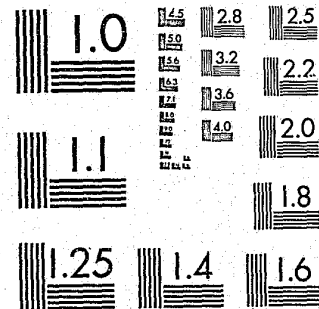


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
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National Institute of Justice  
United States Department of Justice  
Washington, D. C. 20531

7/14/83

OMB APPROVAL NO. 43-R0525

 <b>U. S. DEPARTMENT OF JUSTICE</b> LAW ENFORCEMENT ASSISTANCE ADMINISTRATION		<b>CATEGORICAL GRANT PROGRESS REPORT</b>	
GRANTEE	LEAA GRANT NO.	DATE OF REPORT	REPORT NO.
IMPLEMENTING SUBGRANTEE	TYPE OF REPORT		
Blackstone Institute American Probation & Parole Assn.	<input type="checkbox"/> REGULAR <input checked="" type="checkbox"/> FINAL REPORT	79-DF-AX-0168	11/16/81
SHORT TITLE OF PROJECT	GRANT AMOUNT		
Improving Victim Services thru Probation	\$145,668		
REPORT IS SUBMITTED FOR THE PERIOD	THROUGH		
9/24/79	12/24/80		
SIGNATURE OF PROJECT DIRECTOR	TYPED NAME & TITLE OF PROJECT DIRECTOR		

COMMENCE REPORT HERE (Add continuation pages as required.)

U.S. Department of Justice  
National Institute of Justice

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APR 6 1982

**ACQUISITIONS**

NOTE: No further monies or other benefits may be paid out under this program unless this report is completed and filed as required by existing law and regulations (FMC 74-7; Omnibus Crime Control Act of 1976).

RECEIVED BY GRANTEE STATE PLANNING AGENCY (Official)	DATE
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LEAA FORM 4587/1 (REV. 2-77)

REPLACES EDITION OF 10-75 WHICH IS OBSOLETE.

### INSTRUCTIONS FOR COMPLETING LEAA CATEGORICAL GRANT PROGRESS REPORTS

Grantees are required to submit Progress Reports on project activities and accomplishments. It is expected that reports will include data appropriate to this stage of project development and in sufficient detail to provide a clear idea and summary of work and accomplishments to date. The following should be observed in preparation and submission of progress reports:

- a. Due Date. Reports are due 30 days after the close of each calendar quarter. The final report is due 90 days following the close of the grant period or any extension thereof.
- b. Submission. Grantees shall submit to the LEAA project monitor an original and one copy of quarterly progress reports and an original and three copies of final progress reports.
- c. Form and Execution. Grantees should use LEAA Form 4587/1 (Rev. 2-77) as a face sheet. If continuation pages are needed, plain bond paper is to be used. It should be noted that the report is to be signed by the person designated as project director on the grant application or any duly designated successor.
- d. Reporting Requirements. The reporting requirements noted in this section are designed to provide LEAA with sufficient information to monitor grant implementation and goal achievement. To support effective monitoring, progress reports must be keyed to the grant implementation plan provided in Part IV of the grant application. Specifically, the report should:
  1. Indicate the status of each goal which was due for completion during a previous report quarter but carried over due to implementation or other problems.
  2. State the status of each goal which was scheduled to be achieved during the report period.
  3. State the corrective action planned to resolve implementation problems and state the effect of these problems on the remaining schedule for achieving the project remaining goals.
  4. If appropriate, identify changes which are needed in the implementation plan specified in Parts III and IV of the grant application to overcome problems. Changes which alter plans and/or goals set forth in Part III or IV of the application require prior LEAA approval and the issuance of a Grant Adjustment Notice.
  5. State what technical assistance LEAA might provide during the coming quarter to help resolve implementation problems. If technical assistance has been provided to resolve implementation problems, state the problems (or tasks) addressed and the results (or impact) of the assistance provided.
  6. Based on the performance measures set forth in the grant application (implementation plan), indicate in quantitative terms the results (of the project) achieved both during the reporting period and cumulative-to-date. Explanatory and qualifying statements will be helpful here, especially if project objectives have changed.
- e. Special Requirements. Special reporting requirements or instructions may be prescribed for categorical projects in certain program or experimental areas to better assess impact and comparative effectiveness of the overall categorical grant program. These will be communicated to affected grantees by LEAA.

### PROBATION SERVICES TO ADULTS

Four hundred and nineteen Probation Departments, representing all but one of the states (Idaho) reported that they give services to adults. Of this group, 367 departments make services available to both the juvenile and the adult, while 52 departments limit their services to adults only. Eighty-five percent (85%) or 358 departments help victims obtain financial restitution; sixty-eight percent (68%) or 285 supervise offenders in community services (symbolic restitution). Sixty-three percent (63%) or 262 departments provide victims with counseling or information. Fifty-three percent (53%) or 223 departments refer victims to community services, while seventy-four percent (74%) or 312 obtain a Victim Impact Statement (interview the victim for the pre-sentence report).

More departments are involved in financial restitution (85%) than in any other service. Further study is needed in this area to answer such questions as: "by whom" and "how" is the data required for the decision to order, restitution collected. What criteria, if any, is used in determining the amount of restitution collected - how and when is it paid to the Victim? What happens when the offender does not pay? What happens to collected funds which cannot be paid to victims who have moved, left no forwarding address, died, refuse to accept funds offered?

Sixty-three percent (63%) of the agencies reporting give counseling or information services to victims while 53% state that they refer victims to community agencies. While these are impressive figures, additional information is required to indicate the kinds of services given, when, by whom and how? How well publicized to the community are these services? How do the victims feel about the services they receive, and are they adequate to meet the need? Is there cooperation with other segments of the criminal justice field, law enforcement, judiciary, prosecution's office and corrections (probation, parole and the Institution)? Are victims kept informed of the progress of cases through the criminal justice system? If not, does this affect the cooperation given to the probation officer when he interviews either for the

## Probation Services to Adults

case study or the restitution recommendation for the court?

Sixty-eight percent (68%) of the departments reported supervising offenders in community services (symbolic restitution). Further research in this area could prove most beneficial. Areas of concern would include: the types of programs used, the affect on the offender, the victims and the community; cost benefit, if any, and the types of supervision used. This is an area in which it might be expected that volunteers would be most effective - "were they used" and "how". The problem of confidentiality would certainly be a factor in these types of programs, and any information concerning confidentiality and how it was handled would be of value to the field of adult probation.

Seventy-four percent (74%) of the reporting departments indicated that they interview the victim for the study of the adult offender presented to the Court; however, in sixteen (16) states more than eighty percent (80%) of those reporting provide such a service. These states include: Alaska, California, Florida, Illinois, Kansas, Louisiana, Montana, New Mexico, New York, North Dakota, Nebraska, Oklahoma, Pennsylvania, South Dakota, Vermont, West Virginia. Some of the departments listed operate as a simple agency completely controlled by the state; others are strictly local in operation and funding; while a third group, operating as a local agency, receives some state supervision and a portion of its funding from the state. The combining of services, adult and juvenile, appears to have no affect on this function.

Fifty-three percent (53%) or 261 departments reported referring victims to community services. While this is low in comparison to the services provided, the fact that some probation agencies are recognizing the needs of the victim for this type of service is significant. Further study is needed.

## PROBATION SERVICES TO JUVENILES

Four hundred and fifty-seven Probation Departments representing all but one of the states (Vermont), reported that they give service to juveniles. Of this group 367 departments make services available to both the juvenile and the adult while 90 limit their services to juveniles only. Eighty-five percent or 396 help victim obtain financial resitution; seventy-one percent or 323 supervise offenders in community restitution. Seventy-four percent or 341 provide victims with counseling or information. Fifty-eight percent or 261 refer victims to community services, while sixty-eight percent or 311 obtain a Victim Impact Statement (interview the victim for the pre-sentence report).

More departments are involved in financial restitution (eighty-seven percent) than in anyother service. However, further study is needed in this area to answer such questions as: "by whom" and "how" is the data required for the dicision to order restitution collected. What criteria, if any, is used in determining the amount of restitution recommended or ordered. Is the data obtained, from whatever source, verified, by whom and how? How is the restitution collected - how and when is it paid to the victim? What happens when the offender does not pay? What happens to collected funds which cannot be paid to victims who have moved, left no forwarding address, died, refuse to accept funds offered?

Seventy-four percent of the agencies reporting give counseling or information services to victims while 58% state that they refer victims to community agencies. While these are impressive figures, additional information is required to indicate the kinds of services given, when, by whom and how. How well publicized to the community are these services? How do the victims feel about the services they receive, and are they adequate to meet the need? Is there cooperation with other segments of the criminal justice field, law enforcement, the judiciary, the prosecution's office and corrections (probation, parole and the Institution)? Are victims kept informed of the progress of cases through the criminal justice system?



If not, does this affect the cooperation given to the probation officer when he interviews either for the case study or the restitution recommendation for the court.

Seventy-one percent or 323 reported supervising offenders in community services (symbolic restitution). Further research in this area could prove most beneficial. Areas of concern would include: the types of programs used; the affect on the offender, the victim and the community; cost benefits, if any, and the types of supervision used. This is an area in which it might be expected that volunteers would be most effective - "were they used" and "how." The problem of confidentiality would certainly be a factor in these types of programs, and any information concerning confidentiality and how it was handled would be of value to the field of juvenile probation.

Only sixty-eight percent of the reporting Departments indicated that they interview the victim for the study of the juvenile presented to the court; however, in 16 of these states more than seventy-five percent of those reporting provided such a service. These states included: Alaska, California, Florida, Illinois, Kansas, Louisiana, Maine, Maryland, Minnesota, New Mexico, Nebraska, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, South Dakota and West Virginia. From this list it can be seen that no pattern emerged by geography, population size or type of Department. Some of the departments listed operate as a single agency completely controlled and financed by the state; others are strictly local, both in operation and funding; while a third group, operating as a local agency, receives some state supervision and a portion of its funding from the state. Also, the combining of services, adult and juvenile, appears to have no affect on this function.

Fifty-eight percent or 261 departments reported referring victims to community services. While in comparison to the other services provided this appears to be low, the fact that some probation agencies are recognizing the needs of the victim for this type of service is in itself significant. Further study is indicated.

#### ALABAMA

The primary source of funding for all juvenile court services is the local county's executive branch. Salaries for probation officers are subsidized by the Alabama Department of Youth Services based on the following formula: 50% of the actual salary of one probation officer per 20,000 population or fraction thereof. Each county shall have at least one (1) such subsidy. Provisions for other subsidies such as detention, group homes, etc. are authorized, but such funds have inconsistently been provided. In exchange for this salary subsidy, the State exercises certain supervisory functions such as probation officer licensing, detention and shelter licensing, etc. The State does not supervise the actual operation of any juvenile court services; however, they might act in a consultative role.

This "hybrid" program of providing juvenile court services is based on the concept of a "local-state partnership". As such, the local executive branch of government is in partnership both with the State Judicial System and a state executive branch agency in the operation of the juvenile court. While this setup works smoothly most of the time, it does present interesting confrontations on occasion. Such problems must generally be negotiated and dealt with in a reasonable fashion if the problem is to be resolved.

There are 67 counties in the State of Alabama, each of which has a court assigned juvenile court responsibility. Three (3) of the 67, Jefferson, Madison, and Montgomery Counties, have Family Courts. Whether Juvenile or Family



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Alabama

Court and whether District or Circuit Court in level, these courts are part of a Unified State Court System. The judge of the Juvenile or Family Court has ultimate authority for all juvenile court functions.

The judge may appoint one (1) or more probation officers who are county executive department employees. One of the probation officers may be designated as Chief Probation Officer and most administrative and programmatic responsibilities are usually delegated by the judge to that person. All other court services employees are also county employees. They may or may not be covered under local merit systems.

Victim Services: All eight departments reported helping victims obtain financial restitution, 7 supervise offenders in community service (symbolic restitution), 5 provide victims with counseling or information, 7 refer victims to community services while 5 interview the victim for the case study referred to the court. There was some indication that some, if not much, of this service was focused on the family where violence in the family was the reason for court involvement and on cases involving the abused child. Further study is required.

Problems facing juvenile probation: The problems facing probation in Alabama included: "Lack of manpower and/or funds to employ. Lack of funds to finance adequate community-base probation programs, community apathy." "Measurable accountability-quantity is easy, quality too subjective, too many external factors. Restitution in

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Alabama

Juvenile Court is a headache - need a full-time staff to collect and supervise community service programs. Probation Officers don't have the time required to do an adequate job;" and "philosophy-funding"; the financial problems within a number of departments, thereby creating small departments to manage very heavy caseloads. Also, public awareness, and failure of the system to adequately justify by statistical means, its effectiveness as opposed to incarceration, other than the cost factor." "Lack of employment for youth, ages 16-18, who have dropped out of school, have been placed on probation, and cannot cope with the rate of inflation. This is causing a high rate of recidivism among kids who would stay straight if they could find jobs to get the things they need and want."

From these statements it is evident that those in Juvenile Probation are concerned mainly with funding, community involvement which includes communication and support. Underlying that, however, is the need for a clear statement on philosophy and purpose. There is some indication that the size of the local department may be too small to support an efficient program.

## ALASKA

Probation and Parole services for both adults and juveniles are the responsibility of a single state agency with headquarters in the capital city of Juneau. Replies were received from 4 district offices which included those in Petersburg, Bethel, Ketchikan, and Anchorage. A reply was also received from the central office in Juneau.

The Division of Corrections, of which probation and parole services are a part, is itself a unit under the Department of Social Services which is headed by a Commissioner who is responsible to the governor of the state. Financed by the state budget, the Division of Corrections supervises not only all probation activities but also handles the pre-sentence function and "in a 'bush' office acts as the court (system) Intake Officer for all juvenile offenders." By law, probation officers are "officers of the superior court." A reorganization within the Department is now in progress which will transfer all juvenile services to the Division of Social Services, with an eventual Departmental design to develop a Division of Youth Services.

The problems listed are typical of those noted by the other states and included:

"Lack of funding, lack of staff, lack of authority."

"Support from the Court in viewing Probation as an important part of the offender's release."

"Proposition 13 type of thinking could result in higher caseloads and less services."

"The need to find support towards the development

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## Alaska

of tested programs that work in probation rather than attempting whatever the popular fad happens to be." One department reports that there are "no real programs for victims of property crime. No sound restitution programs, no victims compensation programs."

"Political resistance to progressive programs."

"Victims should be taken better care of, but the question remains "What organization should provide services to witnesses/victims?" Are probation/parole organizations attempting to be all things to all people, again?"

In spite of the recent reports about Alaska's huge budget surpluses it appears that little if any of these funds are being channeled into the probation/parole field services budget. Is this the result of poor communication between the service and the community? Is there a clearly defined philosophy of probation, of parole; have standards been established and have they been clearly spelled out for the citizen? What about the "bush" country - are there unique methods of handling offenders which could be adapted from the indigenous ethnic cultures native to the area?

In FY81, the Division of Corrections will receive funding to expand community services to adult probationers. The Division is developing additional half-way house placements to be used as an alternative to incarceration for probation violators. Also, two New Start Centers will be developed to provide services to probationers, parolees and mandatory releases. These services include intensive

It is against this background that we must view services to victims. Answers from field offices indicated that they help victims obtain financial restitution, supervise officers in community services, provide victims with counseling or information, refer victims to community services and obtain a victim impact statement. The central state office, however, stated that they do not help victims obtain restitution nor do they provide victims with counseling or information.

#### ARKANSAS

Adult probation and parole services are handled primarily on the state level. However, upon request from a Circuit Court Judge, local probation officers may be appointed to supervise probationers in the local community.

Juvenile probation officers are appointed by county court judges with the approval of boards of visitation composed of six citizens selected by the judge. In the smaller counties, the county court must not refuse to appoint a probation officer when twelve citizens petition it to do so.

The Arkansas Department of Correction/Probation and Parole Services was the only respondent representing adult probation services. It is described as a local system with state supervision provided upon request of the local system. The department which supervises adults only is financed by state appropriation. It operates under the auspices of the Department of Corrections responsible for the supervision of all adult felons released on parole in the State of Arkansas. They also supervise all compact cases and Probationers when requested to do so. They handle both Probation and Parole, and make pre-sentence investigations for felonies.

Three departments serving juveniles only reported that they are local systems, financed entirely by their counties, and directly responsible to the county judge. They handle probation only and make pre-sentence investigations on youth who, if an adult would have been charged with a felony or misdemeanor.



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Arkansas

The question - "What is the most important problem facing probation today" - was answered in the following way: "Status offenders." "Community support," "the lack of alternatives for Probationers facing Probation Revocation."

It is against this background that we must view services to victims: 75% of the respondents from Arkansas help victims obtain financial restitution; 100% supervise offenders in community service (symbolic restitution); 50% provide victims with counseling or information; 75% refer victims to community services; and 50% obtain a Victim Impact Statement (interview victim for pre-sentence report).

ARIZONA

Adult and juvenile probation services are the function of the 14 county Probation Departments which are part of the Superior Court or judicial branch of the government. Adult and juvenile parole services are provided by the State Department of Corrections, the Director of which is appointed by the Governor.

Two respondents reported that they serve adult probationers only. They described their departments as local systems. One reported being financed by "county funds (66 positions), State Subsidy Funds (3 positions), City Funds (3 positions), Federal Funds (3 positions). The other is financed by the county. Both departments are under judicial auspices, both handle probation only, and both make pre-sentence investigations for felonies and misdemeanors.

Three respondents reported that they serve both adults and juveniles. Two departments are described as local systems, and the third reports that it is a local system with state supervision. All three report county funding, but one of the adult/juvenile offices receives limited state and federal funds through grants in addition to local county funding. All three operate under judicial auspices, handle probation only, and make pre-sentence investigations.

Five respondents reported that they serve juveniles only. Four claim that their departments are local systems, and one indicates that his department is a county system with Superior Court supervision. Four departments report

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Arizona

county funding. One respondent added that "the work program scheduled to begin in March (1980) will be financed by an LEAA grant through a State Justice planning agent." Another reports "primarily county funds - also State and Federal Subsidy. The juveniles-only department which is a local system with state supervision is funded "by the county (Family counselor and first offender counselor are funded by the state. Family Counselor receives 1/3 matching funds from County)." All five juveniles-only respondents function under judicial auspices. Four handle probation only, and one handles probation and parole. All five make pre-sentence investigations.

Responses to the question - what do you consider to be the most important problem facing probation today - include the following: funding, manpower, diminishing resources, public awareness and education, lack of informed leadership - probation services vary from jurisdiction to jurisdiction. While funding problems ranked the highest, problems of diminishing resources was a close second: "Diminishing resources, together with increasing accountability and responsibility and responsibility to demonstrate how tax dollars are being well spent," "need for supportive systems in the community," and "lack of local referral sources (treatment facilities), lack of community involvement, lack of adequate staff members, lack of community awareness."

It is against this background that we must view services to victims. 100% help with...

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Arizona

restitution; 90% supervise offenders in community service (symbolic restitution); 70% provide victims with counseling or information; 70% refer victims to community services; and 70% obtain a victim impact statement (interview victim for pre-sentence report).

## CALIFORNIA

Probation services are provided by the counties for both adults and juveniles; and the cities are serviced by the Counties in which they are located.

Only one responding department serves adults only. This department is described as a local system, supported by city and county taxes, operated under judicial auspices. It handles probation only and makes pre-sentence investigations for felonies and misdemeanors.

There were 39 responding departments who serve both adults and juveniles. The California Youth Authority receives its funds from the state general fund. The Director is appointed by the Governor and reports to the Secretary of the Youth and Adult Corrections Agency, the Secretary in turn reports to the Governor. Two of these adult/juvenile departments report that they are local systems with state supervision, supported by both county and state funds. One reported that it operates under judicial, Executive, and Department of Corrections auspices: "Judicial panel selects chief Probation Officer while department must conform to county Policy and directions from County Board of Supervisors as well as meet standards imposed through the Department of Corrections."

Only one response represents a department which serves juveniles only. The respondent described the department as a local system. Financial support is described as follows: "San Francisco Juvenile Court has all services from the City and County of San Francisco. We have limited state subsidy for status offender programs. Current budget

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## California

ing limitations are very stringent because of Proposition 13 cutbacks." This department operates under judicial auspices, handles probation only, and it makes Pre-sentence investigations.

The most important problems facing probation today which were expressed by respondents from California included funding problems, which ranked the highest, and problems which fall in the areas of goals and objectives and public image which also received much emphasis. "I believe the most important problem facing probation today is our inability to sell ourselves to the community and those who control the purse strings in our program planning. I don't think we have done enough to impact the school or our local community and the probationers that we have a program of accountability and rehabilitation. I believe that providing services to victims would not only be answering a need for service, which we haven't provided, but can be a new public relations method to convince probationers and the community that we are trying to do a job." Another respondent expressed, "Our need to be aware of the changing profile of our clientele in terms of community protection. The client is more sophisticated, more criminally oriented, and more violent and therefore, and increasing threat to the community. Consequently, in our large metropolitan area citizenry are much more aware and want action and accountability for money paid for services."



## COLORADO

Probation in Colorado is administered locally in 22 judicial districts by the respective chief Judge generally, and chief Probation Officers specifically. Recorded collection of restitution in Colorado began in 1932 following the passage of a 1931 probation law. In the fiscal year 1978-1979 over \$1,574,000.00 was collected and distributed to victims.

There were three replies from departments who serve adults only. Two of these departments describe themselves as being state systems, funded by state appropriations. One of these departments indicates that it operates under executive auspices only, while the other reports that it operates under judicial auspices. The third adults-only department reports that it is a local system with state supervision; financed by the state legislature appropriations which are allocated by the state Judicial Department to all courts and probation departments; and this department is operated under judicial auspices. One of the adults-only departments handles domestic parole and interstate probation and parole. This department does not make pre-sentence investigations. The other two adults-only departments handle probation only and they do make pre-sentence investigations.

Ten departments reported that they serve both adults and juveniles. Eight of these departments report that they are state systems, funded by legislative appropriations and operated under judicial auspices. All eight handle probation only and all make pre-sentence investigations for felonies and misdemeanors. One adult/juvenile

page #2

## Colorado

department reports that it is a local system fully funded by the city and county of Denver and responsible to judges. It handles probation only and makes pre-sentence investigations for misdemeanors. The tenth adult/juvenile department reports that it is a local system with state supervision, financed by the state general fund and operated under judicial auspices. It handles probation only and makes pre-sentence investigations for felonies and misdemeanors.

Two departments reported that they serve juveniles only. One describes itself as a state system, while the other reports that it is a local system with state supervision. Both report that they are financed by state funds, and one reports that the county provides the facilities. Both departments report that they operate under judicial auspices. Both handle probation only and both make pre-sentence investigations.

Among the most important problems facing probation today, as expressed by respondents from Colorado, funding and manpower resources ranked the highest. However, problems dealing with goals, objectives, and evaluation also received emphasis. "Unified positive direction - judges see and want one thing - social service agencies want something different - clients perceive probation differently - so do law enforcement agencies." "Singularly, the most important problem facing probation is the lack of systematic evaluation including a lack of organized research, a lack of quantified behavioral systems analysis,

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Colorado

and a lack of local (state) computer ability to conduct the systematic evaluation."

It is against this background that we must view services to victims: 87% of the respondents from Colorado help victims obtain financial restitution; 67% supervise offenders in community service (symbolic restitution); 47% provide victims with counseling or information; 53% refer victims to community services; 67% obtain a victim impact statement (interview victim for pre-sentence report).

CONNECTICUT

The Office of Adult Probation was merged into the Judicial Department in January of 1979 and now constitutes one of the five divisions of the Judicial Department. This department handles probation only and does pre-sentence investigations and youthful offender eligibility investigations. Funding comes from the General Assembly as part of the general budget request of the Connecticut Judicial Department which totals approximately 50 million dollars annually. The Adult Probation portion of that budget is approximately 5 1/4 to 6 million annually.

There are no longer three juvenile court districts with separate judges, nor is there any longer a chief judge of the juvenile court. This system was terminated July 1, 1978 when Connecticut went into the one-tier court and the juvenile judges were merged into the Connecticut Superior Court. There is no longer a Director of Juvenile Probation Services, but instead the entire judicial probation operation was merged into the Family Division of the Superior Court, which is headed by a Division Director. The Family Division, in turn, is one of five divisions in the Connecticut Judicial Department and also includes the Domestic Relations Officers of what is now called Part B Court (formerly the Court of Common Pleas) and Family Relations Officers Part A Court (formerly called the Superior Court).

Responses to the question - "What do you consider to be the most important problem facing probation today - included: "Survival in view of the economy and limited budgets. Quality and relevance of services." "Greater

page #2

Connecticut

demands because of increasing caseloads and coupled with limited budgets and staff"; and "Funding."

It is against this background that we must view services to victims: all respondents report that they help victims obtain financial restitution; all supervise offenders in community service (symbolic restitution; none provide victims with counseling or information; none refer victims to community services; and two reported that they obtain a victim impact statement (interview victim for pre-sentence report).

Since 1972, it has been the policy of the Adult Probation Office to interview every victim for the pre-sentence investigation. This policy has now become part of the Connecticut Practice Book and part of the Connecticut General Statutes.

DELAWARE

Delaware has separate administrative auspices for juvenile and adult offenders.

Adult Services:

Adult Probation operates under a state system within the State Department of Corrections. Financed by State tax monies with some federal grants, this department sees its greatest problems as "the ever increasing caseloads which must be supervised by limited staff due to the high costs of funding."

Juvenile Services:

The family Court has broad civil and criminal jurisdiction over domestic relations matters and over juveniles (under 18 years of age) who are dependent, neglected or delinquent. The restitution project is directly responsible to the Chief Judge and the Associate Judges who are responsible for executing Judicial policies.

"On October 1, 1979, LEAA and the Office of Juvenile Justice and Delinquency Prevention awarded the Family Court of Delaware a two-year discretionary grant for a Restitution by Juvenile Offenders Project." The project is statewide with counselors located in three Family Courts. The project handles only juveniles eligible for probation.

The Bureau of Juvenile Corrections handles parole (aftercare) supervision. In addition to restitution, the Family Courts supervise offenders in community service (symbolic restitution), providing victims with counseling or information, refers victims to community services, obtains a victim impact statement (interview victim for pre-



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Delaware

sentence report), and keeps the victim aware of the court's involvement with the juvenile offender and progress in completing the restitution order. The family Court Probation also cooperates with the agencies which assist victims within the Criminal Justice System and within the private sector.

Delaware was unique in the response to the question "what do you consider to be the most important problems facing probation today." Their greatest concern was the long length of probation imposed on the juvenile some as long as four years. This could involve problems when the youth was sentenced at age 18 who has jurisdiction after the 18th birthday.

The Department helps Victims obtain financial restitution, supervises offenders in Community services (symbolic restitution) provides Victims with counseling and/or information, refers Victims when appropriate to community services, and obtains a Victim impact statement.

DISTRICT OF COLUMBIA

The Social Services Division of the D. C. Superior Court described itself as a local system financed by "Congressional appropriation in conjunction with the D.C. budget." Our two current programs involving victim assistance and community service are supported by grant funding (LEAA & Vista)." The department (probation only) operates within the D. C. Superior Court system with a field staff of 150 and reports that it serves both adults and juveniles. Parole is handled by the D. C. Department of Corrections. Pre-sentence investigations are made for felonies and misdemeanors.

The response to the question - "What is the most important problem facing probation today" - included "Diminishing staff positions and resources vs. increasing work loads. Expansion of responsibilities to court, clientele, and community in the face of shrinking budgetary resources."

It is against this background that we must view services to victims. This department reports that it helps victims obtain financial restitution, supervises offenders in community service (symbolic restitution), provides victims with counseling or information, refers victims to community services.

## FLORIDA

Juvenile probation services are provided by the Department of Health and Rehabilitative Services through eleven district offices.

Statewide adult felon probation/parole investigative and supervision services are provided by the Department of Corrections, Probation and Parole Services program. These services are financed by appropriations from the state legislature.

The Secretary of the Department of Corrections is a cabinet level position and reports to the Governor. The Department is responsible for the operation of all state correctional institutions and community correctional centers. The Department has established five Regional Offices. A Probation and Parole Regional Administrator is located in each Regional Office and a Probation and Parole Circuit Administrator is assigned to each of the 20 judicial circuits. There are a total of 82 Probation and Parole Offices including the Circuit Offices and the satellite offices in the statewide system.

The Probation and Parole Program Office is responsible for directing the Probation and Parole program activities in the Department, developing policies and procedures and implementing Probation and Parole programs involving supervision, investigation and court related services. Duties include responsibility for monitoring new and on-going program activities with the establishment of goals and objectives for compliance with program guideline and standards.

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Florida

Three respondents report that their departments serve adults only. All three describe themselves as state systems, financed by appropriations from the state legislature. Probation and Parole Service, Florida Department of Corrections is responsible for "felony investigation and supervision of circuit court probationers and state prison parolees. It is responsible for all restitution-determination, payment supervision." Probation and Parole Services operate under the auspices of the Department of Corrections. "The Department of Corrections and its secretary are cabinet level positions, supervised by the Governor." All three adult departments handle both probation and parole and make pre-sentence investigations.

Two respondents report that they serve both adults and juveniles. Both are state systems supported by general revenue funds. One department reports that it operates under executive auspices while the other reports being under the auspices of the Department of Corrections. Both handle probation and parole, and both make pre-sentence investigations.

Three departments report that they serve juveniles only. One respondent represents the Department of Health and Rehabilitative Services which is the umbrella agency that includes Youth Services. Youth Service Counselors throughout the state supervise juveniles placed on community control (probation) by the circuit court, Juvenile Division. The state's eleven districts are autonomous

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Florida

and each is managed by a District Administrator. All three juvenile departments are financed by a combination of funds: "Local and Federal"; "state funds - some LEAA funds"; "state general revenue and Federal Funds through Title XX for delinquency programs with some funding from grants and donations." All three operate under executive auspices, and they all handle probation and parole. All three make pre-sentence investigations.

Responses to the question - "what do you consider to be the most important problem facing probation today" - include: "Low pay for Probation and Parole Officers, high turn-over rate, and caseloads which are too large." "Communication with legislators!" "General Community attitudes toward the C. J. system - Probation and Parole in particular."

It is against this background that we must view services to victims. One respondent notes that "there is a Crime Compensation Commission in Florida which assists victims of crime in recouping damage resulting from the crime." Seventy-five percent (75%) of the respondents in Florida reported that they help victims obtain financial restitution; 88% supervise offenders in community service (symbolic restitution); 50% provide victims with counseling or information; 38% refer victims to community services; and 88% obtain a victim impact statement (interview victim for pre-sentence report.)

#### GEORGIA

Adult Probation Services are provided at the city, county and state levels. The State Department of Offender Rehabilitation supervises probationers in the field and in probation centers. The State supervises juvenile probation and parole services but the actual administration of such services is carried out on the local level.

Of the 11 responses from the State of Georgia, 9 serve Juveniles only. Adult services are in the main under a state system, The Department of Offender Rehabilitation. In addition to the state system "there are two (2) county run systems." All adult services are financed through the state legislature; operate under executive auspices; handle probation only; and make pre-sentence investigations.

The Division of Youth Services Office in Atlanta reports that Georgia is comprised of 159 counties. Seventeen (17) counties have county paid staff who perform in intake and probation under local court supervision. In 142 counties a state paid worker (under the Division of Youth Services) performs intake and probation. Juvenile Probation, however, is under the jurisdiction of the local court. The Division of Youth Services is primarily funded by the State with federal grants (LEAA, Title I) to develop new programs and improve services. This department is responsible to the Governor; it handles probation and parole, and makes pre-sentence investigations.

Eight respondents representing juvenile probation offices report that they are local systems. One of these local offices is reported to be "operated entirely as an



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Georgia

independent part of the juvenile court." All eight are supported by local county funds with the addition, in two cases, of small federal grants. All eight operate under "judicial auspices." They all handle probation only and all make pre-sentence investigations.

Responses to the question - "What do you consider to be the most important problem facing probation today" - included image, programs, funding and manpower. Problems with programs and image ranked the highest, "not enough community programs to assist the court," "a lack of affordable services for youths in middle and lower income families," "Fragmentation of our system - need for a clear, defined purpose and program content of a theoretical problem," "Lack of a national voice," and "Being realistic in its mission."

It is against this background that we must view services to victims: 73% of the Georgia respondents help victims obtain financial restitution, 55% supervise offenders in community service (symbolic restitution); 73% provide victims with counseling or information, 36% refer victims to community services; and 55% obtain a victim impact statement (interview victim for pre-sentence report).

GUAM

Superior Court Probation Services handles both adults and juveniles. It is a territorial Probation system which is the same as that of State level. ADULT PROBATION-This section performs three primary functions. One function involves pre-sentence investigation. The resulting report is then submitted to the court prior to pronouncement of sentence, thus allowing for a more objective determination on the proper sentence. The second function deals with field supervision which involves, in part, the monitoring of a probationer's compliance with the terms of probation. Assistance is provided to the probationer to promote his return and adjustment to the community. Finally, the third function deals with revocation. This involves the initiation of necessary actions to revoke the probation as warranted by the violation(s) of the stipulated condition(s). JUVENILE PROBATION - Activities performed by this section reflect three primary functions. One deals with intake. This involves the receiving and recording of all incoming reports from the Juvenile Bureau of the Department of Public Safety for proper disposition. Second is the function performed by the court officer. Efforts in this area are directed toward the rehabilitation of the client. Finally, there is supervision. This entails monitoring and supervision of clients toward ultimately becoming responsible and law abiding citizens. The department is financed by appropriation from the local legislature on a fiscal year basis. The Judicial Council, Presiding Judge,

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Guam

and Chief Probation Officer all are under the Judiciary. The department has 8 field staff and handles probation only.

In answer to the question - What do you consider to be the most important problem facing probation - the respondent from Superior Court Probation Services listed: 1) upgrading refresher courses on the ever increasing new and sophisticated laws, 2) training courses in counseling, and 3) Hazardous Compensation.

It is against this background that we must view services to victims. This respondent indicates that his department helps victims obtain financial restitution, supervises offenders in community service (symbolic restitution), refers victims to community services, obtains a victim impact statement (interview victim for pre-sentence and dispositional report).

Parole is handled by the Department of Correction under the Executive Branch.

## HAWAII

The Adult Probation Division supervises adult probationers handed down from the circuit courts. Juvenile probation services are administered by the various Family Courts of the State Judiciary Department.

One response came from the Criminal Injuries Compensation Division which operates within the Department of Social Service and Housing (as does the Corrections Division). This is a state agency financed from the General Fund through the State Legislature and has a staff of three.

Two respondents report that they serve adults only. Both report that they are state systems funded by the state, and that they operate under judicial auspices. They both handle probation only, and they make pre-sentence investigations.

Three departments reported that they serve juveniles only. All three indicate that they are part of a state system, funded by legislative appropriation. All three are Family Courts and probation systems. The Family Courts are divisions within the Judiciary of the State of Hawaii. The Judiciary is under the control of the Chief Justice of the Supreme Court and his Administrative Director. Two of these departments handle probation only, and the third (Family and Adult Probation Services, Lihue, Hawaii) handles both probation and parole. All three make pre-sentence investigations for felonies and misdemeanors.

Responses to the question - what do you consider to be the most important problem facing probation today - include

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Hawaii

the following: "Making the probation experience more meaningful to probationers - this would include adequate staffing to provide needed services as well as the knowledge and reality that consequences will follow for irresponsible behavior." "What causes delinquency? Should the answer be definitively known, accurate remedial action can be taken in preventing, controlling and treating delinquency." "...the lack of public concern towards redirection of offenders in community based programs. Understandably their apprehensiveness and fears are due to the increase in the number and types of crimes committed here during the past decade." "Placing probationers with jobs and keeping them employed."

It is against this background that we must view services to victims: 83% of the respondents from Hawaii report that they help victims obtain financial restitution; 83% supervise offenders in community service (symbolic restitution); 83% provide victims with counseling or information; 67% refer victims to community services; and 67% obtain a victim impact statement (interview victim for pre-sentence report).

IDAHO

The Department of Corrections is responsible for adult probation and parole services (Division of Probation and Parole). Juvenile probation services are provided by the state Department of Health and Welfare in 14 other counties.

Only two responses were received from Idaho and both departments report that they serve juveniles only. One is a local system, and the other is a local system with state supervision. The latter indicates that "a majority of the counties in Idaho contract with the Idaho Department of Health and Welfare for probation services; however, a small number have their own systems." "The Youth rehabilitation program of the Idaho Department of Health and Welfare assists in the development of Community based services. Many of these programs involved citizen volunteers in diversion and restitution programs for minor and first time juvenile offenders as an alternative to official court action. In addition to benefits which occur when youth assumes responsibility for their actions, there has been an increase in citizen involvement and support for prevention and treatment programs. Emphasis is placed on the capabilities to ensure that Community or residential treatment occurs in the setting most appropriate to the needs of the child and the protection of the Community."

The Local system, serving juveniles only, reports that it is funded by "property tax" and operates under judicial auspices, "directly responsible to a judge and to the District Court Administrator." This department

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Idaho

reports that it handles probation only and does not make pre-sentence investigations.

The "local system with state supervision" is financed by a combination of state general funds, county funds, and Federal Title XX funds. This office reports that it operates under "District court judges and county commissioners by contract, although Probation officers are employees of counties or the state. Department of Health and Welfare. The Department is an executive agency of the state." This department handles both probation and parole, and it makes pre-sentence investigations.

In answer to the question - What do you consider to be the most important problem facing probation today - responses included: "Fairly insuring accountability of youths for their actions - restitution is a major means of accomplishing this. Appropriate counseling should occur simultaneously in an effort to prevent additional violations."

It is against this background that we must view services to victims: both departments help victims obtain financial restitution, supervise offenders in community service (symbolic restitution), and provide victims with counseling or information. Only one of the two respondents refers Victims to community services, and one obtains a victim impact statement (interviews victim for pre-sentence report).

We have had no response from departments serving adult probationers. Our report is incomplete as it is.

ILLINOIS

Probation is administered by the Courts in each of the 102 counties. Staff for county probation departments are appointed by the Chief Judge of the Circuit Court to serve counties, districts, or circuits, depending upon the population. The Conference of chief circuit judges establishes standards for probation personnel, and the state shares the cost of salaries of personnel meeting these standards.

Twenty-three probation departments responded from Illinois. Three of these departments serve juveniles only. All three describe themselves as part of a local system supported by county taxes with state reimbursement on a specified amount of probation officers salaries. One of the departments indicated some federal grants. Two juveniles-only departments report that they operate under judicial auspices - "the presiding judge of the Juvenile Court is appointed by the Chief Judge of the Circuit Court." One juveniles- only department reported being under a combination of judicial and county executive auspices - "Judiciary hires, fires, administrates and the county controls funds." All three handle probation only and all make pre-sentence investigations.

Fifteen departments reported that they serve both adults and juveniles. Some describe their system as "local", and others describe it as "local with state supervision." But all of these adult-juvenile departments report that they are financed by the county with a salary subsidy of \$400/mo. per officer from the state. All



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Illinois

report that they operate under judicial auspices, all handle probation only, and all make pre-sentence investigations.

Four departments reported that they serve adults only. Although some indicate that they are part of a "local system" and some report that they are a "local system with state supervision," they describe their situation as "a county system with state subsidy and state standards for hiring, training, etc. All of the adults-only departments agree that they operate under judicial auspices, they all handle probation only, and they all make pre-sentence investigations.

Although problems of funding and manpower were most often expressed by reporting departments, problems of limited community resources and the difficulties probation has in defining its "purpose, philosophy, goals, etc.---when the definition of probation changes with each judge, state attorney. Everyone seems to get probation whether they meet the criteria or not." "(Probations) law, sometimes well deserved, acceptance by the community that it is a viable mode of correction --- trying to overcome the image of being a do-gooder is creating a serious problem for probation today."

It is against this background that we view services to victims: 96% of the reporting probation departments help victims obtain financial restitution; 61% supervise offenders in community service (symbolic restitution); 52% provide victims with counseling or information; 57%

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Illinois

refer victims to community services; and 96% obtain a victim impact statement (interview victim for pre-sentence report).

## INDIANA

Probation Services in Indiana are a judicial function completely administered and funded on a local level. Effective 1-1-80, the statutory functions relating to probation which are presently being performed by the Department of Correction, will be transferred to the Indiana Judicial Conference. These functions include:

1. Compilation of statistical information from all probation departments.
2. Certification of probation officers.
3. Promulgation of rules prescribing minimum standards concerning:
  - a. Education and occupational qualifications for employment as a probation officer.
  - b. Compensation of probation officers.
  - c. Protection of probation records and disclosure of information contained in those records.
4. Preparation of a written examination to be used in establishing lists of persons eligible for appointment as probation officers.

There are 133 probation departments in Indiana, with the following jurisdictional breakdown.

Type of jurisdiction	#
1. Adult felony only	19
2. Juvenile only	10
3. Misdemeanant only	20
4. Adult, Juvenile and misdemeanant jurisdiction	84

Pre-sentence investigations are statutorily mandatory in all felony cases, as are victim impact statements, though

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## Indiana

pre-sentence investigations in misdemeanor cases is discretionary. Probation Departments typically handle only probation cases, but a statute authorizes a probation officer to act as a parole officer, provided:

1. The Department of Corrections makes such a request.
2. The presiding Judge approves such a request.

Revenue sources for probation services typically are received from either a city or county council (depending on the type of Court) though Title XX funds and LEAA funds are used for supplemental revenue. A system of state subsidy is statutorily authorized, though no funds have ever been appropriated since the statute's effective date in 1972. Effective 1-1-81, the Judicial Conference shall administer such funds, if funds are, in fact, ever appropriated by the state legislature.

Seven departments reported that they serve adults only. And all seven report that their departments are local systems. One is funded by the city council, five are supported by county funds, and one is financed by county general funding and Federal LEAA Grants. All seven report that they operate under judicial auspices, that they handle probation only, and that they make Pre-sentence Investigations.

Eight departments report that they serve both adults and juveniles. One reports that it is a state system, another reports that it is a local system with state supervision, and six report that they are local systems.

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Indiana

One department reports city funding, six report county funding, and one reports funding through county, State Title XX funds, and criminal justice funds. All eight adult/juvenile departments claim that they operate under judicial auspices. They all handle probation only, and they all make pre-sentence investigations.

Four probation departments report that they serve juveniles only. All four describe themselves as local systems, financed by their counties, and operating under judicial auspices. They handle probation only and all four departments make pre-sentence investigations.

The most important problems facing probation today included funds for manpower, training and services. While funding ranked the highest, the problem of lack of communication and lack of cooperation within the Criminal Justice System and with the helping agencies or private sector, received much attention as expressed by the following comments: "Lack of cooperation with the Prosecutor." "Police Departments and Institutions and Courts need to report to Central Records." "Standardization of probation departments services to victims regarding pre-sentence reports, referrals to helping agencies and getting feedback from victims after disposition of cases." "Lack of adequate support from clients, parents and general public. The public does not concern itself with this agency unless they are involved in the system." "Role and task clarification. Getting out from under Judicial and Political domination. Being freed to pro-

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Indiana

less time in court hearings."

It is against this background that services to victims are viewed: 95% of the respondents from Indiana reported that they help victims obtain financial restitution, 63% supervise offenders in community service (symbolic restitution), 63% supervise offenders in community services, and 79% obtain a victim impact statement (interview victim for pre-sentence report).

## IOWA

Thirteen probation departments responded from Iowa. Five of them reported that they serve adults only, one serves adults and juveniles and seven departments reported that they serve juveniles only.

### Adult Corrections

Pre-institutional services are provided for eight Judicial District Departments of Correctional Services. Each of these agencies is multi-county and covers one judicial district in the state. These agencies are governed by district boards. The boards are selected as follows: One member of the county board of supervisors from each county within the judicial district served; one member from each of the agencies' advisory committees. (The district departments usually have one to three advisory committees); a number of members appointed by the judges of the judicial district which is equal to the number of members selected by the advisory committees.

Each of the Judicial District Departments of Correctional Services is required by law to provide the following: Pre-Trial Services, Pre-Sentence Investigation, Probation and Residential Facilities (as needed). They may also provide certain special projects such as offender job development, and may utilize local services available for drug and alcohol abuse, mental health and mental handicap agencies, etc. All services exclude simple misdemeanants by law.

Institutional and post-institutional services are provided by the Division of Corrections of the Iowa Department of Social Services. The Division of Corrections operates all the state's adult correctional institutions and handles parole

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Iowa

supervision for adult offenders. It also handles institutional work release and operates several work release centers scattered across the state.

Funding for the various elements of the adult corrections system is primarily funds appropriated by the state legislature. Those funds appropriated for community corrections (the eight Judicial District Departments) are channeled through the State Department of Social Services and allocated to the districts on the basis of case loads, services provided, etc.

The State Department of Social Services also acts as the "regulatory agency" for eight district departments in that the eight districts undergo annual review before the allocation of state funds to them. The eight districts receive more than 90% of their funding from the state by direct allocation. Other funding may come from clients' fees (room and board charges in residential facilities), and from contracts with local governmental bodies for services provided to them by the departments, such as county jail work release programs, etc.

### Juvenile Corrections

Pre-institutional services are provided by juvenile agencies which may or may not be multi-county in nature. They are funded by a county or group of counties and are governed by the court. The chief judge appoints a juvenile judge or judges (depending upon juvenile case load). Occasionally, a juvenile agency still provides supervision to a few adults, but this is becoming a rare exception and most juvenile agencies provide only juvenile services.



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Iowa

Institutional and post-institutional services are provided by the State Department of Social Services through the Bureau of Youth Services. This agency operates all juvenile institutions and also maintains post-institutional juvenile services. Institutional and post-institutional services are funded entirely by the state and the state also provides some assistance to local agencies for juvenile restitutional programs. However, the state does not "regulate" juvenile pre-institutional agencies in the same manner that it does the adult pre-institutional agencies (Judicial District Departments of Correctional Services).

Adult and juvenile offender restitution is established by law in Iowa and may take the form of financial restitution to a victim or community service restitution (work projects).

Any adult offender in Iowa who has caused "pecuniary damage" to a victim is required, as a condition of a suspended or deferred sentence, to make restitution to the victim. Following sentencing, a probation officer assists the offender to develop a plan of restitution which is then approved by the court, and the offender then may pay, in a lump sum or on a monthly basis, a specific amount to the victim through either the agency supervising him, or through a county clerk of the court where he or she resides, depending upon the order of the court.

Juvenile restitution is covered under a different section of the code and is generally in the form of community service restitution.

#### KANSAS

Adult and juvenile probation services are administered by twenty-nine (29) Judicial Districts in the State. Some judicial districts are multi-county districts - from one (1) county district to seven (7) county districts.

The District Courts of Kansas are unified under the Supreme Court of Kansas. Probation officers are unified under a central personnel office of the Supreme Court, providing standards, rules, annual training, and salaries. Each local district has the autonomy to hire probation officers. All operations funds are provided by the county or counties that comprise the judicial district.

Of the six probation offices which responded to the survey, three handle both adults and juveniles, two handle juveniles only, and one handles adults only. All three offices describe themselves as being under judicial auspices, directly responsible to a judge. Two of the adult/juvenile departments handle both probation and parole, while the third department handles probation only. All make pre-sentence investigations.

The offices serving juveniles only describe themselves as a system with state supervision "local until 11 months ago, under the state now, and merging more toward a unified system." While one juvenile office reports that the county provides all but about 30% of salary and all other monies, the other juveniles-only office reports that salaries are administered through the state Supreme Court with all other funding (mileage, expenses) from the county. Both juvenile offices report that they operate under judicial

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Kansas

auspices and that the direct line of authority is from the Supreme Court to the local District Administrator and Administrative Judge of their district to the Chief of Juvenile services. Both juvenile offices report that they handle probation only and both make pre-sentence investigations.

Problems reported by the probation departments include the following: "Lack of salary to attract and maintain qualified staff," "not enough money to create programs," "Lack of sufficient staff to perform all the functions that are desired, "High caseloads resulting in inadequate service delivery," and "the lack of understanding of the importance of our role."

It is against this background that the services to victims must be viewed: one or more victims obtain financial restitution, supervise offenders in community service (symbolic restitution), provide victims with counseling or information, refer victims to community services, and obtain a victim impact statement (interview victim for pre-sentence report).

KENTUCKY

Adult probation and parole services are administered by the Office of Community Services within the Bureau of Corrections. The Office of Community Services consists of three divisions: 1) Probation and Parole, 2) Community Support Services - employment development, volunteers, and living skills training, and 3) Regional Jails - evaluation, program development, new construction.

Juvenile Probation and Parole Services are handled by the Division for Field Services under the Department of Human Resources. District Program Managers (at the local level) serve specific geographical areas in administering comprehensive services to juvenile offenders and their families.

Adult probation operates as a state system with adult felonies and misdemeanors supervised by the Division of Probation and Parole under the Bureau of Corrections of the Kentucky Department of Justice. Adult probation is state funded, serves adults only, handles both probation and parole, and makes pre-sentence investigations.

Juvenile Probation is considered to be a state system by one respondent who reports that it receives 75% funding from the State Department for Human Resources and 25% from the county fiscal court. Another respondent reports juvenile probation to be a local system with all funding through the county government. The Kentucky Department for Human Resources, Bureau for Social Services, Division for Field Services reports that juvenile probation is a state system with responsibility for all age groups and many types of

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Kentucky

services including juvenile probation services. Juvenile probation services by the Bureau are financed by 75% Title XX/25% state funds. Some locally provided probation services are financed through LEAA Grants. The department operates under executive auspices where the Secretary of the Department for Human Resources is responsible to the Governor. This department serves juveniles only and their juvenile service workers handle supervised placements which are somewhat similar to parole with emphasis on reintegration. Their investigations are called Predisposition Reports (there is no statutory provision for sentencing juveniles to this department).

The most important problems expressed by respondents from Kentucky fall into the categories of financial needs, training needs, manpower - better utilization of staff, and public image which was expressed in the following manner:

- 1) misconceptions of the role and effectiveness of probation on the part of the general public resulting from many factors including biased research from some segments of the academic community and negative journalistic comments from the mass media.
- 2) Public misperception of the extent of crime.
- 3) Unmet training needs in the area of probation (probation officers and judges)."

It is against this background that we view services to victims: two of the respondents from Kentucky reported that they help victims obtain financial restitution, three supervise offenders in community service (symbolic restitution), two provide victims with counseling or information,

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Kentucky

100% refer victims to community services, and three obtain a victim impact statement.

A letter from Commissioner Charles F. Cain reviews legislation concerning crime victims. The 1976 session of the Kentucky General Assembly passed legislation which created the Crime Victims Compensation Board. The purpose of the law is to "indemnify those needy residents who are innocent victims of criminal acts and who suffer bodily injury or death as a result thereof." Other efforts to encourage restitution, including property crimes, are included in the Kentucky Revised Statutes: the juvenile court is authorized to order a child to make restitution or reparation to the injured person, the court may order a parent or guardian to pay for the willful defacing or damaging of property, if the parent or guardian has been joined as party defendant in the original action. The amount is limited to \$2,500, per victim and a cumulative total of \$10,000.

LOUISIANA

"The Louisiana Department of Corrections, Division of Probation and Parole is empowered to supervise adult offenders who violate state or municipal ordinance, with the exception of Criminal Neglect of Family, which is handled by the Department of Health and Human Resources. They also are empowered to handle juvenile probation and parole.

The department conducts pre-sentence investigation for the courts only when requested to do so. "Post-sentence investigations are mandated by legislative act on all felony convictions with a sentence of one year or more, when pre-sentence investigations haven't been conducted."

Two respondents reported that they serve adults only; both consider their departments as part of a state system supported by state funds and under judicial auspices. They both handle probation and parole, and both make pre-sentence investigations.

Four departments reported that they serve juveniles only. One of these is the Division of Youth Services which is a state system providing intake, probation and after-care services to all requesting juvenile and family courts in Louisiana. They are supported primarily by the state with some federal funding such as Title XX. The Division of Youth Services is administered by the executive branch of state government under the auspices of the umbrella health agency. They handle both probation and parole and make pre-sentence investigations for the courts when requested to do so. The other three juveniles-only departments see themselves as local system financed by city or

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Louisiana

county government and operating under judicial auspices. All three handle probation only and make pre-sentence investigations for the courts when requested to do so.

In describing the most important problems facing probation today, the greatest emphasis was placed on funding and manpower. However, the development of resources was also given much attention as expressed by one respondent: "although many improvements have been made during the last few years, continued emphasis should be placed upon the development of resources for children in terms of treatment for the emotionally disturbed, special education for the retarded, vocational training, employment. Shelter care and detention of facilities must be continuously and wisely developed and utilized."

It is against this background that we view victim services: six of the respondents from Louisiana help victims obtain financial restitution, three supervise offenders in community service (symbolic restitution), three provide victims with counseling or information, three refer victims to community services, and six obtain a victim impact statement. (interview victim for pre-sentence report).



## MAINE

The Department of Mental Health and Corrections administers the State correctional system. The Bureau of Corrections is responsible for the Division of Probation and Parole which provides field services to five Probation-Parole districts in Maine.

The response to the questionnaire came from the Division of Probation and Parole, Department of Mental Health and Corrections, State Office. This Division is allocated an operating budget as a state agency within the Department of Mental Health and Corrections. This division operates as a component of the Bureau of Corrections within the Maine Department of Mental Health and Corrections and handles both adults and juveniles for both probation and parole. Pre-sentence Investigations are conducted for felony cases.

The respondent stated that the most important problem facing probation today is: "To provide more adequate supervision and the need to improve the public image and knowledge of community-based corrections."

It is against this background that we view the following services to victims: the Division of Probation and Parole helps victims obtain financial restitution, supervises offenders in Community Service (symbolic restitution), provides victims with counseling or information, refers victims to community services, obtains a victim impact statement (interview Victim for pre-sentence report).

## MARYLAND

In Maryland the juvenile and adult services are completely separate. Maryland's juvenile services are operated by the Maryland Juvenile Services Administration under executive auspices, responsible to the Secretary of Health and Mental Hygiene who is a member of the Governor's Cabinet. It is a state system of juvenile court services which include intake, probation and aftercare. While aftercare is a separate function, in some counties, such as Baltimore, a counselor may handle both probation and aftercare - ("aftercare is different from parole in that it starts at the time of institutional commitment and not at the time of release."). Juvenile services are funded by the state\*. Three of the offices have a Victim Witness Program which operates as an adjunct to the volunteer program. Victim services provided by the entire administration include helping victims obtain financial restitution, supervising offenders in community service (symbolic restitution), providing victims with counseling or information and obtaining a Victim Impact Statement (interview victim for pre-sentence report).

In this state, as in others, the answer to the "most important problem facing probation today in both the adult and juvenile services fall into three basic categories: 1) administrative problems; i.e., budget and staff, 2) programmatic problems; assessing client needs, 3) community education; 4) lack of meaningful evaluation of

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Maryland

services delivered. Some offices expressed a "lack of community resources" as the greatest problem.

Adult services are handled by the Maryland Division of Parole and Probation. It is a state funded system. Adult services operate under the auspices of a parent organization, the Department of Public Safety and Correctional Services, which is headed by a cabinet level secretary. All local offices of the Maryland Division of Parole and Probation handle both probation and parole. They make Pre-Sentence Investigations for felonies and misdemeanors. All adult offices collect financial restitution, some offices supervise offenders in community service programs (symbolic restitution), provide victims with information, and refer them to locally run community service programs.

Among the most important problems facing Probation today were listed: "rapid growth of caseload" and "problems in providing meaningful evaluation of our programs to the state legislature."

MASSACHUSETTS

Under Court Reorganization legislation effective 7/1/78 there is one Massachusetts Trial Court with adult and juvenile probation services, a function of the Superior, District, Boston Municipal and Juvenile Court Departments. Each Chief Probation Officer is appointed by and reports to the presiding justice of his division. The presiding justice is the day to day manager of that particular court division. The Commissioner of Probation, who is appointed by the Chief Administrative Justice of the Trial Court, establishes, promulgates and monitors probation standards in all probation offices of the Trial Court.

Fourteen of the responding probation offices indicated they serve adults only. All of these offices reported that they are part of a state trial court system, funded through unit budgets which go to the Chief Administrative Justice, who submits one comprehensive budget for the Massachusetts Trial Court. Nine of the fourteen adult offices indicate they operate under judicial control alone, while five offices report they are responsible to both the presiding justice and the Commissioner of Probation. This is really not inconsistent. All fourteen offices are under the control of the presiding justices as to day to day operations and are under the control of the Commissioner as to compliance with promulgated professional probation standards and certain statutory requirements. Twelve of the fourteen adult offices report they handle probation cases only. Two offices handle probation cases and courtesy parole cases from certain county commissioners. All fourteen offices make pre-sentence investigations.

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## Massachusetts

Twenty-seven probation offices report that they serve both adults and juveniles. Twenty of these offices describe themselves as part of a state system, while seven offices inaccurately indicate that they are local systems with state supervision. Twenty-six offices report they are financed by the state. One office receives LEAA funds in addition to state funding. Twenty-three probation offices report they operate under judicial auspices. while four offices report a dual responsibility: "Chief Administrative Justice appoints statewide Commissioner who sets the Standards for judicially appointed local chief probation officers and staff". Twenty-six of these offices reported they handle probation cases only. Parole cases involving adults are handled by the Massachusetts Parole Board and juvenile parole cases are handled by the Department of Youth Services. The remaining adult/juvenile office reports it handles parole cases "only if the sentence or remainder of sentence is less than six months. Involvement consists of approving or disapproving an early release from custody. There is no supervision of parolees. State parole handles all other parolees." All twenty-seven adult/juvenile probation offices make pre-sentence investigations.

Answers to the question "what is the most important problem facing probation today?" indicated that "Manpower problems" rated number one, with "resources" being rated number two along with "philosophy and objectives of probation". Other responses include: Increases in responsi-

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## Massachusetts

bility while staff levels are being frozen at the present level "the lack of a comprehensive data base to measure success or failure" - "no one can equivocably state whether probation does or does not work" - with 'Proposition 13' mentality of the taxpayers we had better come up with some empirical evidence that we are performing a valuable service or we will go the way of parole which seems to be on the way out" - "change of philosophy, direction and provision of services" - "effectively supervising the probationer through proper coordination of community resources so that all of his/her needs are properly met" "insufficient staff to keep up with increasing and expanding demands."

it is against this background that we must view services to victims. All of the Massachusetts probation offices responding to the questionnaire survey help victims obtain financial restitution; provides victims with counseling or information; refer victims to community services; and obtain a victim impact statement (interview in preparing a pre-sentence report).

MICHIGAN

Adult probation and parole services are administered by the Bureau of Field Services within Department of Corrections according to 7 State Districts. Probation officers are provided by the counties and the state within the Districts. Juvenile probation and parole services are administered by the Office of Youth Services (state), the Court Administration and the Counties.

Eighteen of the responding probation departments reported that they serve adults only. While 15 of these departments report that they are a local system with state supervision, directed by both the State Department of Corrections and local circuit courts; four of these adults only departments maintain that they are part of a state system with the overall structure (policy/procedure) established by the Michigan Department of Corrections with "some latitude for local options." Twelve of the adults-only departments reported that they are financed by a combination of county and state funds. Three reported city funding only, two reported county funding only, and one reported state funding only.

Six of the adults-only departments operate under judicial auspices, three reported that they operate under the auspices of the Department of Corrections, four reported a combination of judicial and Department of Corrections auspices, and two are under the auspices of judicial, executive, and Department of Corrections. ("We provide services to the 9th Judicial Circuit - i.e., pre-sentence investigation reports and supervision of proba-

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Michigan

tioners. We are employees of the Michigan Department of Corrections, therefore responsible to them and ultimately to the Governor.") Sixteen of the adults-only departments handle probation only, and three handle probation and parole. All the adults-only departments make pre-sentence investigations.

Twelve probation departments reported that they serve juveniles only. Seven departments report that they are part of a local system supported by a combination of local (county) and state funds operating under judicial auspices. Four reported that they are part of a local system with state supervision supported by a combination of county and state Child Care Fund monies. One respondent indicates that his office is part of a state system. ("The juvenile officer is paid by the State, appointed by the governor and works for the county"), he operates under judicial auspices.

Among the problems reported to be facing probation today, those of funding ranked the highest, although problems of probation's role definition and image also received much attention as reflected in the following statements: "Lack of faith in our ability to handle the multiplicity of problems; failure to realize vast difference in functioning in varying communities - large urban vs. smaller community." "The public is dissatisfied with probation, feeling the Courts are only slapping hands." "Providing services and supervision that reduces prison commitment while protecting the public in a manner



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Michigan

that the public has confidence in." Other problems include outside pressures such as uncooperative parents, more sophisticated client (been through the system a time or two before).

It was reported that, as of April 1, 1980 the State of Michigan assumed responsibility for a state supported probation system. The new law provides for a 6-year period for the changeover.

It is against this background that we view services to victims: 69% of the reporting probation departments help victims obtain financial restitution; 66% provide victims with counseling or information; 53% refer victims to community services; and 72% of the departments obtain a victim impact statement (interview victim for pre-sentence report.)

MINNESOTA

Probation and Parole services are provided through the Community Services Division of the State Department of Corrections. This division has as a part of its responsibility the administering of the Community Corrections Act in which 27 counties now participate. In those 27 counties, they are responsible for administering both probation and parole services to adults, juveniles, and misdemeanants. In the remaining 60 counties, the State provides probation and parole services to the District Court (adult) felony cases. Juvenile and misdemeanor probation and parole services are provided the county court by the counties, with the exception of six or seven counties who have contracted with the State for those services.

There were 15 responses to the survey from Minnesota. One department describes itself as a state system, seven describe themselves as a local system, and seven describe themselves as local with state supervision. All but one department reported that they are financed by a combination of county and state funds.

In answer to the question - What do you consider to be the most important problem facing probation today? - the problem of funding ranked the highest, but public image was a close second, expressed by one respondent as "loss of public and legislative faith, with current trend that 'rehabilitation doesn't work'; trend toward determinate sentencing and just desserts." I have concern that the professional role of Corrections is misunderstood, and that the professional benefits to clients as well as cost

Minnesota

of services are being ignored in light of "simple answers". Other problems cited include: "How to measure and evaluate the quality and delivery of correctional services", "lack of treatment alternatives", "adjusting to rapidly changing public expectations, particularly with respect to victim services".

Against this background, services to victims were reported by the 15 respondents as follows: Help victim obtain financial restitution - 14 (93%); supervise offenders in community services (symbolic restitution) - 13 (86%); provide victims with counseling or information - 10 (67%); refer victims to community services - 13 (86%); obtain a victim impact statement (interview victim for pre-sentence report) - 13 (86%).

MISSISSIPPI

The State Probation and Parole Board provides adult probation under the direction of the Department of Correction. Juvenile probation is provided by the Community Services Division and offered by youth services. Counselors who are employed by the Department are assigned to the courts throughout the state.

The Mississippi Department of Corrections in Jackson, described itself as a state system, funded by the state, and operated under the auspices of the Department of Corrections. This department serves adults only, handles both probation and parole, and makes pre-sentence investigations for felonies.

Five respondents reported that they serve juveniles only. Juvenile probation and parole counselors are hired by the State Department of Youth Services and assigned to the Family Court. Harrison County Family Court reported on a restitution program, started in 1979. They hired a counselor with local funds to handle restitution for victims. Major funding for this Court is from county tax funds plus some funds from LEAA grants and other agencies. It operates under judicial auspices, handles both probation and parole, and makes pre-sentence investigations. Three respondents replied that their departments are state systems under judicial auspices immediately but under the Department of Youth Services ultimately. One department reports that it is financed by "state and/or county funds," handles both probation and parole, but does not make pre-sentence investigations except where special services are

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Mississippi

indicated. Another department is supported by state general appropriations, handles both probation and parole, and makes "social histories for Dispositional Hearings." The third state-system department is financed by county funds and LEAA, operates under judicial auspices, and makes pre-sentence investigations. Another respondent claims that it is a local system with state supervision. It has both local and state paid personnel, is financed by city, county, and state, handles both probation and parole, and makes pre-sentence investigations for felonies and misdemeanors.

Issues cited as the most important problems in probation today include goals and objectives ("major problems which I see in this area are victim apathy, parental apathy, and public misunderstanding concerning the underlying philosophy of the Juvenile Justice System. I have also found that, while everyone talks about the importance of services to juveniles, we have lost priority when it comes to financial support for juvenile programs and salary requirements of those serving in the field."); "Availability, untrained staff." The respondent from the adults-only department did not indicate any problems.

It is against this background that we must view services to victims: 100% of the respondents in Mississippi help victims obtain financial restitution; 100% supervise offenders in community service (symbolic restitution); 100% provide victims with counseling or information; 83% refer victims to community services; and 66% obtain a victim impact statement (interview victim for pre-sentence report).

MISSOURI

The Department of Social Services is responsible for the State's Correctional System. While the Board of Probation and Parole Field Staff provide state-wide adult probation services, juvenile probation is largely handled by the Circuit Courts which provide officers and services.

Three responses to the survey came from offices which handle adults only. One from the Missouri Division of Probation and Parole described a state system supported by state funds operating under executive auspices and handling both adult probation and parole. A response from the Probation and Parole Division, Community Services Department, describes a local system supported by a combination of the municipal government's budget approved by the city council and LEAA grants for special projects. The City Manager appoints the Director of the Community Services Department, and the Probation and Parole Division is one of several divisions within the Department responsible for correctional and diversion programs.

Nine responses to the survey came from offices which handle juveniles only. Two of these offices describe themselves as part of a "state system" ("we are a state court ..."). Three respondents describe themselves as a "local system with state supervision. ("Juvenile Court system provided by statute, but primarily supervised and budgeted by local counties." "We are a county juvenile court, funded by the County but responsible to the State.") Four offices describe themselves as being part of a local system ("Probation is through the local circuit and/or County

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Missouri

Juvenile Court and/or office.") Most of the juvenile departments are supported by a combination of state, county and some LEAA funds. All nine juvenile departments report that they operate under judicial auspices. Two of the juvenile offices handle both probation and parole. All make pre-sentence investigations.

The problems of concern in probation have been set forth in four categories: 1) public information - lack of public knowledge of Probation and Parole - a pressing need is better information supplied to public and private sectors, 2) Funding - increase in budget funds are not keeping up with demands for services, 3) adequate role definition - in some states it appears that each judicial circuit may embrace a little different philosophy, 4) training - lacking in small jurisdictions, which may be part of the problem of role identification.

It is against this background that we must view victim services: 77% of all respondents from Missouri help victims obtain financial restitution, 69% supervise offenders in community service (symbolic restitution), 44% provide victim with counseling or information, 38% refer victims to community services, and 54% obtain a victim impact statement (interview victim for pre-sentence report).

MONTANA

Probation and Parole of Adult Offenders a State service is located in Helena, Montana. It is a Bureau under the supervision of the Department of Institutions, Division of Corrections. With a field staff of 29, they are responsible for all pre-sentence investigations and for both probation and parole supervision of all adult offenders placed on probation by the Court or released on parole from the Institution.

Adult Probation Services are totally financed by the State of Montana. There are no local funds used.

In addition to the above, this Agency reports helping Victims obtain financial restitution, supervising offenders in community service, provides victims with counseling and information, refers them to community services and interviews the Victim for the pre-sentence Investigation. They refer victims to community agencies both public and private.

Probation Services for Juveniles has an entirely different administrative structure. Two agencies replied to the questionnaire; one described the services as "local," the other "it's a judicial district system whereby several counties participate within a Judicial District. The District Judge is a state employee and the Probation Officers are "District" employees and are paid from a local county depending on the amount of work completed in each county. Some employees receive 5 checks from 5 counties." Juvenile Services are financed by "each county participates in the budget depending upon the assessed



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Montana

valuation of the participating counties."

Youth Court Services (the name given to Juvenile probation handles only probation services while a State Agency is responsible for "aftercare."

While the Adult Services did not respond to the question "What do you consider to be the most important problem facing probation today?" the two juvenile Court Services did. One said "outside interference" but gave no indication of the type of interference or by whom, the others "Being the garbage dump of the communities. There is a strong need to continue to focus on more clearly defined areas of the law and work with those offenders rather than handle anything that comes through the door." With this problem Montana was not unique. Several departments, both adult and juvenile, in a number of states expressed the need to more clearly delineate the role and function of probation and to control the flow of cases to come within these defined boundaries.

NEBRASKA

Probation in Nebraska is a function of the counties and cities. The system is directed by the State Probation System Committee consisting of several District Court Judges, two County Court Judges, the Probation Administrator and his assistant, and two Chief Probation Officers. However, three counties in Nebraska have Separate Juvenile Courts and two municipalities have Separate Municipal Courts. Although we interchange information and offer to share training opportunities with those courts, they are not member systems of the State Probation System.

The State Probation Commission has 17 districts, each headed by a Chief. While the system is headed by the State Probation Administrator, each probation district currently has a great deal of autonomy in the manner in which each district is administered. The state finances payrolls, transportation costs, and reimbursement for travel expenses. The counties provide office space, equipment and supplies. The probation system is under the Judiciary Branch of the government with overall operation under an Administrator and Systems Committee. Direct supervision is under the local judges through a chief Probation Officer. All seventeen districts responded to the survey. They all handle probation only. Parole is handled by the Department of Correction. Fifteen offices handle juveniles and adults and two offices handle juveniles only. All seventeen districts reported that they make pre-sentence investigations.

Aside from the problems of funding and manpower, the need for resources was reported to be of greatest con-

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Nebraska

cern as reflected by the following comments: "obtaining proper services to fulfill the rehabilitation process while supervising a defendant on probation," "alcoholism and its impact and the need for evaluation of offenders who commit crimes under the influence," "Being saddled with a responsibility to modify behavior and having very few tools to do so."

It is against this background that we view the services to victims: 15 departments (88%) help victims obtain financial restitution, 9 departments (53%) supervise offenders in community service (symbolic restitution), 14 departments (82%) provide victims with counseling or information, 12 departments (70%) refer victims to community services, and 16 departments (94%) obtain a victim impact statement (interview victim for pre-sentence report).

NEVADA

The Department of Parole and Probation supervises adult Parolees and probationers. Juvenile probation services are administered by the counties. Juvenile parole is administered at the State level under the Department of Human Resources through the Youth Services Agency.

We received one response from a department serving juveniles only and one response from a department serving adults only. The department serving juveniles reports that it is a local system administered by the District Court. It is financed by the Board of Supervisors plus small state subsidies. It operates under judicial auspices, handles probation only, and makes pre-sentence investigations for felonies and misdemeanors.

The department serving adults reports that it is a state system, funded by the state, which operates under executive auspices, responsible to the Governor. It handles both probation and parole and makes pre-sentence investigations.

Responses to the question - What is the most important problem facing probation today - included: "Better communication with overall Criminal Justice system, (this speaks for all Nevada Probation and Parole Offices)," and "Funding".

It is against this background that we must view services to victims: Both the adult probation office respondent and the respondent from the juvenile office help victims obtain financial restitution, supervise offenders in com-

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Nevada

munity service (symbolic restitution), provide victims with counseling or information, and refer victims to community services. Only one of the two respondents obtains a Victim Impact Statement (interviews victim for pre-sentence report).

NEW HAMPSHIRE

The State of New Hampshire Probation Department is funded by the State Legislature. It services the entire state. However, the statutes mandate that cities with a population of 50,000 or more must have their own Probation Officer in District Court, therefore two cities have to fund their own Probation Officer in New Hampshire.

Other cities and towns may if they wish, fund their own Probation Officer. This is done in nine other cities and towns throughout the state. The funding is by the city or town. In all cases they deal just with the district court, nothing to do with Superior Court.

All Probation in the state of New Hampshire is under the supervision of the New Hampshire Probation Board. The five members are appointed by the Governor. The Probation Officers do pre-sentence investigations and supervise those placed on probation by the courts.

All the Superior Court work is handled by the State Probation staff. As for the question what do you consider the most important problem facing Probation today, I submit the following:

- 1) Setting up national standards.
- 2) Evaluation and research as to the success of Probation.
- 3) Services to the victim. In both Juvenile and Adult investigations the victim is contacted and provided the opportunity for his or her input. This is included in the pre-sentence report and provides the judge the victim's side of the story.
- 4) Collect restitution.

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New Hampshire

It is against this background that we must view services to victims: both respondents help victims obtain financial restitution; one supervises offenders in Community Service (symbolic restitution); one provides victims with counseling or information; one refers victims to community Services; and both respondents obtain a Victim Impact Statement (interview victim for pre-sentence report).

NEW MEXICO

The Corrections Division, a division of the Criminal Justice Department, headed by the Director, is responsible for adult probation and parole services, and juvenile parole services. The District Courts administer juvenile probation services.

Four departments in New Mexico report that they serve both adults and juveniles. Two of the reporting departments are in the Field Service Division of the New Mexico Department of Criminal Justice, one in Albuquerque, the other in Santa Fe. These offices are described as state systems, financed by state legislature appropriations. The Department Secretary (generally) determines the amount of funding to each Division. The Field Services Division is responsible to the Secretary of the Department who in turn is responsible to the Governor. The Field Service Division handles both probation and parole and makes pre-sentence investigations. The department in the Albuquerque Municipal Court Probation Division, is a local system, funded by the city government General Revenue fund. It presently operates under executive auspices responsible to the Mayor, this may be changed as a result of Court action. The court administrator, under the mayor, was ruled by a Superior (District) Judge to be legally answerable to the Municipal Judges. The city has appealed this decision to the higher court. This municipal Probation department handles probation only and makes pre-sentence investigations for misdemeanors.

Five departments, serving districts, reported that



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New Mexico

they serve juveniles only. Two described themselves as state systems, part of a State Court System, under the Supreme Court Administrators with a JPO Coordinator who sets up Probation Officer training programs. One of these departments has a Juvenile Probation Officers Association which sets up workshops, etc. There is no community services restitution program for juveniles. Most of the time parents of the child make restitution for the child. There is a Law in New Mexico that makes a parent liable for damages by a child in an amount not to exceed \$2,500.00. The Chief Juvenile Probation Officer in the 13 separate judicial districts coordinates all work with the Chief Judge, who are under the Supreme Court of the State of New Mexico. These probation departments handle probation only and both make pre-sentence investigations for felonies and misdemeanors. Two juveniles-only departments report that they are local systems. They both are three-county district offices, supported by state funds, and operated under judicial auspices. One office handles probation and parole (under a working agreement with the Adult Probation Officer to supervise juveniles). The other office handles probation only. Both make pre-sentence investigations for felonies and misdemeanors. The fifth juveniles-only department claims that it is a local system with state supervision - "Even though we are under the Fourth Judicial District, all our finances and systems are from the State of New Mexico, Courts System." This department is under judicial auspices,

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New Mexico

handles both probation and parole, and makes pre-sentence investigations for felonies and misdemeanors. In addition to the above the State Division operates two juvenile re-integration Centers, one in Albuquerque and one in Roswell, a group and foster home program and a transitional opportunity program which employs juveniles on parole status.

Answers to the question - "What do you consider to be the most important problem facing probation today" - include: manpower, funding, leadership, alcohol abuse, image, and goals and objectives, which ranked the highest - "community cry for more and greater punishment, legislature's de-emphasis of community correctional approaches, less experimentation." "Insufficient uniformity and consistency in interpreting childrens' code; interagency rivalry as to who should provide services to youthful offenders. Determination of best way to spend available funds for children so that children will be the chief beneficiaries." "Probation can work if it is a community project or inter-agency projects"

It is against this background that we must view services to Victims: 77% of the respondents from New Mexico help victims obtain financial restitution; 66% supervise offenders in community service (symbolic restitution); 44% provide victims with counseling or information; 44% refer victims to community services; and 88% obtain a victim impact statement (interview victim for pre-sentence report).

NEW JERSEY

The State of New Jersey has essentially a local system with some supervision from the Probation Division of the Administrative Office of the Courts for the State. The local Departments report that they operate under the judiciary, directly responsible to a judge or Board of Judges. However, their budgets are all financed by local governments. Answers did not indicate whether their budget was a part of the Court budget or whether Probation needs to develop and request its own budget.

All of the Departments answering the questionnaire handle both adults and juveniles. All reported making pre-sentence investigations; however, one indicated that this was limited to misdemeanors. This office reported in answer to the question on pre-sentence Investigations "No felonies in the State of N.J."

In answer to the question "what do you consider to be the most important problems facing probation today?", funding, high caseloads and limited resources were the most often repeated answers.

Among the other answers, however, were "Identify apart from the judiciary," "what is the role of Probation?", "to whom is it responsible?" "Effective management, sharing of successful technology". Unlike other states, the need for more effective communication with the community leading to better community support was not mentioned once in the 18 replies received.

Against this background, the answers to the questions regarding Victim Services appear most interesting.

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New Jersey

There was no uniformity in the responses. Fifteen help victims obtain financial restitution, 14 supervise offenders in community services, 10 provide victims with counseling and/or information while 15 interview the Victim for the P.S.I. While this is the same as those assisting Victims to obtain restitution, they were not all the same. Some who reported that they did not interview the Victim for the P.S.I. did report helping to obtain restitution and vice versa.

Interest in Victim Services was high. All indicated that they would consider attending an Institute if held in their area and more than half said that they would definitely attend if such an Institute was held in the area.

NEW YORK

The New York State Division of Probation, a state regulatory and standard setting agency, exercises general supervision over the administration of probation throughout the State. The Division is in the Executive branch of state government, and is directly responsible to the Governor of the State. The State Director of the Division of Probation, appointed by the Governor, with the advice and consent of the state legislature, adopts general rules regulating methods and procedure in the administration of fifty-eight (58) county departments of probation. In addition, since 1972 the Division has directly administered a full range of probation services in three rural counties in Upstate New York. The direct service program in these three counties is supported entirely by state purpose funds appropriated by the legislature.

The basic mission of the Division involves the regulation of methods and procedure used by probation departments, staff development training, personnel standards, procedures for appointment of personnel and the monitoring of departmental compliance to the general rules promulgated by the Division.

The Division also administers a program of state aid to local probation agencies. Under this local assistance program, a county probation department that submits a plan for probation services in conformity with the rules promulgated by the State Director of Probation may receive reimbursement to the extent of 50 percent of the approved expenditures incurred by the department in maintaining and improving local probation services. This reimburse-

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New York

ment of expenditures excludes costs for capital additions or improvements. The rate of reimbursement for 1980-81 was established at 41.5 percent by the state legislature. The remaining 58.5 percent of funds is a local expense, and must be procured from the local governing body. State reimbursement of approved costs covers programs and services provided by each department to a mixed adult and juvenile population.

All staff at the local level is subject to Civil Service appointment, rules, and regulations. In the New York City Department of Probation, the Director is exempt from civil service and is appointed directly by the Mayor.

All local departments are headed by a Director and all are in the Executive branch of the local government.

While problems relating to staffing and funding were reported as the primary problems, there was also great concern for: the need for greater community involvement and understanding, "the need for probation agencies to clearly define their goals and objectives. These goals and objectives must be measurable and cost effective," the need for more effective tools in dealing with the more serious offenders who are now being placed on probation," the need for more community resources.

Two responses summarize the feelings engendered by those from the state. "In New York State and in our county I think we have a good probation program plan. I think our biggest problem is to obtain more staff so we can carry out these plans. At present, we have to spread

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New York

ourselves very thin to do Intake, Investigations and supervision" and "Probation is not sufficiently supported financially. Probation is recognized in the Criminal Justice System as a viable alternative to incarceration yet it is continuously plagued with the disease of inadequate financial support on both state and local levels. If afforded the necessary adequate support, Probation would very shortly make deep inroads into the territory now dominated by crime."

Against this background services to Victims were reported by the 41 respondents as follows: help victims obtain financial restitution 34, supervise offenders in community services 21, provide Victims with counseling or information 29, refer Victims to Community Services 22, and obtain a Victim Impact Statement 36. Thirty-five indicated interest in attending an Institute while 22 indicated some interest in Technical Assistance. One respondent reported "we've done a little Victim-defendant confrontation - would like to do more." One county has developed a Victim Services program for which they obtained a block grant from the State Criminal Justice Planning Counsel (L.E.A.A.). This program operates as a special unit under the overall direction of the Director of Probation. Service is available to all victims as requested by the victim, the police, the D.A., the Court, the community as well as by probation.

#### NORTH CAROLINA

Adult Probation in the State of North Carolina is a state function. The Division of Adult Probation and Parole Services operates under the umbrella agency, the N. C. Department of Corrections. For the purpose of delivery of services the State is organized into 9 branches. Each branch is then divided into a number of offices depended on geography and caseload. Some branches may have as many as 20 offices. Through this administrative structure the Division makes services available to local courts and to offenders where they reside.

The Division receives its funding through the Department of Corrections which is financed by an appropriation by the state legislature from the N. C. General Fund. Support services such as fiscal control, personnel, training, etc. are provided by the parent organization, the Department of Corrections. Pre-sentence Investigations are conducted for both felonies and misdemeanors and are conducted on an "as ordered by the court" basis.

Juvenile Services are provided by the Juvenile Service Division of the Administrative Office of the Courts. Unlike the Adult Division which operates under the Executive Branch of the State, Juvenile Services are under the judicial branch; however, under certain circumstances and at the discretion of the Court juveniles, age 14 and 15, "may be placed on Adult Probation if convicted of a crime that carries a prison sentence of ten years or more."

The Adult Division sees as the most important problems facing probation today "Increasing demands for service delivery without corresponding increases in staff and



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North Carolina

resources, budget restraints that limit implementation of viable programs that would enhance the service delivery system's ability in the rehabilitation process."

The Juvenile Division considered the most important problem to be "Inadequate community resources, increasing public sentiment for 'get tough policies'."

Both Adult and Juvenile Divisions report that they help victims obtain financial restitution, supervise offenders in community services, provide victims with counseling or information, refer victims to community services, on occasions interview the victim for the pre-sentence investigation or study. There was some indication, however, that all of these services are spotty and given at the discretion of the individual probation officer, or at the demand of the victim.

#### NORTH DAKOTA

The Juvenile Corrections program, administered by the Community Services Division of the Social Service Board of North Dakota, provides community-based evaluation and treatment services to juveniles and their families. These programs include both probation and parole services. Juvenile probation services are administered on the local level by the County Juvenile Supervisor in each county. The Parole and Probation Department provides state supervision of adult offenders and handles both probation and parole. Both the juvenile and adult probation services are supported by state funds.

Among the respondents to the survey were the North Dakota State Youth Authority, Children and Family services, the North Dakota Parole and Probation and the Board of Pardons and Paroles.

In answer to the question: What do you consider to be the most important problem facing probation today, the responses included: "Inconsistency of sentences. Both probation and institutions must have more research and it should be public news as we only hear of ones that violate now." "There is a lack of emergency shelter care and treatment centers for the community based cases." Another responded that the greatest problem is "the civil actions that could be brought against agents and departments by clients."

It is against this background that services to victims are viewed: 100% of the respondents help victims obtain financial restitution; 66% supervise offenders in community service (symbolic restitution); and 66% obtain a victim

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North Dakota

One department reports that "refund, evaluations and counseling assistance is available to any victim that requests it."

OHIO

The Adult Parole Authority may exercise general supervision over all probation officers in the State including those appointed in County Probation Departments and those appointed by police and municipal judges. Juvenile probation services are provided by the Juvenile Court (judge) who may then assign the duties of juvenile probation to the county probation departments. The office of subsidies, Community Services Division within the Youth Commission, administers a program of state aid to juveniles.

Fifteen probation departments reported that they serve adults only. Twelve of these departments report that they are local systems. Nine are financed by the county or city which they serve. Three derive most of their funding from the county or city, but their total financing include a combination of local, state and LEAA funds. All twelve of these local adult systems report that they operate under judicial auspices. They handle probation only and they all make pre-sentence investigations. Three of these adults-only departments reported that they are part of a state system, funded and operated by the state. They include the Adult Parole Authority, Probation Development Section in Cleveland, Lima, and Columbus, Ohio. They provide both Probation and Parole, and make pre-sentence investigations.

Four reporting departments serve both adults and juveniles. They indicate that they are local systems. Three are county funded, and one is financed by a combination of county, city, state and LEAA grants (Ross County Probation Department). All four departments claim that they operate

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Ohio

under judicial auspices. They handle probation only and make pre-sentence investigations.

Twenty probation departments report that they serve juveniles only. Eleven departments receive all of their funds from the county, and nine are financed by a combination of local, state and/or LEAA funds. All twenty juveniles-only departments reported that they operate under judicial auspices. They all handle probation only, and they make pre-sentence investigations.

In response to the question - "What do you consider to be the most important problem facing probation today"? - the issue which received the most attention in Ohio involves the purpose and objectives of probation or role identification as expressed by the following comments. "For decades, the capability to supervise probationers with remedial casework - the original purpose of probation departments - has been diminished by progressive increases in the judicial referrals for pre-sentence investigations. Most departments accept exorbitant caseloads with no differentiation by work units, resulting in a pretense of probation and the ultimate misconception that 'probation' has failed." "...lack of consistency in philosophic goals and objectives among the states and among different jurisdictions." "How to respond to dramatic changes both within and outside the field of corrections." "No clear, precise treatment methodologies. Too much inconsistency." "A coordinated, comprehensive approach to Criminal Justice problems." Other problems include those of manpower, funding, community-based program-

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Ohio

ming, probation image, administrative leadership, restitution, job placement.

It is against this background that we view services to victims: 92% of the reporting probation departments in Ohio help victims obtain financial restitution; 51% supervise offenders in community service (symbolic restitution); 62% provide victims with counseling or information, 56% refer victims to community services; and 62% obtain a victim impact statement (interview victim for pre-sentence report).

## OKLAHOMA

Adult probationers are supervised by the Division of Probation and Parole of the Oklahoma Department of Corrections. This agency is authorized by state statute and is state funded. In addition to the supervision of offenders, this Division is also charged with the responsibility of conducting various types of investigations, one of which is Pre-Sentence Investigations.

In Oklahoma there are currently two types of probation: (1) suspended sentence whereby a person is convicted of an offense and is sentenced to a period of incarceration but the execution of the sentence is suspended pending the client's compliance with a set of rules and conditions, and (2) deferred sentence whereby a plea of guilty is entered to an offense but the conviction and sentencing is deferred for a period not to exceed two years during which time the client must adhere to a set of rules and conditions.

In 1979, the Oklahoma Legislature also passed a law establishing a Deferred Prosecution Program, in which case a person who is accused of an offense could be placed under supervision for a period not to exceed two years. Such action would occur prior to the filing of an information sheet charging the person with the offense.

Juvenile probation services are provided at the local level in most counties; in some smaller counties the Department of Institutions, Social and Rehabilitative Services arranges supervision.

There were five responses from the State of Oklahoma. Two respondents represent adult departments. Both reported

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Oklahoma

being part of a state system because they are units of the State Corrections Department. Both departments report that they are state funded, that they handle probation and parole, and that they make pre-sentence investigations.

Three departments report that they serve juveniles. One is the Department of Institutions, Social and Rehabilitative Services which describes itself as a state system with assigned probation workers in 74 of 77 counties within the state. The state system is uniform in intake and probation, and it is financed by the State/Title XX funds. There is a joint resolution now by statute between the Department of Institutions, Social and Rehabilitative Services and the State Supreme Court. This department handles both probation and parole and makes pre-sentence investigations for felonies and misdemeanors. The other two departments serving juveniles only describe themselves as local systems - all policies, procedures, special projects concerning juvenile probation are established by staff, Citizens Advisory Board, and the locally elected judge who is assigned to juvenile matters. They are funded by their county and both operate under judicial auspices. They both handle probation only. One department makes pre-sentence investigations for felonies, and the other makes no pre-sentence investigations.

In answer to the question: What do you consider to be the most important problem facing probation today, the responses included objectives concerning the development of facilities, uniform judicial process, and objectives



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Oklahoma

concerning chronic offenders and first offenders. "In the event that probation is ineffective, there are very few facilities patterned after Speck Homes (Oklahoma City) available as an alternative, and there is the absence of a good, consistent system within the state in dealing with these types of problems." "At the present time a more uninformed effort by the judiciary in affording more individualized court orders and further attention to the judicial review process for updating of progress on all probationers." "Dealing with the chronic offender. Determining appropriate consequences for first offenders under age 11."

It is against this background that we must view services to victims. The department of Institutions, Social and Rehabilitative Services, through the Division of Court Related and Community Services reported that it provides a statewide juvenile restitution and youthful offender responsibility program. Since implementation in June 1978, primary attention and training has focused upon the establishment of statewide uniform procedures. Further attention will concentrate on attaining a higher level of program sophistication. At this time the program consists of all levels of restitution: Voluntary level, court ordered, and symbolic restitution. The victim is advised of the status of the plan, and should the plan of restitution not reach its expected result, the victim is to be made aware of the other alternatives available for the restoration of

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Oklahoma

Victim services reported by Oklahoma respondents include the following: 100% of the departments help victims obtain financial restitution; 40% supervise offenders in community service; 40% provide victims with counseling or information; 60% refer victims to community services; and 80% obtain a victim impact statement (interview victim for pre-sentence report).

## OREGON

Under the Department of Human Resources, the Corrections Division is responsible for Adult Probation and Parole. Juvenile probation is a function of the individual county juvenile courts.

Five departments reported that they serve adults only. Three indicate that they are local systems. One reports that it is a local system with state supervision - "Columbia County is presently participating in the Community Corrections Act." The fifth department reports that it is a state system. All five departments indicate that they are financed by legislatively allocated State funds. In some counties, local funds are augmented by State funds.

Answers to the question - "Under what auspices does your department operate? - were varied among the five adult departments. One department states that it is a part of the Corrections Division. Oregon Corrections Division answered "Governor, Department of Human Resources, Corrections Division, 3 regional managers, and individual county services in some counties." One department indicated that it operates under the auspices of the County Commissioner and Oregon Corrections Division. Another department reports, "We are an integral part of a Community Corrections Program, directly responsible to a policy Committee which is made up in part by members of the judiciary. However, funding is controlled by the local county court."

Three of the adult departments handle both probation and parole, while two of the adult departments handle probation only. All five adult departments make pre-sentence

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## Oregon

Twelve probation departments report that they serve juveniles only. All twelve report that they are local, county systems. Seven report that they are financed by the county only, while five departments report a combination of funds from the county with small state or federal grants. All twelve departments operate under judicial auspices, all handle probation only, and all but one make pre-sentence investigations.

In answer to the question - "What do you consider to be the most important problem facing probation today" - the majority of responses concerned funding problems:

"Lack of political support for funding," "Rapidly increasing caseloads without commensurate increases in personnel, program and fiscal resources," "Lack of funds to carry out its primary mission and too much confusion over the role of the system."

## PENNSYLVANIA

Pennsylvania's Probation Services are under the administrative jurisdiction of the judiciary. Organized on a County basis each department is responsible to the local judiciary. While the judiciary appoint the staff and the chief Probation Officer is responsible to the Judges, the local county government is the major source of funding. At the same time the Juvenile Court Judges Commission and the Pennsylvania Board of Probation and Parole are charged with the responsibility of setting standards where applicable. Each of these make grants to those Departments who meet the standards. Amounts reported varied from 0-80%. Currently 56 of the 67 counties in Pennsylvania participate in the Board's Grant-in Aid Program.

In some counties the same agency provides services for both the adult and the juvenile offender, in others the services are entirely separate. All provide both Probation and Parole services and all make pre-sentence investigations as requested by the Court. All but 6 of the 42 who reported stated that they interviewed the victim during the marking of the P.S.I. and included it in their report.

In this state as in the others the answers to the "most important problems facing probation today" fell into three basic categories: 1) administrative problems, i.e. budget, staff, 2) programmatic problems, client needs, and 3) community education. The basic problems in the first category as perceived by those responding was "funding" - this was expressed in such ways as: "lack of

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Pennsylvania

funds to provide adequate service." "Lack of funding for additional staff." "Sufficient professional staffing." "High caseloads, etc.

Concern with programmatic problems were centered around the need for more community resources for the alcoholic and/or drug abuser, the need for more research into "what works."

The need for community education or better understanding was expressed by "same age old problem of justifying the worth of Probation and Parole." The need for better communication among the agencies in the Criminal Justice system was very evident and expressed by such statements as "communication with other criminal justice departments and the courts on policy and procedure as related to our interest in our clients as to our duties and responsibilities."

Forty-two departments of the 43 tabulated reported helping victims obtain financial restitution. No information was obtained as to whether or not this included one or all three of the component parts of restitution: recommendation to the court, collection, and distribution. Nor was any data collected regarding the methodology used in determining the value of the cost and the amount of restitution recommended to the court. What role did the victim play, what role the offender? Neither was information obtained about the training given to the P. O. on restitution.



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Pennsylvania

Twenty-six of the 43 supervise offenders in community services. Again we obtained no data on the type of community service, how eligibility is determined, the type of supervision given and the kinds of training given to the P.O.'s.

Twenty-seven or 65% provide victims with counseling or information. It is safe to assume that this was given because the victim requested the service either during the P. O. visit for the P. S. I., or by direct contact with the Probation Officer. Again we have no data regarding the extent of these services, methodology used or the training provided to the P. O.

A small number of Departments reported referring victims to Community services 17 or 39%. Was this because probation was able to provide the services needed to the other 61%?

Thirty-eight reported interviewing the victim for the pre-sentence investigation. This represented all but 4 of the respondents. Again, we need to know more about content, use, feedback to the victim and the type of training.

The general supervision obtained from the responses is of a series of local departments vitally interested in victims but thwarted by lack of staff, community support and with a need for more effective training programs. Does the lack of a single administrative agency contribute to the problems? Judges appoint the staff who are responsible to the Judiciary, the local governing body provides

#### PUERTO RICO

Adult probation services are provided through the Program of Probation which has Regional Supervisors in charge of 13 local chief probation officers. Juvenile probation and parole services are administered by juvenile court.

The only response to the questionnaire came from the U. S. District Court in San Juan. This department is part of the U. S. Federal system and is financed with federal funds. It operates under judicial auspices, and it serves both adults and juveniles. It handles both probation and parole and makes pre-sentence investigations for felonies and misdemeanors.

In answer to the question - "What do you consider to be the most important problem facing probation today, the respondent wrote: "Finding adequate community resources and employment for persons on probation or parole."

It is against this background that we must view services to victims. This respondent reports that his department supervises offenders in community service (symbolic restitution).

## RHODE ISLAND

The Rhode Island Department of Corrections - Division of Field Services provides the Adult Probation and Parole services on a statewide basis. Juvenile Probation and Parole services were transferred to the newly created Department for Children and Their Families effective January 1, 1980.

The Adult Probation and Parole Unit of the Division of Field Services/Department of Corrections considers that the most important problem facing the unit today is the lack of adequate funding necessary to provide the staff with sufficient personnel resources to discharge their legally mandated function.

It is against this background that we must view services to victims. This respondent reports that his department supervises offenders in community services and obtains a victim impact statement (interview victim for pre-sentence report).

## SOUTH CAROLINA

The State Probation, Parole and Pardon Board handles adult offenders on probation and is responsible to a six-member board with the same name. The six part-time members are appointed by the Governor. Juvenile offenders in probation are supervised by the Department of Juvenile Placement and Aftercare.

The State Probation, Parole and Pardon Board is a state wide system handling all adult probation and parole cases in the state. Funds for the budget of this agency are made available by the South Carolina Legislature through appropriation. The Department operates under a Board appointed by the Governor and responsible to him. Pre-Sentence Investigations are made as requested by the Judiciary.

The Department of Juvenile Placement and Aftercare in Columbia, reports that it is a state system financed by state and federal funds, and it operates under the auspices of a "Lay Board" appointed by the Governor. This department serves juveniles only and handles both probation and parole. The department makes pre-sentence investigations for felonies.

In response to the question - "What do you consider to be the most important problem facing probation today". - the respondent answered, "Inflation and resulting cutback in services - not only of this Agency but cooperative agencies - increased public disillusionment and apathy with community/rehabilitation programs and a lack of understanding about the field of corrections, especially

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South Carolina

probation and parole by both the Legislature and the Community."

The Adult Service when requested helps the Victim obtain financial restitution, supervises the offender in Community service, provides the Victim with information, refers the Victim to all appropriate Community Services and occasionally interviews the Victim for the pre-sentence investigation.

It is against this background that we must view services to victims. This department supervises offenders in community service (symbolic restitution) and sometimes provides victims with counseling or information. In the Spring of 1980, the legislature of South Carolina modified its Family Court laws to allow for Orders of Restitution for Juveniles both on probation and parole status. Prior to the enactment of this law it was illegal for juveniles in South Carolina to have an Order of Restitution (monetary or Community Service).

SOUTH DAKOTA

Probation Services in South Dakota are provided locally with state administration. It is a unified court system whereby each of the eight judicial circuits is administered by a presiding judge. The system is supported by unified State financing through the Unified Judicial System budget. Adult and juvenile probation services and the youth services program are administered on the state level by the Court Services Department of the Unified Judicial System. Court services officers (probation officers), employed by the eight circuit courts, provide all preliminary investigations and reports, as well as all probation program services for juvenile and adult offenders for the courts. Parole is a function of the office of Correctional Services, supervised by the Board of Charities and Corrections.

In response to the question - "What do you consider to be the most important problem facing probation today?" - the following answers were made: "that it (probation) has become a right and not a privilege"; "Inflation and overuse or misuses of probation"; "Defining the role of a probation officer, where the status offender fits in the system, and caseload management"; "the inability to prove that probation is cheaper - specific dollars and costs - than institutionalization and the inability to illustrate the effectiveness of probation as an alternative to institutionalization."

It is against this background that services to victims must be viewed: a) help victims obtain financial restitution (100%), b) supervise offenders in community service (symbolic restitution) (100%), c) provide victims with counseling or information (100%), d) refer victim to community services (75%)

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South Dakota

e) obtain a victim impact statement (interview victim for pre-sentence report) (100%). Four departments in South Dakota responded to the survey.

#### TENNESSEE

The Division of Probation and Paroles (under Adult Community Services) supervises adult probationers. The Division of Juvenile Probation and Paroles provides probation services to all counties and juvenile courts (with the exception of four large metropolitan areas).

There were five responses from Tennessee: one from a department that serves adults only and four from departments which serve juveniles only.

The adult department is the Division of Probation in Nashville. It is described as a state system, financed by "tax dollars allotted by the legislature plus fees from probationers." It operates under executive auspices, handles probation only, and makes pre-sentence investigations for felonies and misdemeanors.

Three of the four juvenile departments are described as local systems supported by county funds with the addition of private and federal grants in the case of one of these departments. All three departments reported that they operate under judicial auspices. All three handle probation only, and all three make pre-sentence investigations. The fourth juvenile department is the Division of Juvenile Probation in Nashville. It is described as a state system supported by monies appropriated by the state legislature. This department is "a division within the Department of Corrections. The Department of Correction is responsible to the Governor, and the Commissioner is appointed by the Governor." This department handles both probation and parole. Pre-sentence investi-



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Tennessee

gations are made for both felonies and misdemeanors.

Responses to the question - "What do you consider to be the most important problem facing probation today"- included: "Inadequate resources; or too few resources, in the community which provides the various services needed for the children involved with the Court"; "Insufficient number of Community based treatment programs"; "Funding (money) for adequate program"; "Lack of goals, and a sense of their own identity."

It is against this background that we must view the services to victims: two of the responding departments from Tennessee reported helping victims obtain financial restitution; four reported supervising offenders in community service (symbolic restitution); three reported providing victims with counseling or information; two said they refer victims to community services; and three said they obtain a victim impact statement (interview victim for pre-sentence report).

TEXAS

A total of 36 probation departments replied from Texas.

Fifteen probation departments reported that they are part of a local county system serving juveniles only. The departments are under the auspices of a Juvenile Board consisting of 4 district judges and a county judge; and they are financed through county funds. One of the counties has a Victim Restitution Program funded through an LEAA grant. The Juvenile Court in that county formed a Corporation in order to prepare and obtain this grant. These county departments, which serve juveniles only, handle probation only. The Texas Youth Council, a state agency, handles parole. All but three of these departments make Pre-sentence investigations; one office responded "yes, but only at the request of the district judge."

Eight counties serve both adult and juvenile offenders. They are governed by a Local Adult Probation Board but function under state standards. They have been under state supervision for only 1½ years with a combination of funding sources. The county provides the physical facilities; the state pays \$.50 per day for each probationer; and each probationer may be required to pay up to \$15.00 a month probation fees. These departments operate under judicial auspices, directly responsible to a board of judges. They handle probation only. The Texas Board of Pardons and Parole handles parole in these counties. All of these departments report that they make pre-sentence investigations.

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Texas

Thirteen county departments report that they serve adults only. They are part of a previously local system which voluntarily joined the Texas Adult Probation Commission. They adhere to state standards in return for per capita state funding which amounts to about 70% of the total budget. About 20 to 25% of the budget comes from supervising fees assessed by the courts on probationers. The other 5% is from the county for capital outlay. These county departments are directly responsible to a board of judges; and they handle probation only. Parole is handled by the state Board of Pardons and Parole. All of these departments reported that they make pre-sentence investigations except one which did not respond to that question.

In answer to the question - "What do you consider to be the most important problem facing probation today" - problems of funding and manpower number the highest; but the problem of the public image seems also to be of great concern, as reflected in such comments as: "lack of priority with local administrators," "public understanding of the purpose of Probation", "Community acceptance", "lack of communication with other agencies and misinformed public concerning our role in the judicial system". One respondent summarized most of problems as follows: "the most pressing problems relating to this department are growing numbers of people being placed on probation, the growing need of reduction of caseloads; a need for more space to provide adequate office space for the probation

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Texas

of the officers; and funding for a residential facility that would provide alternatives to incarceration for many people who would otherwise be serving terms in county jail or state penitentiary.

Against this background, services to victims were reported by the 36 respondents as follows: help victims obtain financial restitution - 29 (81%), provide victims with counseling or information - 23 (64%), refer victims to community services - 12 (33%), obtain a victims impact statement - 21 (58%).

UTAH

Adult Probation and Parole services are provided by the Division of Corrections, Adult Probation and Parole Section. Juvenile probation is handled locally by probation officers under the juvenile courts.

The Utah State Juvenile Court in Salt Lake City was the only response from a department serving juveniles; and Utah State Adult Probation and Parole, Salt Lake City, was the only adult probation and parole section which responded.

Both the juvenile and adult offices are described as state systems supported by state funds. The Adult Probation and Parole Section reports that "In Utah, probation and parole is part of the Executive branch of government. However, probation and parole is under the Division of Corrections which is under the Department of Social Services." The Utah State Juvenile Court reports that the "Statewide, unified Juvenile Court system has attached probation services (intake and supervision) and other support services." This department is "responsible to a Board of Judges." This juvenile department handles probation only and makes pre-sentence investigations for felonies and misdemeanors.

The Adult Probation and Parole Section handles both probation and parole and conducts pre-sentence investigations for felonies and misdemeanor cases referred by the courts.

Responses to the question - "What do you consider to

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Utah

be the most important problem facing probation today" - included: "the lack of adequate personnel to perform statutory responsibilities. Excessive workloads create difficulty in performing and meeting minimum standards for pre-sentence investigations and providing supervision." "Adequate funding to insure proper staffing levels."

It is against this background that we must view services to victims: both of the reporting departments help victims obtain financial restitution; supervise offenders in community service (symbolic restitution); one provides victims with counseling or information while one refers victims to community services; and both departments obtain a victim impact statement (interview victim for pre-sentence report).

## VERMONT

Adult probation and parole services all come under the jurisdiction of the State Department of Corrections whose Commissioner reports to the Secretary of the Agency of Human Services.

There was only one response from the State of Vermont, and it came from the Department of Corrections, Adult Field Services in Waterbury. This Department is reported to be a state system, financed by state funds appropriated by legislature. It operates under the auspices of the Department of Corrections. This Department serves adults only, it handles probation and parole, and it makes pre-sentence investigations for felonies and misdemeanors.

In response to the question - "What do you consider to be the most important problem facing probation today" - the reporting Department answered, "Legal challenges, financial ability to provide needed services both in terms of number of officers and purchase of services in the community."

It is against this background that we must view services to victims: the responding Department reported that it gives limited help to victims on obtaining financial restitution; it gives supervision of offenders in community service (symbolic restitution); it sometimes obtains a victim impact statement (interview victim for pre-sentence report); and it "determines and collects restitution."

This report is incomplete because we did not receive any information about juvenile probation in Vermont.

## VIRGINIA

Adult Probation and Parole Services are required by Statute. The Code specifies that, after an inmate serves a portion of his sentence, he is eligible for parole; the Virginia Parole Board is the paroling authority and makes decisions regarding parole revocation and discharge.

The Code of Virginia also empowers the courts of the Commonwealth to refer offenders for pre-sentence investigation. Similar data is provided to the Board on inmates. The Code also requires that this program supervise and assist all adult offenders placed on probation or released on parole or pardon, and report the behavior and status of these offenders to the Parole Board and/or the sentencing Judge. Further, the Commonwealth of Virginia has joined with other states in an Interstate Compact, which requires and provides for reciprocal services for investigation and supervision of adult offenders of all signatory states.

To provide these services the Commonwealth of Virginia, Department of Corrections has established 39 Probation and Parole Districts. All 39 Probation and Parole Districts are Department of Corrections operated and are totally financed by the Department of Corrections.

The vast majority of the clients serviced by the Probation and Parole District Offices will be adults (18 years old and above). However, occasionally a juvenile offender because of the nature of the crime or because of the offenders past criminal record will be certified and tried as an adult. In such cases the juvenile could



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Virginia

be probationed or paroled and thus be supervised by one of the Probation and Parole Districts.

Juvenile Probation and Aftercare Services are similarly required by Statute. Mandated Services are investigations for Juvenile and Domestic Relations Courts, probation services and aftercare services. Also mandated are intake services and family services for juveniles and/or their families on a formal or informal basis. Further, this program must develop and maintain diversion programs to divert juveniles out of the justice system. The Commonwealth of Virginia is signatory to an Interstate Compact which requires and provides for reciprocal services for juveniles and their families.

There currently are 24 State-operated and 13 locally-operated Court Service Units to perform these services throughout the state.

The State-operated Court Service Units are totally funded for salaries and operational costs by the Department of Corrections. The locality in which the State-operated Court Service Unit is located provides office space and telephone service. Some localities also provide the Court Service Unit professional staff with government-owned vehicles.

The locally-operated Court Service Units are reimbursed by the Department of Corrections for 50% of salaries and benefits, and 50% of travel costs. Although these Court Service Units are locally operated, these Court Service Units must comply with standards as

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Virginia

established by the Department of Corrections.

The Juvenile Court Service Units provide services for juveniles and also for adults in domestic relations cases, support cases and in cases where the victim is a juvenile.

Responses to the question - "What do you consider to be the most important problem facing probation today" - include: funding - "Inadequate compensation of staff." "Providing quality services to clients under budgetary constraints in a turbulent environment"; manpower - "Developing an opportunity for advancement for trained and experienced staff"; public image - "Selling communities on the virtues of establishing and supporting local facilities (Group Homes, Residential Vocational Centers"; role identification - "providing viable alternatives to incarceration"; services, resources, programs: "Lack of supportive services, i.e. school programs, mental health, job opportunities, family assistance"; and legal problems - "Our pre-sentence report is in danger of being placed in the category of legal evidence. If this happens the true value will be lost."

It is against this background that we must view services to victims: 74% of the responding departments in Virginia help victims obtain financial restitution; 63% supervise offenders in community service (symbolic restitution); 53% provide victims with counseling or information; 39% refer victims to community services; and 53% obtain a victim impact statement (interview victim for pre-sentence report).

WASHINGTON

Adult probation services are administered by the Office of Probation and Parole within the adult Corrections Division. Juvenile probation services are provided by each county at the local level.

There were two responses from departments serving adults only. One was the Adult Corrections Division in Olympia. It was described as a state system, financed by the legislature, and operated under the auspices of the Social and Human Services Department, "Part of an 'umbrella' agency concept, Governor as Chief Executive. Officers report to state officials. Provide reports to Court and Parole Board." This department handles both probation and parole and makes pre-sentence investigation for felonies. The other adult department is a local system, "financed by county commissioners from current expense funds." It operates under Executive auspices, handles misdemeanor probation only, and makes pre-sentence investigations for misdemeanors.

There were fifteen responses from departments which serve juveniles only. Eleven of these departments are described as local systems. Three of these local systems are county funded; two are financed by a combination of county, state, and federal funds (CETA, LEAA); and five of these departments are financed by a combination of county and state funds. Eleven juvenile departments operate under judicial auspices, two juvenile departments operate under Executive auspices, and one juvenile office

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Washington

operates under the auspices of the Department of Corrections. Fourteen juvenile offices handle probation only, and one department handles probationers and some parolees as a pilot project with the state to provide a Community Correction program. Thirteen juvenile offices make pre-sentence investigations, and one makes them "when ordered by the judge."

Many of the responses to the question - "What do you consider to be the most important problem facing probation today" - appear to be a result of Washington State's new Juvenile Code. A letter from Daniel L. Soos (Director of Whitman County Juvenile Probation Department, Superior Court of the State of Washington) to F. Dean Kimmell (Chief of Police, Woodbury, N.J.) responds to Kimmel's questions about the New Juvenile Code and its impact:

"The Juvenile Code is an outgrowth of legislative maneuvering that came primarily from large cities, and the pressure felt by the Juvenile Systems in those cities. Even so, since the passage of House Bill 371, and its amendments in Substitute Senate Bill 2768, approved March 28, 1979, the largest city Seattle, has grown increasingly concerned about the implementation of this new law. This law was designed to hold youngsters accountable. It increases the punishing component and decreases the rehabilitation component. Many of those who spoke for it are now speaking against it. Grassroots efforts give rise to parent advocacy groups attempting to pressure the

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Washington

legislature for repeal. Washington State Superior Court Judges Association, Washington State Juvenile Directors Association, and the Washington State Prosecuting Attorneys Association were lukewarm in their official stance at the beginning, but now feel negative.

There are, however, many good things which have come out of this legislation. One of the most striking advances was the removal of status offenders from the Juvenile Justice System. Such youngsters as runaways and incorrigible children have been placed in an entirely different system. A very negative part of the law is the removal of minor and first offenders from the Juvenile System, and placement in a totally separate system called Diversion. These Diversion Units, which are supposed to be operated outside the Courts, were designed to use Accountability Boards made up of local citizens. So far, no county in the state has been completely able to divorce the Diversion Program from the administrative operation of the Probation Department.

In those counties where there is a large intake, the program of Diversion is breaking down. Counties like Spokane and King, where they had Diversion programs prior to the passage of the law, are still having difficulty with implementation. For example, in Spokane County at least 50% of the youngsters

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Washington

assigned to public service work never show up and are never followed up.

One of the things the law may have accomplished is that it encouraged police officers to make charges and refer youngsters, rather than handling the matters themselves without charges. Since the passage of this law, more youngsters have received court-ordered jail sentences in Whitman County than before. We have seen an increase in restitution recovered and public service work hours assigned. The law set into motion a standard sentencing guide line calling for larger numbers of public service work hours and greater responsibility for restitution.

This law comes into effect at a time when there is a decrease of 16 and 17 year olds. The anger, hostility and overt expression of adolescents in the 60's and early 70's gave rise to juvenile problems diminishing now solely because the population is changing.

There is a strong feeling that part of this law, the mandatory fixed sentencing standards, promulgated by the Department of Social and Health Services is in drastic need of repeal or complete overhaul. This is a system of sentencing according to a complicated

Washington

formula of points depending upon age, past history, and the particular offense being charged. The points relate to a range and the range gives rise to a mandated sentence.

In parts of the country that suffer from serious crime committed by youth, there is a greater rationale for the punishment model."

Problems facing probation today are expressed by respondents as follows: "In Washington State, to interpret and implement the new juvenile court code"; "In the State of Washington, the changes in the law which delineate 'Accountability and Punishment' as the way of work. Previously it was 'best welfare of children'"; "Lack of consistency and unified philosophy throughout the judicial/legislative/correctional system make for an unpredictable deterrent to offenders who aren't already intractable".

It is against this background that we must view services to victims: 94% of the respondents in the State of Washington help victims obtain financial restitution; 100% supervise offenders in community service (symbolic restitution); 71% provide victims with counseling or information; 65% refer victims to community services; 65% obtain a victim impact statement (interview victim for pre-sentence report).

WEST VIRGINIA

In West Virginia, probationers are supervised by three major agencies: the Department of Welfare, the Department of Corrections and the state's judicial branch.

The Department of Welfare, a state-wide department, is generally responsible for providing probationary supervision services to juvenile probationers. (The department does not supervise adult probationers.) These juveniles are assigned to the welfare department through orders of the circuit court. The juveniles may be placed directly on probation following a dispositional hearing or may be placed on probation after being released from a state correctional institution. The department is an executive agency and is funded by state appropriations and some Title XX funds.

The Department of Corrections supervises adult probationers and parolees. Probationers are assigned to the corrections department through the Interstate Compact or by circuit court judges. (Generally, the circuit judges assign probationers to corrections supervision when their court does not have its own probation officer.) The Department of Corrections, as an executive department, is funded by state appropriations.

The Supreme Court, in its administrative role, appoints probation officers to circuit courts. These officers provide the bulk of probationary supervision in the state. In some instances, these officers do supervise juvenile probationers, at the direction of the circuit court; in most instances, however, the Department of Welfare handles these cases. The probation officers make pre-sentence reports, also. The supreme court system, formally known as the "Unified Judicial



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West Virginia

System," is responsible for funding the officers functioning under its auspices.

One response came from a department serving adults only. It was described as a state system, operating under the Supreme Court of West Virginia, and financed by the State of West Virginia. This department serves seven judges in the 13th judicial circuit of West Virginia. This department handles probation only and makes pre-sentence investigation.

Two responses came from departments serving both adults and juveniles. One of these offices is the West Virginia Department of Correction in Charleston which includes those juveniles who are "interstate compact cases only." This department is "financed by an approved budget of the legislature", where "employees are directly responsible to the Department of Corrections, however, they are also responsible to the Circuit Court judges they serve." This department handles probation and parole and makes pre-sentence investigations for felonies and misdemeanors. The other adult/juvenile respondent is the Wood County Probation Office which is described as a state system, financed by the "W.Va. Supreme Court of Appeals." This department operates under judicial auspices. It handles probation only and makes pre-sentence investigations for felonies and misdemeanors.

One department reports that it serves juveniles only. This is the West Virginia Department of Welfare, a state system which "provides juvenile probation services in all but five counties of the state; those five counties are served by probation officers employed by the court." The

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West Virginia

Department of Welfare services are financed by state appropriations and Title XX funds from the Social Security Act. This department operates under executive auspices, responsible to the Commissioner of the Department of Welfare who is appointed by the Governor. This department handles both probation and parole and makes pre-sentence investigations for felonies.

Responses to the question - "What do you consider to be the most important problem facing probation today" - included: "Lack of concern with society's interest"; "the lack of any uniformity, consistency or accountability"; "the provision of community based services in an atmosphere that is sometimes addicted to placement. The training and supervision of probation staff to insure the consistent delivery of competent services to clients."

It is against this background that we must view services to victims: 75% of the responding departments in West Virginia help victims obtain financial restitution; 25% supervise offenders in community service (symbolic restitution); none of the respondents provide victims with counseling or information; none refer victims to community services; and 100% of the departments obtain a victim impact statement (interview victim for presentence report).

## WISCONSIN

In Wisconsin All Adult Probationers and Parolees are supervised under an integrated State Division of Corrections. No county involvement whatsoever.

Juvenile parolees are also under the State Division of Corrections although this will change somewhat on January 1, 1981 because of a Youth Aids Bill recently passed in the Legislature. A county will then have the option to buy state service or to provide it themselves.

All Juvenile probation cases are under county agency control - no state involvement. A few such agencies are under county agency control - no state involvement. A few such agencies are attached to the local court.

Nine of the seventeen respondents indicate that they serve juveniles only. Eight of these departments report that they are part of a local system, while one describes it as a local system with state supervision. Five of these counties report a combination of Title XX funds, state funds and county funds. Three departments report 100% Title XX funding, and one department is funded by the county. Six of the juveniles-only respondents state that they are under the auspices of the county Board of Social Services, part of the county Board of Supervisors. Three of the departments report that they are under judicial auspices. All of the juveniles-only departments handle probation only and all make pre-sentence investigations.

Among the problems reported to be facing probation today, those of greatest concern involved problems of philosophy ("making youth accountable for their behavior;

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## Wisconsin

follow through on supervision, restitution, and supervised work; making consequences real." "The irrational swing from too much permissiveness to too much rigidity - 'lock everybody up'." "The trend toward a more punitive position is imparting on community feelings and outrage when probationers fail in a community problem." "Revision of the Juvenile Code in Wisconsin has made it impossible to enforce rules of supervision.---there seems to be a lack of a continuum of controls, i.e., we can use supervision, with a total lack of effective controls over juveniles, or institutionalization with consequent total control. If we had more authority to use controls, such as detention, we would have a lesser need for the institutional alternative.") The other problem which received greatest concern was the lack of sufficient resources.

It is against this background that we view services to victims: 77% of the respondents from Wisconsin help victims obtain financial restitution; 38% supervise offenders in community service (symbolic restitution); 44% provide victims with counseling or information; 56% refer victims to community services; and 66% obtain a victim impact statement (interview victim for pre-sentence report).

WYOMING

The Department of Probation and Parole, an independent agency reporting only to the Governor, provides a state-wide system of probation and parole services for both adults and juveniles. There are two exceptions to this state system: in the City of Cheyenne and the County of Natrona, juvenile probation is provided by local (i.e. city and county respectively) Probation Departments.

One response came from the Wyoming Department of Probation and Parole in Cheyenne which serves both adults and juveniles. It is a state system which "handles all juvenile and adult probation and parole cases unless otherwise directed by the courts. In some instances county departments of Social Service handle juveniles." This department is financed entirely from the State General Fund; and it operates under the dual jurisdiction of the Governor and the Board of Parole. It handles both probation and parole and makes presentence investigations for felonies and misdemeanors.

The other response from Wyoming came from the Office of Youth Alternatives in Cheyenne which serves juveniles only. This department is described as a local, municipal system which is financed by city funds. "The mayor is the highest executive, we are responsible to the judges, but, as a municipal department we offer services that are accountable to the director." This department has a field core of "4 P.O.'s in addition to a core of approximately 80 volunteers." They handle probation only and make presentence investigations for misdemeanors.

Responses to the question - "what do you consider to be the most important problem facing probation today" - include:

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Wyoming

"the impact of the coal industry, lack of personnel, inadequate financing to support innovative programming;"

"unification, i.e. duties, roles, responsibilities, voice (input into the system); lack of exchange, i.e. ideas, etc."

It is against this background that we must view services to victims: one respondent helps victims obtain financial restitution, refers victims to community services, and obtains a victim impact statement (interviews victim for presentence report); the other respondent supervises offenders in community service (symbolic restitution).

*Arthur B. Schaff (Wait)*

**END**