to his success once he completes it.

Chitren and Reynolds find that an adverse impact on the program may have occurred as a result of the procedures used in establishing the control group. From probation records, the following scenario was seen to contaminate the data:

- a. A probationer and his probation officer mutually agree that the MCPP is just the program needed.
- b. High expectations are aroused on the part of both parties.
- c. The probationer is arbitrarily placed not in MCPP but in the control group.
- d. Extreme disappointment and even bitterness on the part of the probationer result.
- e. The probation officer's credibility is challenged and his confidence in MCPP is eroded.

The conclusions of the Chitren and Reynolds study are the only ones available and certainly the only reliable ones at this time. They are:

1. Recidivism is not significantly reduced by increased wages.
2. The MCPP is a program in which the benefits accruing equal the costs within three years and beyond three years the benefits exceed the costs.
3. Consideration should be given to elimination of the stipend.
4. The skills of job seeking and job retention taught at MCPP appear to have a lasting effect.
5. Probationers who complete MCPP earn more and recidivate less, but causal relationship is indeterminate due to differences in sub-group characteristics.

IV. Probation Subsidy

Probation subsidy is a program which has been employed in the states of California, Michigan and Washington. Its intent is to reduce the overflowing conditions in state penal institutions on the assumption that many offenders currently incarcerated could function within the community under intensive or specialized supervision.

In the states of Washington and California, money is paid directly to counties for reductions in commitments. In Michigan money is paid in the form of a subgrant for commitment diversion. The difference is that in Washington and California subsidy is paid per commitment reduction, in Michigan for program development.

The subsidy program in Washington is for juveniles only. The intent of the subsidy act was to (1) increase the protection afforded the citizens of the state; (2) permit a more even administration of justice in the juvenile courts throughout the state; (3) rehabilitate juvenile offenders in the community; and (4) reduce the necessity for commitment of juveniles to state correctional facilities by improving the supervision of juveniles placed on probation by the juvenile courts of the State.

Probation Subsidy evolved under the guidance of state and county juvenile court directors who emphasized the need to reduce commitments to state rehabilitation facilities while making funds available for improved community probation services and uniform supervision.

Corwin and Lanstra (1975) reviewed the files maintained by the State of Washington Office of Information Services. They looked at the operation of Probation Subsidy from 1970-1974. They found that the number of juvenile

commitments to state institutions had been reduced. This reduction represents a cost saving of \$18,988 per commitment. The basis on which this figure was calculated was not given.

No assessment is made of the impact of the program. Corwin and Lanstra (1975) indicate that the major assistance given subsidy probationers is individual counseling. They also indicate that of the 2,976 clients on subsidy, 45.1 percent had committed another offense while on the program. They make no interpretation of this suggesting that evaluation is beyond the scope of their report.

Michigan has no formal subsidy program. Instead, two experimental diversion programs were implemented in August, 1975 in selected circuits. Four circuits were designated as a control unit. (Patten and Johns, 1970).

The two experimental programs are the Mutual Objective Program (MOP) and the Probation Incentive Program (PIP). The assumptions underlying both are that 1) many offenders are imprisoned who could be maintained in the community if probationary programs were improved, and 2) enrichment of probation services will bring about expanded use of probation in the courts. Both programs are currently monitored to determine whether they actually decrease the number of prison commitments, their cost, and to develop recommendations for standard probation services.

The primary emphasis of the Mutual Objective Program relies heavily on the establishment of a contract between the offender and an agent of the criminal justice system (probation agent or judge). This contract is agreed

upon during the pre-sentence investigation. The assumption is involvement by the offender in establishing the conditions of his probation increases his ability to recognize his problem and establishes clearly defined steps to aid his adjustment.

The Probation Incentive Program is a subsidy program designed to reduce prison commitments by providing a financial incentive to the county probation department. For every offender diverted permonth over a prior base rate of commitments, the county receives \$3,000 to enrich probationary services. Counties have almost total discretion in how the money is to be spent.

Preliminary data show only that counties participating in the Probation Incentive Program show the largest increase in diversion rates. No other data are available.

California's probation subsidy program was adopted in 1965 as a result of a state Board of Corrections study which found probation services within the state to be inadequate. Probation caseloads were high and there was a continuing increase in commitments to correctional facilities. Such commitments were seen as excessively costly particularly as the need for new institutions increased.

The basic idea of the program was to reduce prison and juvenile commitments while providing more effective control in the community through intensive supervision in small caseloads. Ideally, the program was seen to be able to reduce state costs while at the same time provide a greater degree of rehabilitation and services for the offenders involved.

The program was seen to achieve these objectives by reimbursing counties on the basis of its reduction in correctional commitments. Based on its previous rate of commitment, each reduction would receive a subsidy of approximately \$4,000 to be applied to the creation of intensive supervision programs. These funds were specifically intended to be used for intensive supervision. Since the funds were based on reduced institutional commitments it meant that more serious offenders would be in the community. Therefore, subsidy money was to be used for special supervision involving small caseloads (Barrett and Musolf, 1977). Participation was voluntary, yet the financial rewards for reducing commitments were high. In addition, the theoretical assumptions that probation would be more effective if financial resources were available to provide intensive treatment and low caseloads made the program attractive. It should be kept in mind, however, that although special supervision was intended to handle more serious offenders, the decision as to placement was made by probation departments rather than judges. As a result, criteria for decisions were diverse and special caseload became more like routine caseloads in terms of age, ethnicity and type of offense (Barrett and Musolf, 1977).

A number of research reports and statistical surveys have been conducted on the program each in some way addressing the issues of the extent to which reduction has occurred, its impact on the county and state and, above all, the effect on recidivism and the crime rate.

In 1967 Smith wrote an article entitled, "Probation Subsidy: Success Story." The "success" element was the decrease in commitments and reflected

over-optimism on the part of the author. Smith does not consider, however, the possible effects on the crime rate and community security which might result from the presence in the community of offenders who would otherwise have been incarcerated.

Optimism had not been lost when Saleebey (1972) documented the thrust of the program five years after implementation. Intensive supervision units, he suggested, were handling about 10 percent of the probation caseload, staff had increased, the number of probationers had increased and in 1970-71 the state had received nearly 40 percent fewer juvenile commitments and 20 percent fewer adults.

Initial reports for the legislature centered on the utility of intensive probation supervision and the levels of probation services. In a 1975 progress report to the legislature on the subsidy program, the researchers at the California Youth Authority (1975) used a matching technique of individuals on age, race, and offense. Groups were divided into risk categories using standard inventories, and regular and subsidy probationers were compared in 15 representative counties. The report demonstrated an increase in the level of probation services under Subsidy but could not find a reduced recidivism. The report concludes, however, that intensive probation supervision as provided by subsidy is at least as effective as state incarceration when measured by recidivism rates. Recidivism is defined in terms of total arrests, total convictions, felony arrests and felony convictions. As they state (California Youth Authority, 1975):

In conclusion, the data presented in this section fail to support the assumption that enriched supervision results in reduced recidivism among probationers. It furthermore calls into question any assumption that providing county probation departments with state monies will automatically result in the development of more effective probation programs.

Subsidy probation does not appear, therefore, to be more effective than institutionalization. Acceptance or rejection of the program at this point is contingent upon one's predisposition toward probation in general.

The objective of reducing commitments was tested by Kuehn (1973) in an elaborate and methodologically sophisticated study. He conducted a post-test only (de facto) quasi-experimental project. His sample included 11 participating counties (experimental group) and 6 non-participating counties (control group). Least squares and regression coefficients and other multivariate statistics were performed. Kuehn wanted to test the extent to which probation subsidy was responsible for the commitment reduction. He concluded that reductions in commitments to adult institutions were a result of subsidy but the actual effect is obscured by increases in the state's population. He could not find subsidy to be a "cause" in the reduction of juvenile commitments.

Hirschi and Rudisill (1977) have completed the most comprehensive yet least complicated assessment of the subsidy program. They were concerned with the effects of reducing state institutional commitments. The methodology is a post-test only experimental one with participating counties constituting the experimental group, the subsidy program itself being the independent variable, and the non-participating counties making up the control group. However, speaking in a very strict fashion, this is not an experimental design since the counties were not randomly assigned to either group. The design does provide a means of comparing what would happen with the program and what would happen without it. To this end, the research is valid and interpretable.

The objectives of the study were to determine the extent to which the reduction achieved in state commitments was achieved by the probation subsidy program itself. The research is both analytical and evaluative. It is analytical in that it attempts to focus on latent effects of the reimbursement elements and evaluative in that it raises the cost-benefit issue of tax money, through pressure, possibly contributing to an increase in crime. The issues addressed are these. Proponents of subsidy view commitment reduction as a sufficient reason for the continuation of the program. Opponents, on the other hand, see subsidy as a payment to keep high risk offenders in the community. Since crime rates have increased, subsidy is viewed as the major cause.

Data presented by Hirschi and Rudisill (1977) show the difference between expected commitments (Base Expectancy Rate) and actual commitments. Tables show the method of computing the Base Expectancy Rate, county by county and by offense and adult or juvenile status. Statistical measures were basically descriptive and no attempt was made to determine if the differences between counties were statistically significant. Their conclusions are the same as Kuehn's (1973); subsidy did have an effect. No summary statistics such as χ^2 were computed making it difficult to learn anything from the tables in the text. Insofar as the tables presented were accurate and illustrative, it can be readily seen that commitments were in fact reduced in the participating counties.

The major findings and conclusions on a state-wide basis as stated within the study include (Hirschi and Rudisill, 1977):

1. Commitment rates have declined since the start of the subsidy program for both juveniles and adults.
2. Estimates of commitment reduction through 1970-71 range from 12,000 to 47,000 cases.
3. The subsidy program, as opposed to other causes is responsible for much of this reduction -- from 12-16,000 cases.

In other words, commitments to state institutions have been reduced and, according to the researchers, to a large extent by the subsidy program. However, these reductions have been accompanied by a rise in crime. These apparently contrary effects of subsidy may be summed up by a critic of the program as follows:

There is a bloody shell game being played in the criminal justice system of California . . . One of the "shells" is called the probation subsidy program. If you really want to find our state's elusive convicted felons, your best bet is to look there. There are other "programs" of equally dubious distinctions, but probation subsidy is the most insidious. (Edward M. Davis, Police Chief of Los Angeles. L.A. Times, 1973)

The researchers indicate that the problem is inherent in the money inducement for the counties. State money was used primarily to reduce commitments while counties appeared primarily interested in receiving these funds. As a result, both the state and counties tended to lose sight of the consequences of the program. Emphasis was placed more on the financial aspects of the program than the structure of intensive supervision. Remington and Valencia (1976) in reviewing Ventura County's subsidy indicate that it actually cost the county \$82,357 between 1966 and 1976 to operate the special caseloads, while little was done to effectively screen these caseloads ultimately minimizing their effectiveness.

If such a large reduction has been achieved, what are the characteristics of the subsidy probationers compared with standard probationers? The California Bureau of Statistics compiled profile characteristics of adults and juveniles in regular and subsidy caseloads on December 31, 1970. These statistics are good for illustration but not necessarily for drawing conclusions. They found there were very little constituent differences between regular caseloads and subsidy caseloads in terms of offense or race. However, differences do appear, but are not statistically tested, to indicate that a higher percentage of younger persons are in subsidy programs and that subsidy probationers have more extensive prior records. This is consistent with the legal objective of placing on probation offenders who otherwise could be placed in custody. (State of California Department of Justice, 1971a)

Since prior record has been considered a predictor of re-involvement in crime, one would expect a higher rate of recidivism among the subsidy probationers. On the other hand, probation subsidy assumes more intensive and improved supervision practices and therefore one would expect a higher proportion of probationers being "rehabilitated." Rehabilitation, according to the California Youth Authority (1975) was assumed to be inversely related to recidivism. In other words, the rehabilitative effect of subsidy probation is measured in terms of recidivism, or rearrest and/or reconviction.

Matching individuals on age, race, and offense, 15 representative counties were selected and subsidy cases were matched on a county-by-county basis with regular probation cases for juveniles and parole cases for adults. The study addressed itself to the issue of recidivism rates for both groups and the degree and quality of supervision. (California Youth Authority, 1975).

In terms of quality of supervision, subsidy probation proved to be significantly superior to regular probation in terms of contact, classification, treatment and support services. However, the data cast doubt on the hypothesis that subsidy funds have led to the development of more effective supervision practice as indicated by lower recidivism scores. Controlling for risk (Base Expectancy Score, undefined), the percentage differences between subsidy and regular probationers, adult and juvenile, are not statistically different.

The California Youth Authority (1975) study concludes:

...the data presented in this section fail to support the assumption that enriched supervision results in reduced recidivism among probationers. It furthermore calls into question any assumption that providing county probation departments with state monies will automatically result in the development of more effective probation programs.

Another descriptive study of case characteristics was conducted by the Research and Information Systems Office of the Los Angeles County Probation Department (Kataoka and Yonemura, 1974). They took a random sample of adult males divided into subsidy and non-subsidy probationers. Their findings also demonstrate that there is a statistically significant difference between subsidy probationers and standard probationers. Essentially, subsidy probationers had lower base expectancy scores (the lower the score the greater the probability of failure or supervision), more prior arrests, a shorter time interval between last prior arrest and present arrest, more prior jail sentences, a higher incidence of alcohol involvement, and a more extensive history of use or experimentation with drugs. This Los Angeles county study confirms conclusions from the state as a whole, recidivism rates for standard and subsidy probationers are roughly

equivalent, but unlike other studies, cases under subsidy probation are significantly worse on basic criteria than their non-subsidy counterparts. Further analysis suggests that if one looks closely at the clientele in subsidy and regular groups, subsidy supervision may be more effective with certain types of offenders than others, particularly 18-21 and 27 years or older with two or more priors. Estep and Yonemura (1974) report that of those in subsidy probation units who completed probation, less than 10 percent were referred back to probation for a new investigation within 13-36 months. However, this report offers no statistical analysis and relies solely on re-referral within the system as a criterion of recidivism, which excludes possible out of state arrests or other reinvolvement in crime.

By far the most comprehensive assessments have been carried out by the research team at the University of California, Davis. Their six volume report covers all of the major issues involved in subsidy, its effectiveness and impact. Volume I deals with commitment reduction and has already been discussed (Hirschi and Rudisill, 1977). Volume II (Lemert and Dell, 1977) deals with offenders in the community; Volume III (Holve, 1977) the effects on state and local costs; Volume IV the impact on the correctional system; Volume V deals with recidivism (Feeney and Hirschi; 1975) and Volume VI is a summary (Barrett and Musolf, 1977).

The summary volume of the project is nearly 50 pages long and cannot adequately be reduced here. The principle findings as they report them are:

- The program has been highly successful in reducing commitments to state institutions. The state estimate of 5,000 or so commitment reductions per year since the early 1970s is if anything conservative.
- Due to inflation the purchasing power of the \$4,000 state payment to counties for each reduction in commitments had by 1975 declined to \$2,230, a drop of nearly 50 percent. This reduction in value has resulted in increased caseloads and decreasing innovativeness in special supervision programs at the county level.
- By reducing institutional and other costs the program has saved the state sizeable amounts of money, averaging at 1975 prices over \$14 million per year.
- The program has, on the other hand, cost the counties money, primarily due to increased jail costs. At 1975 prices these costs amount to nearly \$5 million per year.
- Overall there has been a net savings to California taxpayers at 1975 prices of about \$10 million per year.
- These savings do not include any savings due to any new construction made not necessary because of the reduction in commitments.
- Intensive probation supervision is at best only partially responsible for the reduction in commitments. Many of the more difficult local cases are handled either in local institutions such as jails or camps or in regular probation supervision.
- The concept of intensive probation supervision has not proved to be either very innovative or very effective at reducing recidivism.
- The program, while creating some management problems, has had no major adverse effect on the state correctional agencies.

Of primary importance is the total impact on crime in the community.

Smith (1972) optimistically concluded without statistical analysis that

"... the data also suggest that it is reasonable to conclude that the general crime situation in California has not deteriorated since probation subsidy."

The volume from Davis dealing with recidivism (Feeney and Hirschi, 1972) refutes this, but not totally.

Feeney and Hirschi tracked adult and juvenile offenders for an average of three years looking at a 1965 sample (pre-subsidy) and a 1970 sample which comprised subsidy probationers. Five major urban counties were studied. The focus of the study was narrow. It was directed toward the issue of whether probation subsidy was actually responsible for increases in crime.

The basic strategy of the Feeney and Hirschi study (1975) was to compare the criminal activity of offenders given local sentences prior to the subsidy period with the behavior of offenders given local sentences after the program had been in effect.

Expected rates of commitment were based on the rate in 1965. Considering the population increase, an expected rate is generated. The difference between this expected rate and the actual rate is the number of local cases which can be attributed to the subsidy program in 1970. In addition, prior commitment reduction cases (1966-1969) must be included. Comparing the figures, Feeney and Hirschi (1975) conclude that 16.3 percent of the locally sentenced cases are from causes unrelated to either the population increase or commitment reduction or, in other words, an increase in crime by the general population.

Using the calculated percentage of cases due to commitment reduction, controlling for an expected rate of recidivism based on 1965 data for non-subsidy cases and state commitment cases, the authors assert that the maximum effect of subsidy is estimated to be 18 percent of the increase in arrests between 1965 and 1970 or about 8 percent of the total number of arrests made in the three-year follow-up period. The low estimate of impact

was 3 percent. Looking at violent crimes, the program was estimated to be responsible for a maximum of 2.1 percent and a minimum of 0.1 percent of all arrests for violent crimes in the state.

Each of these estimates indicate that the probation subsidy program was not the major factor in the increase of recidivism of offenders. It is only one factor; other factors include changes in the commitment cases and change in the criminal justice system from factors other than subsidy such as regulations regarding narcotic offenders and plea bargaining. In addition, the rearrest rate is up among all offenders and this cannot necessarily be attributed to a reduction in institutional commitments. There is no reason to believe crime would not continue to rise whether subsidy existed or not.

Much of the issue surrounding the debate parallels general knowledge about probation. Intensive supervision may not have greater success than normal probation, but in terms of recidivism probation is at least as effective as incarceration.

In summary the University of California, Davis reports provide the best conclusion:

The fundamental question which each jurisdiction must face, therefore, is whether the program benefits of reduced commitments, reduced financial costs, and the opportunity to make better use of scarce resources outweigh the increased amount of crime which has resulted from the program... Its cost advantages make new program development and testing feasible on a much broader scale than would otherwise be possible, and while there are obvious risks in terms of some increased criminality, the study data show that these risks are small compared to the potential benefits in crime reduction.
(Barrett and Musolf, 1977)

V Residential Treatment Programs

The concept of using residential treatment centers for probationers emerged as an extension of the belief in the value of keeping offenders in the community if at all possible. The primary objective of these community-based, community-directed, community-supported, programs is to provide an alternative for those offenders who require a more radical change in their lifestyle than would normally be possible through standard probation. The underlying premise of these programs is that community supervision and assistance is better and cheaper than institutional commitment (Schoen, 1972). Types of assistance include individual and family counseling, group counseling, employment/vocational and educational counseling, and financial assistance. Referral and follow-up services are also provided to a number of community agencies with specialized programs.

Nearly all of the materials are descriptive of programs in various parts of the country and generally offer little in the way of empirical evaluation. Most projects are beginning and workers have had little opportunity to follow-up on clients.

Some data are available on clients, however. A small but random sample of 59 cases at the Philadelphia Residential Community Center taken by the American Foundation Institute of Corrections (1974) showed that a significant majority of the clients do not have a high school education and had committed property offenses. Little other information is available on this project except to state that more than 50 percent (44 out of 59 men) who were discharged left under "positive" conditions. (No definition of positive is supplied). More than half of the 44 men discharged experienced no post release problems.

The Virginia Department of Corrections gave a statistical breakdown of its clients in its Seven-North-Second residential program (Farris, 1976b). Probationers directly from the court were predominately white (81.8 percent) and had a median age of 18. Probationers from the current probation case load assigned to the treatment center were 80 percent white with a median age of 21. Using the definition of "success" as "having moved through a level system which meant working, beginning a savings program and working on improving social skills," the highest rate was actually for parolees sent directly from prison. The second highest rate of "success" was for probationers sent directly from the court.

Farris interprets these findings to support two theories. First, it is believed that an offender's motivation to succeed is highest during the period immediately following release from confinement. Second, there may exist in the feelings of those who come to the treatment center after other supervision and treatment efforts have not been successful, that they can continue to "play games."

Saake (1976) prepared an evaluation of the Fresno County Residential Treatment Program and provides a comprehensive description of the clientele as well as a review of the costs involved in operating such a program. The study is not analytical and, because of the short period of operation, cannot be measured. The evaluation fails to assess the basic assumptions behind such a program. According to the report, the Fresno County program attempts to:

1. Reduce the incidence of re-arrest among the project participants by at least 25 percent.

2. Reduce the incidence of drug abuse among project participants by at least 25 percent.
3. Increase the number of project participants possessing a vocational or related employment skill by at least 15 percent.
4. Increase coordination with other Fresno area correctional projects or activities.

The project, called Project Phoenix, attempts to meet the objectives by setting the following conditions:

1. The facility will average 16 clients at any given time. (both male and female)
2. Clients will be selected by the project director.
3. The program will not accept persons who have known patterns of violence, sexually deviant behavior, severely mentally retarded, psychotic, or who have severe medical problems including drug withdrawals or delirium tremens.
4. Clients will attend at least one group counseling session per week and also participate in other group and individual counseling programs.
5. If a client has a history of drug abuse, he will be required to submit to urinalysis testing on a twice weekly basis at the staff's discretion.
6. Clients will be expected to participate in project activities including client government.
7. Clients will be expected to improve their skills and make an exerted effort to become self-supporting.
8. The average length of stay in the program will be 90 days but will vary according to client need.
9. The program will be under the control of the Fresno County Probation Department.

In describing the program, which at the time of the report had been in operation for only 10 months, Saake found that the majority of Phoenix wards

were in serious need of counseling and were not in a sound state of health. 30 of the 33 clients (90.9%) had a history of drug use and thus the program tended to cater to this population. The majority of clients were young, white males with poor educational background and no regular work experience.

The average length of stay was longer for Caucasian (74.3 days) than for Mexicans (33.3 days) or for Blacks (27.3 days). 16 clients (48.5%) failed to survive for more than 30 days and were therefore considered failures.

The average monthly operating cost was \$8,200, which exceeded expectations, and the average daily client cost was \$38.87 - \$20.87 over the figure recommended by the American Correctional Society. Saake contributes this cost to be a function of salaries being too high for the number of clients, the fact that meals were taken at restaurants, and the average daily population has been too low.

In terms of evaluation, rehabilitation could not be assessed, but it was found that the project location was poor since it was near the area where much of the community drug traffic could be located and that the staff did not have a clear chain of command.

The recommendations made in the report include:

1. The project should be continued even though its overall effectiveness can not yet be determined.
2. The project should continue under the control of the probation department.
3. The project location should be changed.
4. The project should include non-drug users.
5. The project should stress educational advancement and employment.
6. The Synanon program at the center should be strengthened.

7. The position of the project director should be strengthened.
8. Salaries paid to staff should fall within the same range.
9. Improvements are needed in client selection. Too much emphasis has been placed on offense, age and initial impressions.
10. Client government should be supported and encouraged.
11. A program of continued client assistance following release from the project should be developed.
12. The number of clients in the program should be expanded to a minimum of 12.
13. The length of stay should be limited to no more than 6 months.
14. A project advisory board should be formed.

Reviewing the Philadelphia Community Center records, probation folders, and interviewing staff and residents Meta Metrics Inc (1975) indicate that the center serves a variety of rehabilitative objectives including group and individual counseling, financial guidance and employment development.

The Philadelphia program is complicated by the variety of referral sources from which it receives its clients. These include direct referrals from the court, referrals from the General Probation Services, Defender's Office, Prison, Community Agencies, individuals, and Pre-Trial Services who refer clients awaiting trial who have been conditionally released by the court. While the Center is run by the Probation Department, approximately half of the residents are clients who are not strictly probation responsibilities.

In terms of evaluation, Meta Metrics (1975) selected a control group of offenders granted straight probation at the same time as those remanded to the Center. The Center group and straight probationers were matched on race.

Looking at post admission incidences, Center residents were significantly less likely to have been rearrested ($p < .10$), reconvicted ($p < .10$), or have a probation incident reported ($p < .05$).

The time-period for "potential" violation was not the same for both groups, but Meta Metrics calculates that the Center does appear to affect behavior and when time is controlled, the Center group remains superior. 20.7 percent of the Center group was rearrested and 33.9 percent of the straight probationers. New convictions were found for 10.3 percent of the Center and 19.6 percent of the control group.

The Philadelphia Center was estimated to cost \$10,414 per year per resident or \$200.77 per week. This figure was considered higher than for other residential projects in the Philadelphia area. Rent and food constituted 30.4 percent of the cost.

Meta Metrics (1975) also indicated that the center facility itself is substandard and should be changed. They also found that even though employment development was stressed and that 63 percent of the residents found employment after entering the program, job retention was low.

Over-all, the Meta Metrics (1975) evaluation recommends that the Center should continue and perhaps it could specialize in dealing with the pre-trial resident. An additional recommendation was to explore using para professionals as Probation Officer aides.

All residential treatment programs are oriented toward giving the client specialized and intensive support. P.O.R.T. Alpha and P.O.R.T. of Crow Wing County, Minnesota are representative (Project Evaluation Unit, 1974a; 1974b). The aim of these projects is to create a new living environment governed by

conventional mores and standards. All of the activities and relationships that are part of group living, along with other elements of the treatment program, are used to place pressure on the individuals to conform.

Consequently, the client develops a contract which serves as a standard against which the staff, counselors, and members of the counseling group can objectively measure a client's progress. In addition, the contract is seen as a way for the client to identify and confront his problems while giving a time limit on meeting his own expectations.

The P.O.R.T. programs in Minnesota have highly structured programs developed around a series of steps or phases. Though the phases are not of fixed duration, the projects do define the limits for each. It is anticipated that clients will pass through the phases and finish the program in approximately eighteen months.

In the P.O.R.T. Alpha program the phases are structured as follows (Project Evaluation Unit, 1976):

PHASE I: Thirty Days -- Diagnostic and Planning

1. Requirements: (a) attendance of Positive Peer Culture and house council meetings
(b) deal with problems of self and others
(c) not hurt anyone
(d) carry out daily house duties
(e) commence planning for job or school
2. Performance Review
3. Renegotiation of Contract
4. Approved by Staff and Residents for Phase II
5. Privileges: (a) can leave premises in the company of approved personnel

PHASE II: Fourteen Days

1. Requirements: same as (a), (b), (c), (d), (e) of above
(f) secure job or school placement

2. Performance Review
3. Renegotiation or Renewal of Contract
4. Approved by Staff and Residents for Phase III
5. Privileges: (a) can go out on own for pursuit or acquisition of school or employment placement

PHASE III: Five Months

1. Requirements: (a) same as (a), (b), (c), (d) of Phase I
 (b) maintain or improve school or job placement
 (c) handle responsibilities of increased liberties
 (d) pay \$18 per week room and board
 (e) demonstrate that public liabilities are covered, e.g., car insurance
 (f) pay off all house debts
2. Final Performance Review
3. Renegotiation of Contract
4. Approval by Staff and Residents for Phase IV
5. Privileges: (a) can go out on own with on-duty staff approval for social events, shopping, furloughs, etc. and over night.
 (b) with approval of peer group and group leader can leave the project for more than eight hours to, e.g., attend a wedding, celebrate Christmas or go on vacation with family.

PHASE IV: Six Months

1. Requirements: (a) same as (a), (b), (c) of Phase I
 (b) maintain or improve placement
 (c) demonstrate economic self-sufficiency
 (d) pay costs of living in community
 (e) demonstrate assistance and leadership to those in previous phases
2. Final Performance Review
3. Contract Renewal or Renegotiation
4. Approval for Phase V by Staff and Residents
5. Privileges: (a) if criteria have been met, can live outside the program
 (b) all privileges of everyday life

PHASE V: Six Months

1. Requirements: (a) demonstrate ability to remain self-sufficient and law abiding with minimum of bi-weekly contact with staff

- (b) provide other residents with positive assistance, and perhaps even provide temporary house supervision
- 2. Performance Review
- 3. Referral to Court with recommendation for further disposition - full release from probation, if possible. Successful Termination from P.O.R.T. Alpha
- 4. Privileges: same as (a) and (b) in Phase IV

Treatment modalities include group counseling, which emphasizes the positive peer culture approach, individual counseling and the utilization of other community resources including the state hospital, vocational training school, high schools, and community colleges. P.O.R.T. considers its three most important community resources to be the Minnesota Rural Concentrated Employment Program, the high school and the vocational school. In fact, the P.O.R.T. programs emphasize their role as a referral service.

Clients in the P.O.R.T. Alpha program (Project Evaluation Unit, 1974a) are 75 percent White, 20 percent Black, and 5 percent Indian and the mean educational level is 10.7 years. Unlike Project Phoenix (Saake, 1976) where none of the clients has prior work experience, 25 percent of P.O.R.T. Alpha clients had been employed full time. Whatever experience they had, however, was generally unskilled. All clients had a history of adult arrests and convictions with the mean number of arrests being 5.

In assessing the clients, P.O.R.T. Alpha found that most clients lacked marketable skills for the level at which they thought that they should be employed, were unrealistic in their appraisal of their own skills and had little understanding of the job market. Therefore, employment placement was deferred until later phases in the program. The needs of the clients, in the order of their perceived immediacy by the project staff are:

1. Group counseling
2. Vocational training
3. Job counseling/referral/placement
4. Pre-vocational evaluation
5. Personal support
6. Basic survival needs
7. Financial counseling
8. Educational services
9. Drug treatment
10. Alcohol treatment
11. Family counseling

Client characteristics between the different Minnesota projects are not significantly different. Bremer House, an urban residential center, did have a few more clients who had been involved in personal offenses than did the other centers (Project Evaluation Unit, 1973) nevertheless, 72 percent had committed property offenses (Mandel, 1975).

Bremer House operated under the same treatment modalities as the other centers, Intensive Peer Culture and counseling. In addition, restitution was expected. The program has seven phases all of which revolve around privileges regarding activities. These phases could be summarized as:

1. Client restricted to the house.
2. Privilege granted to seek and gain employment.
3. Privilege granted to check out on one's own free time with an older resident for not more than 4 hours a day, twice a week.
4. Privilege to spend some free time off of the grounds.
5. Privilege of having over-night home visits.
6. Privilege of living out of the house if the client desires.
7. Client may discontinue attending formal group meetings.

Bremer House was assessed on its performance for the period March 13, 1972

to September 30, 1974. During that time 46 clients had passed through the program; 13 were still active, 15 had successfully terminated, and 18 absconded. (Mandel, 1975). M.M.P.I. and other psychological tests were administered to the clients who revealed a scale profile typical of a delinquent personality.

Bremer House has as its goals:

1. To demonstrate that young male adult offenders can be rehabilitated in such a program.
2. This rehabilitation can be accomplished at a cost comparable to traditional incarceration.
3. Intensive rehabilitation is more effective in facilitating adjustment and reducing recidivism than traditional incarceration.
4. To recruit and train volunteers and ex-offenders into the program.

Data are not available to assess the rehabilitative goals. The program has not, however, been able to attract ex-offenders. In terms of cost, it does appear less expensive than traditional institutionalization. Mandel (1975) estimates the monthly cost per bed to be \$462.80 or \$115.70 per week.

The cost of operation other P.O.R.T. facilities varies by community and the degree of utilization. In the other two Minnesota projects reported, if the P.O.R.T. Alpha project operated at maximum capacity, the cost would be \$186.08 per week and \$26.58 per day (Project Evaluation Unit, 1974a); P.O.R.T. of Crow Wing County would cost \$158.00 per week and \$23.00 per day (Project Evaluation Unit, 1974b). The evaluators caution, however, that these figures are not directly comparable. For Bremer House, over all costs should also be viewed in terms of finances returned to the community through restitution. During the period studied, 72.3 percent of the restitution required had been paid (Mandel, 1975).

Of primary concern in all programs is its effectiveness in terms of reinvolvement in crime. Ideally, success should include employment, vocational development, and family adjustment, but such scales have not been used. Success has been defined in terms of probation completion and failure to be re-arrested or convicted.

Lamb and Goertzel (1975) evaluated the effects of a residential center in San Francisco. Their work was a controlled experimental study. After sentencing, probation reports were obtained for all offenders sentenced to 4 months or more in the county jail. Men were eliminated for high drug usage, escape risk and violence or legal hold orders. Of the remaining group, half of the men were randomly assigned to the residential treatment center, Ellsworth House.

Unfortunately, Lamb and Goertzel do not give their data or methodology. The objectives of the program are to serve men who have committed serious crimes by providing rehabilitation programs outside of the institution and to serve as an alternative to incarceration and not simply an enrichment to probation. For this reason, only offenders already sentenced to jail were included.

The program is designed around a therapeutic community concept which depends upon the use of behavior modification system of rewards and punishments. Residents are divided into small groups and an infraction by one causes consequences for all. Ellsworth House has a three stage structure, 30 days for the first, the remainder of the jail sentence for the second and the probation period for the third. Each phase has its own rewards which are generally associated with freedom privileges.

Using a definition of recidivism as arrest that would result in a jail sentence or revocation of probation, Lamb and Goertzel (1975) followed-up after one year the Ellsworth House residents and the control group who remained in jail. Ellsworth House residents had a 30 percent recidivism rate, the control group 32 percent. This difference is not statistically significant but does indicate that the rate, at least, is not higher. As a definite positive element, probationers at Ellsworth House had consistently better employment rates than the control.

Lamb and Goertzel indicate three problems with the program. First, they suggest that Phase III, the probation period for both groups, was too group oriented for the Ellsworth House residents while the control group had more direct contact with their probation officer. Second, there existed insufficient disciplinary limits for the residents and that the house workers needed better checks to see if residents were actually working or not. Finally, it was believed that there was a general failure to follow through in giving rewards for positive adjustment.

The conclusions of the Ellsworth House study are the serious offenders can serve their sentences in the community without increasing recidivism and that according to characteristics of the current jail population in San Mateo County, California, 32 percent would be suitable for Ellsworth House. However, the programs in operation at the present time do give some insight into the operation and objectives. It still must be determined if the Positive Peer Culture philosophy and the extensive counseling and referral programs will achieve their intended effect. Certainly it is perceived to be an alternative to incarceration, but efforts need to be made to determine the type

of offender most likely to succeed on such a program and whether he should be referred directly from the court or from the probation department.

VI. Restitution

The principle operating behind restitution is that an offender should be held responsible to the victims of his offense in some direct fashion, either financially or symbolically. Although restitution has been used for many years, its modern practice was stimulated to a large degree by the development of suspended sentence and probation (Cohen, 1944). Philosophically, restitution in probation imposes a form of mea culpa on the offender without the degradation and labelling frequently associated with other sanctions.

The benefits of using restitution in probation are seen to be (Cohen, 1944):

1. A better relationship can develop between the probationer and probation worker.
2. The offender gains a better awareness of the meaning of probation.
3. Permits an opportunity to resolve inner conflicts.
4. Creates a feeling of satisfaction which ultimately derives from knowing one has completed a job well done.
5. There is a decrease in anxiety and tension.

Underlying the use of restitution is the belief that by required payments from the offender to the victim increase the offender's sense of accomplishment (Galaway and Hudson, 1972). The compensation needs to be adequate for a requirement to provide inadequate or excessive compensation may have the reverse therapeutic effect. An example of the current legal use of restitution is the Iowa statute:

It is the policy of the state that restitution be made by each violator of the criminal laws to the victims of his criminal activities to the extent that the violator is reasonably able to do so. This section will be interpreted and administered to effectuate this policy. (Vogelgesang, 1975).

An important element of the policy is that restitution be commensurate with the ability to pay. Thus, the major responsibility for developing a plan of restitution falls mainly with the defendant, and may be a condition of probation but not a pre-condition. Moreover, full restitution is not required. The defendant is required to pay restitution to the extent that he/she is able to do so.

The state of Georgia also considers symbolic restitution particularly for parolees (Read, 1975). Typically they are required by the Parole Board to reside at the restitution center for a specified period of time, to maintain stable employment, and to participate in unpaid symbolic restitution activities after work on evenings and/or weekends. Examples include working in mental or health centers, repairing houses of aged pensioners, working with children, assisting as volunteer counselors with juvenile offenders, doing charity work, and conducting community clean-up campaign projects. Ironically, being labeled as an offender may become an employment asset when the objective is restitution i.e. seeking a job with the stated intention to pay back a previous wrong to the society may be viewed positively by potential employers.

With respect to rehabilitation, both Iowa and Minnesota officials believe restitution to be rehabilitative. According to Galaway and Hudson (1972) restitution sanctions are directed towards providing the offender with opportunities to neutralize the damages done and thus become reintegrated into society. The logic behind restitution leading to reintegration is not all that clear, but they do see the following advantages:

1. The restitutive sanction is specific and thus easily understood. It provides feedback to the offender as to his progress. At all time the offender knows where he stands.

2. The punishment is clearly and logically related to the offense. It has been theorized that this affects the offender's perception of the justness of the sentence, a perception which has critical consequences for the rehabilitative effect of the sentence.
3. The restitutive act requires effort and thus increases self worth.
4. Restitution can provide the necessary preconditions for an expiation of guilt.
5. The act of restitution may lead to a positive acceptance of the offender by society.

Galaway and Hudson (1972) summarized several unresolved questions as to the proper and most effective use of restitution. One of those questions is the issue of full versus partial (or "symbolic") restitution. In some systems restitution is based on the individual's ability to pay so that he does not undergo excessive hardship. This may be necessary if any payment is to be made at all. Most theorists, Schafer (1970) included, argue that the victim's claim to full restitution is paramount and perhaps of greater significance than either the protection of society or the reformation of the offender.

In other words, most victims of property crimes desire more than anything else, restitution. Restitution, therefore, is one of the often neglected objectives of invoking the criminal law. By providing for and requiring restitution, the public is more likely to develop a sense of "justice." The victim may be more interested in compensation than rehabilitation.

Galaway and Hudson (1972) contend that in the act of undoing the wrong the more complete the restitution, the more complete the sense of accomplishment. Therefore, rehabilitation is facilitated. This may also have a bearing on the perception of justness by the offender that some claim he must have towards his sentence if rehabilitation is to occur.

Another issue is whether restitution should be the sole penalty for a crime or whether other penalties, such as fines or imprisonment, be imposed along with it. Opinion varies here, too, but Schafer (1970) argues additional punishments fit well with the punitive uses of restitution. In addition this would make it more difficult for wealthy or professional criminals to buy their way out of punishment.

A third element is the degree of contact to be encouraged between victim and offender on negotiating the amount of restitution or its payment. Some schemes have stressed that such payments could reconcile both the offender and the victim, reducing bitterness and resentment on both parts. Others have thought that the victim should be spared further contact with the offender and the state should act as intermediary. In many instances it is of little value since the "victim" is a large bureaucracy or enterprise. In most cases it will depend upon the attitude of both offender and victim on a case by case basis and therefore no single policy will work.

Unfortunately, data are not sufficient to either answer the basic questions or respond to the underlying assumption of rehabilitation. Chesney (1976) did prepare an overview and descriptive study of restitution use in Minnesota. He sampled counties within rural and urban areas and determined the extent of use, attitudes toward its use, the characteristics of offenders and offenses for which it was used, and factors related to completion of the restitution order. But no data were presented which would permit an interpretation of effectiveness.

Despite the lack of analytical data, Chesney's findings are instructive. They include:

1. Restitution existed as a condition of probation in approximately one-fourth of all probation cases;
2. Restitution was used in a straightforward manner by most courts. Full cash restitution was ordered to be paid by the offender to the victim in more than nine out of ten cases. Adjustments in the amount of restitution because of the limited ability of the offender to pay were rare. In-kind, or service, restitution to the victim or community was ordered in only a few cases;
3. The most important factor determining whether an offender was ordered to pay restitution (assuming there had been a loss to a victim) was his supposed ability to pay. Thus those probationers ordered to make restitution were generally white, middle-class individuals;
4. White middle-class individuals had the best record for completing restitution. The characteristic of an offender most strongly associated with failure to make restitution was the existence of a prior criminal record;
5. Other factors which seemed to be associated with the successful completion of restitution included the involvement of the victim through formal contact with the offender and regular feedback to offender concerning his or her progress in the completion of restitution. Factors which were associated with the failure to complete restitution included restitution set at large sums of money and the existence of a jail term or fine as well as restitution in the sentence;
6. Most judges and probation officers favored the use of restitution as a condition of probation. Similarly, most judges and probation officers expressed the belief that restitution had a rehabilitative effect;
7. Although only a minority of victims were satisfied with the way restitution had been made at the time of data collection, most victims thought that the restitution ordered by the court had been fair. However, many victims were dissatisfied with their experiences with the courts. Most victims believed that restitution by the offender to the victim is the proper method of victim compensation;
8. There were only relatively minor urban/rural differences in the uses of restitution or in the attitudes held towards it by judges, probation officers or offenders. In general restitution appears to have been used in slightly greater proportion of rural probation cases.

There is a tremendous dearth of evaluative material. For example, no data are available on a systematic basis on the amount of restitution which was made. The Bremer House residents in Minnesota paid 72.3 percent of what was required, (Mandel, 1975), but this sample of resident center clients is not representative of all probationers.

Another area of evaluation almost completely neglected by restitution

studies is the extent to which the laws are selectively enforced and offenders selectively ordered to pay. Whatever the reasons are for this, it is bound to have effect on meaningful outcome variables dealing with program effectiveness.

Heinz, Galaway, and Hudson (1976) conducted a few empirical studies on restitution. They compared eighteen male property offenders released on parole to the Minnesota Restitution Center after four months imprisonment to a group of matched offenders who were released to conventional parole supervision. Matching was based on age at first offense, number of prior felony convictions, age at release, type of offense, and race. The restitution sample was selected at random from all new prison admissions who met the following criteria:

1. Sentenced for a property crime.
2. No evidence of a gun or knife when the offense was committed.
3. Offender was committed from one of the countries in the St. Paul-Minneapolis S.M.S.A.
4. There were no detainers.
5. If prior criminal history showed a personal felony conviction, five years of community living had to have intervened between that conviction and the present sentence.

Follow-up of both groups occurred sixteen months after release using official records to determine new offenses, parole violation reports, the percentage of time employed and to secure an overall assessment of parole success.

The restitution group had fewer convictions (6 compared with 16). 28 percent of the restitution group compared with 67 percent of the matched group were convicted of one or more offenses during the follow-up. Comparing only felony convictions, 11 percent of the restitution group and 39 percent of the matched group were convicted. This difference, using difference of means tests, is significant at the .025 level. No difference was found in terms of parole

violations, but the restitution group was more likely to be employed for a greater proportion of their parole than the matched group. The mean percentage of time employed for the restitution group was 76 percent, compared to 45 percent for the matched group. This difference, using t-test, is significant at the .01 level. The restitution group also scored better on the Glaser scale of parole success.

There is still too little information to draw any serious conclusions about restitution. Like so many other new approaches, the idealism, moralism, and "common sense" ideas about the way programs will work far exceed the knowledge we have about them.

VII. Outreach

One new innovative experiment in probation is called the Community Outreach Probation Experiment (C.O.P.E.). As a general description of the C.O.P.E. project, it is a form of decentralized probationary supervision sponsored by the court. One program is in Denver, Colorado (Fuller, 1974a, 1974b). The program is aimed at the supervision of juvenile offenders but may be applicable for adult probation service as well. The problem of juvenile crime is seen to be particularly acute in Denver where some 54 percent of all arrests in the metropolitan area are juveniles while only 10 percent of the population falls between the ages of 10-17 years. C.O.P.E. had as its major goal a reduction in recidivism by 20 percent.

Denver Juvenile Court personnel provide supervision for C.O.P.E. staff, which is made up of paraprofessional streetworkers. The two staffs are organized as a decentralized team in each quadrant of the city. In this manner there is an interface of judicial supported employees and the streetworkers.

C.O.P.E. hopes to include more streetworkers who can give intensive supervision to the juvenile offenders in the project. It also hopes that new types of services can be provided and that through the encouragement of the staff, wider use and better access to existing services can be achieved. C.O.P.E. workers are to hold the center open for contact with youth and provide an informal setting for supervision.

The tasks of C.O.P.E. personnel have been basically identical with the probation staff. They have supervised probationers on a one-to-one basis, done group counseling and family counseling, made contact with school

officials, etc. C.O.P.E. personnel are expected, however, to have more frequent contact with the youth who live in the neighborhood.

Activities of a typical C.O.P.E. center include such things as athletics, crafts, outings, youth employment referrals, "rap" sessions, and tutoring.

Any youth placed on probation for the offenses of robbery, burglary, aggravated assault or rape was immediately referred to the project. Others included those who had previously violated probation, or had a history of committing one of the offenses mentioned above.

It should be noted that the report on the Denver Area C.O.P.E. center does not give complete profile information on juvenile offenders in the program. This study is still awaiting baseline data for comparison purposes. Nonetheless, they are able to make reliable comparisons between target offenders (C.O.P.E. clients) and all other probationers in terms of recidivism. After seven months of operation, the recidivism rate for the target group decreased as compared to all probationers (Fuller, 1974b). C.O.P.E. centers are purposely set up in high crime "target" areas where one would expect re-offense rates to be higher than non-target areas. But the re-offense rates for all offenses of C.O.P.E. target cases has dropped by 25.9 percent in 1973 compared with all field case re-offense rates in 1972 (Fuller, 1974a). The validity of the finding must be viewed in terms of a crucial assumption being made. From a methodological standpoint, are characteristics of regular field offenders similar to C.O.P.E. target offenders? As mentioned above, this study does not provide any offender profile characteristics. A "before-after" dimension can be added when baseline data are available.

A general conclusion which might be drawn is that at this stage of development, C.O.P.E. centers are viewed quite positively by both the juvenile courts (judges, P.O.'s, etc.) and by community residents. This dual effect has been achieved by efforts on the part of the staff who try to be ever-present and part of the actual community where the center has been set up.

C.O.P.E. workers view the decentralization to be a major accomplishment (Fuller, 1974b). In decentralizing, Outreach offices enable the community to identify the services which the court offers and to determine that services and the administration of justice can be combined. In addition, decentralization enables the court to receive input from the community about the ways in which services need to be altered or extended. Both of these accomplishments are seen to be related to the use of indigenous paraprofessional personnel.

Despite the support for the program, some problems have been identified. In the beginning, staff turn-over was high. In addition, merging the two staffs was seen as problematic. The court and C.O.P.E. attracted different personality types and internal dissension has been strong. The most crucial problem has been the inability of probation officers to accept the paraprofessional on his own terms (Fuller, 1974b).

Research reports from Philadelphia are far more methodologically complete than the Denver evaluations (Research and Statistical Division, 1976; 1977). A program description of the Philadelphia project includes the following principal objectives:

1. To contribute to the maintenance and/or reduction of the percentage of cases under supervision in the Philadelphia Region which have been returned to prison annually.
2. To maintain effective supervisory surveillance so as to afford maximum protection to the community against possible violators of probation or parole.
3. To continue and develop the Board's policy of decentralized services which are closer to the communities they serve and provide less formal and more accessible offices, promote the use of community resources and foster integration into the Philadelphia, Delaware and Chester County communities.
4. To obtain maximum opportunity for employment among clients.
5. To provide effective supervisory treatment through modern therapeutic techniques in community based parole centers and promote referrals to community services so as to afford maximum opportunities for the offender's rehabilitation.
6. To maintain caseloads of no more than fifty clients per agent.
7. To minimize agent travel time so as to afford maximum time for client supervision.
8. To improve caseload management and minimize client transfers and agent turnover which are to the detriment of the successful completion of supervision.

The outreach program consists of five satellite community-based sub-offices of the Pennsylvania Board of Probation and Parole. These sub-offices are in Philadelphia County. An additional Outreach District Office is in Chester.

The evaluation is a comparison of Chester and Outreach sub-office performance with the Philadelphia District Office general supervision caseloads. The evaluation is good from a methodological standpoint. It includes both cross-sectional and time-series reviews of probation and parole outcome measures. Specifically, data included in the evaluation were case closures, client arrests, unconvicted violations, returns to

prison, total caseload, average caseload size, caseload composition, client employment status and client income.

Offense categories of clients currently serving probation in the Philadelphia area are grouped into six categories of "instant offense" or the offense for which the individual is currently serving. The categories are:

1. Purely Assaultive
2. Robbery
3. Property Crimes
4. Sexual Assault
5. Drug Offenses
6. All other

Differences in offense type do exist between the comparison groups. According to the Pennsylvania Board of Probation and Parole report, the data could be summarized by stating (Research and Statistics Division, 1977):

Predominant among Philadelphia Community based sub-offices were offenders with purely assaultive instant offenses....A generally similar distribution of offense types were found in the Philadelphia general caseloads...

Chester Outreach District Office had significantly fewer assault and robbery parole cases and proportionately more property offenders than Philadelphia caseloads.

Further analysis of outcome variables such as arrest rates are limited by the scope of the evaluation. Specifically, comparative arrests should examine the types of crime involved in terms of severity before arriving at final conclusions. Unfortunately, data collection in this study was limited in scope to arrest frequency, a fact which subsequently limits interpretations of the available data.

No client characteristics such as age, sex of offender, ethnicity were included in the Philadelphia reports. The researchers mentioned that these

data are not available via computer tape but could be found in area files. Moreover, more sophisticated analysis using regression analysis, path models, etc. will be done at a later period to indicate correlation and/or causality relations of major variables relating to program effectiveness.

In essence, the major findings and conclusions are (Research and Statistical Division, 1976):

1. Chester (outreach) centers were found to have significantly lower percentages of recidivists than the general caseload in Philadelphia. It was concluded that the more localized service delivery system had enhanced the effectiveness of client rehabilitation programming as evidenced by lower rates of recidivism.
2. The Chester and Philadelphia Outreach sub-offices were found to have smaller percentages of parolees arrested per month relative to average monthly caseloads when compared to general caseload clientele in the Philadelphia District Office.
3. Further, the two Outreach sub-office clientele in Chester and Philadelphia comparison groups showed fewer clientele being declared unconvicted violators on the average than Philadelphia's general caseload.
4. Outreach clientele in both Philadelphia and Chester were found to have significantly higher percentages of employed clients and lower percentages of clients dependent upon public assistance than Philadelphia general caseload clientele.
5. An examination of average caseload sizes indicated that the Agency has exercised managerial control over agent caseload size to adhere to the requirements of the grant.
6. Outreach client population have significantly more clients in active supervision status and fewer in detention status than Philadelphia general caseloads.
7. When relative costs and program effectiveness are taken into account, the Outreach program was found to have measurable economic advantages to society in comparison to the centralized Philadelphia State Office Building alternative of case supervision.

Like many new approaches to probation, outreach will ultimately be assessed in terms of impact. It is necessary to wait for further analysis, but the outreach efforts thus far seem to be valuable. The advantage of such efforts is seen in the involvement of the local community. More variables need to be assessed to determine if the outcome differences are actually due to the form of delivery. Other questions which have not been answered in the available material are whether problems exist in the programs such as isolation of the professional staff from the administrators in the central office, inaccessibility of clients' records, problems in evaluation, etc. Whether or not outreach fills the gaps in service is yet to be seen; but it could be stated as did the Philadelphia report (Research and Statistical Division, 1977), "In light of Chester's relative effectiveness in maintaining low recidivism, it could not be concluded that caseload size or intensity of supervision adversely affected client performance."

VIII. Conclusion

Nearly all of the programs considered innovative in this report have one factor in common; they have not been sufficiently analyzed or evaluated. The reason for this has not been interest, concern, ability or even the need for information, but instead has been due to time and resources. In many cases, programs have not been in operation long enough to make an assessment.

Even data which are available are insufficient in a number of ways. The major difficulty lies in the definition of success. Most frequently, successful completion of probation is the only criteria used. Few studies have adequate follow-up procedures of clients, especially after the probation order is over; and when they do, that procedure involves only the determination of re-arrest or re-conviction. It is generally recognized that there are measures of success which are more comprehensive than recidivism, but for simplicity, recidivism is most often used.

Second, most of the research reported on innovative projects lacks sufficient control groups. Programs are rarely set up with controls and most studies done internally by the agency or program staff are not in a position to establish them.

Third, when data are available, they are generally underanalyzed. Most reports are content to present differences in percentages without tests of significance. Few if any parametric or non-parametric statistics are employed even on data where they could be used.

A fourth problem encountered in innovative studies has been the general lack of baseline information upon which comparisons can be made. It is nearly impossible to assess either the impact or success of a program unless one accurately knows the situation prior to its institutionalization.

All of this does not mean a conclusion, tentative as it may be, cannot be reached. The underlying theme of most programs is the need to avoid institutionalization and provide greater service to clients thereby increasing their probabilities of adapting to society and ceasing criminal activity. It is generally assumed that community-based programs are better from a humanistic perspective than incarceration.

In general, then, if one can achieve similar results with less psychological, emotional, or social damage than the next viable alternative, it should be tried. In studies where recidivism data are accurate, it can generally be concluded that while probation may not have a better rate of success than incarceration, it certainly is not worse and is therefore at least as effective. As such it may be financially less costly to the society and psychologically and socially less costly to the offender.

While the recidivism rate of innovative programs may not be superior to prison, it should be remembered that the innovative programs deal with a special clientele -- those who, without the new program, would probably be incarcerated. This is a high risk group and needs to be compared with a similar risk population. So, while the conclusions may be equivocal concerning these programs, their purpose may be unique.

There are, of course, factors beyond the scope of the programs which ultimately affect it. These factors are political, economic and social and transcend the organizational deminsions of the program or its intent. Probationers fail for many of the same reasons they become involved in crime in the first place. Without going into a theoretical discussion on the etiology of crime, let it suffice to say that many of the problems facing probationers and other offenders are beyond the scope of the programs.

As one example, the specialized employment and guidance centers stress integration and social commitment through jobs. Yet jobs cannot be created by probation officers; they are generated by political and economic forces outside the program. Thus, while the basic assumptions of the program may be sound, its success or failure may depend upon external or structural forces in the society.

The general trend in innovative programs is a move away from supervision and control per se and emphasize more the general social assistance and guidance programs. The trend is away from the medical-model treatment modality and more toward improving social assistance. Most of the problems faced by offenders are problems in living, and probation as an institution can best serve the client and the society by assisting in meeting these basic social needs. Yet probation itself cannot do this unless critical social changes are made in the distribution of educational resources and economic opportunities.

Probation programs in the future are likely to continue along the Outreach lines, integrating indigenous paraprofessionals with professional staff to provide social assistance and social support. It should be kept in mind that offenders, by definition, are isolated from the mainstream of the society, both in terms of rewards and obligations. Obligations, conformity and commitment to the status quo are facilitated by involvement. The better probation services can assist the individual in terms of strengthening social contacts, reinforcing informal controls, and achieving a sense of integration, the more successful the program will be.

What is innovative? All programs can be innovative if they assess their goals and redirect their efforts toward achieving more of them. But

probation departments should be realistic in recognizing the political realities which constrain them and the social realities which hinder their work. Recognition must be made of the fact that traditional methods may not be the most appropriate. Also, supporters of programs should not "over-sell" that which they intend to accomplish since most programs are not designed to deal with either the basic root causes of crime or probation failure. To be truly innovative may ultimately mean focusing less on the client and more on the social structure which helped put him where he is and which ultimately limits his chances of success.

Assessment of Adult Probation:
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