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Structuring the Exercise of Sentencing Discretion in the Federal Courts.—Brian Forst and William Rhodes report results of a major study of Federal sentencing practices, focusing on highlights that have special relevance to the probation community: survey results on the purposes of sentencing, analysis of recent sentencing decisions, and an analysis of the information contained in the presentence investigation report. The survey revealed that Federal probation officers and judges, on the whole, regard deterrence and incapacitation as more important goals of sentencing than either rehabilitation or just deserts. The judge individually, on the other hand, are divided over the goals of sentencing.

Zero—Sum Enforcement: Some Reflections on Drug Control.—This article reflects upon the dilemmas in drug control efforts and suggests that current policy and practices be reviewed and modified in order to evolve a “more coherent” approach to the problem. The authors argue that the methods of evaluating drug enforcement efforts and provide a series of rationales that can be employed in the decision-making process.

Inreach Counseling and Advocacy With Veterans in Prison.—A self-help model of direct and indirect services is provided through a Veterans Administration veterans-in-prison (VIP) pilot program. Authors Pentland and Scourfield describe objectives and methodology of the program, including the formation of incarcerated veterans into self-help groups, organization of community-based resources into VIP teams that visit the prisons, serving veteran-related issues and programs, and an advocacy program for veterans in pretrial confinement.

The Probation Officer and the Suicidal Client.—This article by Federal probation officers Casucci and Powell attempts to provide the probation officer with enough information to be able to recognize and deal effectively with the suicidal client. The authors furnish an overview of the problem of suicide and the post-suicide crisis, and the therapeutic response of the probation officer in this crisis situation.

An Experimental Focus on the Development of Employment for Ex-Offenders.—U.S. Probation Officer Stanley S. Nakamura of the Northern District of California states that a concerted effort
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has been made in his District to establish an employment program that would provide real assistance to those clients interested in working. Integrity, friendship, patience, professionalism, trust, placement, and followthrough are the basis of a successful employment program, he concludes.

Alienation and Desire for Job Enrichment Among Correction Officers.—Responses to a correction officer opinion survey suggest that C.O.'s hold attitudes toward their job that are similar to those of other contemporary workers, report Hans Toch and John Klofas. Like other urban workers, urban C.O.'s tend to be very alienated; like workers generally, most C.O.'s are concerned with job enrichment or job expansion.

BARS in Corrections.—Evaluating the job performance of employees is a perennial problem for most correctional organizations, according to Wiley Hamby and J.E. Baker. The use of Behaviorally Anchored Rating Scales (BARS) appears to be a viable alternative for evaluating the performance of employees in corrections, they maintain.

Redesigning the Criminal Justice System: A Commentary on Selected Potential Strategies.—Selected strategies are highlighted by Attorney Tommy W. Rogers which would appear worthy of consideration in any contemplated alteration of the criminal justice system. Suggestions are made concerning modification of the criminal law detection and apprehension strategies, improving the administrative and judicial efficiency of courts, redressing system neglect of victims, and utilization of research in planning and legislation.

Crime Victim Compensation: A Survey of State Programs.—Compensating crime victims for injuries sustained as a result of their victimization has evolved into a highly complex practice, report Gerard F. Ramker and Martin S. Meagher of Sam Houston State University. Their study showed that the state compensation programs in existence today are subject to similarities in certain organizational characteristics and also appear to share certain disparities.

Probation Officers Do Make a Difference.—This article by Marilyn R. Sanchez of the Hennepin County (Minn.) Probation Department examines the successful interaction between probation officer and client. Her article discusses a three-issue model for feedback from probationers: (1) the "exit interview" with the probationer, (2) presentations in schools, and (3) the postprobation checkoff list.

All the articles appearing in this magazine are regarded as appropriate expressions of ideas worthy of thought but their publication is not to be taken as endorsement by the editors or the Federal Probation Office of the views set forth. The editors may or may not agree with the articles appearing in the magazine, but believe them in any case to be deserving of consideration.
Probation Officers Do Make a Difference

By Marilyn R. Sánchez

Principal Probation Officer, Hennepin County Court Services, Minneapolis, Minnesota

I have counseled with social workers and psychologists. I have been involved in vocational training, group therapy, drug therapy, and I even went back to school, but the cycle of my life never changed one bit. 

-An offender, quoted in a North Carolina prison ministry publication

All probation officers have heard offenders make remarks similar to this one. And the question arises again and again: What makes for change? Perhaps the word change can be defined from one of the goals that Al Havenstrite (chief probation officer, United States District Court, Dallas) lists for probation officers: "... help the client to improve social adjustments during the period of supervision and hopefully throughout the remainder of his life." 

That temptation always exists for probation officers (or parole officers or agents) to explore every new trend to see if it is the miracle that will transform lives. (Not that the classes, the techniques, the seminars and the workshops are not helpful, but they frequently are found wanting.) In fact, officers sometimes become discouraged waiting for even a slight amount of growth, forgetting that they often are pivotal in helping change to come about.

In Hennepin County, Minnesota, near the end of a defendant's term on probation, the probation officer writes a report to the judge having jurisdiction, summarizing a defendant's progress while on probation and making recommendations concerning discharge, as well as giving some feelings about his or her future behavior.

To facilitate writing such a report, I solicit the probationer's comments. These sessions also have been used to determine how the probationer perceives my role as probation officer during the time of probation. I find that many probationers affirm the role of the officer. Since 1975, I also have invited several probationers to join me in making presentations in schools. Repeatedly, when probationers addressed classes, they said that: (1) the probation officer mattered and that (2) change was occurring in their lives. (Sometimes the changes were small, sometimes dramatic.)

Because the probationers indicated that the probation officer was an instrument of change, and because so much literature and attention are pointed at the failure of the "system" (including probation), my interest was heightened to pursue the notion of "success" in a more structured way.

This article does not examine the failures of probationers or probation officers; rather, it examines the successful interaction between officer and client. It will discuss a three-issue model for feedback from probationers:

1. The "exit interview" with the probationer, presentations in schools,
2. and the postprobation, checkoff list.

While some details will be given about the first two issues, the latter will be discussed in more detail. The assessment serves as a postprobation tool, and it directly helps other probationers by motivating the officer to integrate certain aspects of the assessment into supervision.

Hennepin County's District Court Probation Adult Division has provided probation officers the opportunity to explore avenues of improvement and has been generous in providing one time to speak in schools. My supervisor and division head have been particularly supportive and flexible in helping me to make plans and necessary arrangements. And were it not for the Fourth Judicial District Judges' concern for probationers and the trust the judges place in probation officers, probation supervision would be either much more mechanistic or more difficult.

4. "The Exit Interview is a vital component of the communication milieu, and it is essential to the success of the probation process. "The exit interview is an opportunity to discuss the success and failure of the probation process with the probationer. It is the last chance the officer has to make an impact on the probationer's life. The exit interview is also the time to discuss the client's future plans, their support system and their ability to stay out of trouble."
6. "The exit interview is an opportunity for the probationer to express his or her feelings about the assistance received during the period of probation. It is important to the probationer because it provides an opportunity to express his or her emotions and feelings about the experience."
7. "Exit interviews are used extensively by the communication media, and they are an effective tool in the process of communication. Exit interviews are used in schools, probation offices, and other agencies."

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The Exit Interview

About a month prior to probation discharge, I held an exit interview with the probationer which covers the following topics:

1. General rules of probation, including any arrests.
2. Specific conditions of probation, such as restitution or treatment.
3. A review of the needs/wants assessment inventory filled out initially by the probationer during the first quarter of supervision.
4. A review of the specific offense(s) and situations which brought the offender into Court and a discussion of the options offered, including the option of restitution or treatment.
5. A review of the officer's role and the confirmation of change.

Presentation in Schools

On several occasions during the year, probationers who show some measure of stability are invited to present at community meetings in schools. The presentations are not told what to say during the presentations, but they are encouraged to be honest. The teacher gives me a general outline on the kind of information that is requested by the class.13

Depending upon the class visited, the dialogue is structured to the extent that the probation officer gives information to the class and the probationer gives information from his or her point of view. Probationers invariably mention the relationship they have with their probation officer. A few defendants have praised the way the officer interviewed or tried to instill confidence. Most probationers report that the probation officer became a stable force at an important time in their lives and attended to some needs, giving some direction, talking about rights and wrongs, and making feel they were important. Their remarks have been a reaffirmation that they needed someone at that time and that the probation officer had filled that need.

In a recent article, Dr. Gloria Cunningham discusses the need to understand "real treatment" and, among other views, states:

10. A review of the offense, the victim, and the violation.
11. The probationer's perceptions of the role of the probation officer.
12. The first eight topics give the officer and probationer a context in which to examine change.
13. Numbers 9 and 10 review help available to the probationer for the future. Number 11 assesses the effectiveness of the probation officer.

Many probationers mention events or actions during the time of probation which took on meaning for them, such as receiving a birthday card from the probation agency as "the only one" they received, or a call they received asking how a grandparent was doing after hospitalization, the importance of a bus pass, the millionth time they seemed to me, "Have you been keeping away from drugs or drinking?" A discussion about the meaning of love, or a confrontation about the probationer's hostility toward a mate.

Viewed to become very apparent from the interviews was the importance of the probation officer's role and the confirmation of change.

8. Wanting to share what has been learned.
7. Attempting to be honest.
6. Showing at least two specific instances where he/she overcame disappointment or did not insist upon his/her own way of doing things.
5. Meaningfully employed or in school or a homemaker.
4. Showing ability to learn from the original offense.
2. No new felony, gross misdemeanor convictions.
1. Meaningful change in self-concept. (New Submitters to full-time work.)

The Checkoff List Assessment of the Probation Officer

Instead of taking away these "good words" from the probationers to be shared on frustrating or depressing days, I was challenged to determine how the officer makes a difference and how the difference is brought about.

1. I began to compile a list of desirable characteristics for a probation officer and a list of effective probation methods, using these sources:
2. The probationers (from the "exit" interviews, the remarks made to the speaking engagements, letters, and in probation reporting sessions).
3. The professional literature.
4. Hennepin County Court Services Bulletin outlining responsibilities and expectations of probation officers.
5. Fellow probation officers, supervisors, judges.
6. Reviewing the type of people in general who had made a difference in my life.
7. Reviewing my personal assumptions about the probation process and my part in it.
8. A friend who teaches a Human Relations course.

The list then seemed to have several categories:

- Ability of the officer to communicate
- Ability of the officer to assess
- Ability of the officer to communicate
- Ability of the officer to set limits and to focus on prevention
- Personal traits of the officer

From these categories, a series of questions was developed in the form of a short checkoff list. The checkoff list was not designed to replace the "exit" interviews, but to supplement them. Important considerations in developing the form were:

- To use plain language.
- To make it short.
- To allow for anonymity, if desired.
- To allow the probationer additional comments.
- To limit the range of evaluation.

I ask each probationer to complete the checkoff list after he or she is discharged from probation. I encourage the probationers to be frank. Each person is given a stamped envelope addressed to my supervisor. Periodically, the supervisor reviews the contents of the evaluation with this officer.

A portion of the form is reproduced here.

For the most part, Hennepin County probation officers supervise only medium- and high-risk offenders. (Low-risk offenders are transferred to a team of volunteers supervised by a probation officer.) Caseloads include the usual range of felony and gross misdemeanor offenders, as well as a good number of sexual and assaultive offenders (who receive additional supervision time as required by the Bench), and a number of white-collar offenders. Probationers include both men and women, 18 years and older, with some younger juveniles certified as adults. These caseloads generally range between 46 and 90 clients, and probation averages about 2 years. Minority offenders are largely blacks and Indians.

As often found in an involuntary relationship, many probationers are hostile, testing, and angry when they are first assigned to probation. Frequently, they are particularly angry about specific conditions of probation, such as keeping away from a lover during the paying restitution or treatment. As Dr. Henry Hartman has noted, "It is the relationship is likely to be viewed by the probationer more often as punitive." 14
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NEWS OF THE FUTURE

RESEARCH AND DEVELOPMENT IN CORRECTIONS

BY JOHN P. CONRAD

The Sam Houston State University, Huntsville, Tenn.

There are too many prisons, two few guards, too many incompotent managers, too little money. Not enough work for prisoners to do larger terms for them to serve. Years of our maintenance have left too many prisons in a state of disarray. No other public institution is so directly our penal facilities; no other public institution is less likely to have its troubles remedied. It is no wonder that litigation has been under way in 50 states to correct the outlandish conditions that prevail in so many places of incarceration. After all, judges have consents, and among them recently remedied in English, has to be remedied. It is not necessary to list all the negative circumstances that brought us together. I have dealt with this (prison) personally..."We have to get into the prison..."

The checkpoint assessment forms have been given to probationers following discharge, and then compared to physiological tests. The results of the feedback model described here aren't a full interview, probationers saying in school. The checkpoint assessment list reinforces the interview process with the probationer—of course, he is not a "con artist." (9) We are put to a test, not the prisoners. The future is based on how the prisoners are treated by the new facts. We have data to ensure that the prisoners are treated fairly.

Are the Nation's Federal, state, and local correctional facilities adequate to meet the needs of the expanding prison population? (10) What are the Nation's Federal, state, and local correctional facilities adequate to meet the needs of the expanding prison population?

The most creative research reported has to do with the capacity of American prisons and jails to house the masses of prisoners on hand. At best, administrators have been hampered in determining the number of people who can be accommodated in their accommodations. As the Abt reporters comment, "Indeed, the capacities of correctional facilities have been administratively established from time to time with complete disregard of the number of people who have been released from prison on parole or from prison on probation. The most likely prison capacity is 50 to 100 percent, depending on the quality of prison. No sense can be made of the prison capacity problem by comparing the number of days in the prison.

The solution was obvious but laborious. In their mall questionnaire, they asked about the Nation's prison population to which prisoners spent the night. Two categories of "confined units" were defined. These measuring 120 square feet or more, and those measuring less than 120 square foot. Penology is still debating the minimum standards for cell space. Various organizations have recommended standards but these are often based on standards of 120 square feet, with some adjustments to be made depending on the size of the prison. The following report is a day that prison caps are to be locked up. The report was based upon the standard recommended by the American Psychiatric Association (APA) 80 square feet for each prisoner, whether in a cell or in a dormitory. Obviously, if we are to have prisons on 115 square feet or less, the APA standard was violated.

Across the Nation, about half our prison capacity is in cell housing. That figure is meaningless. Prisoners in the Northeast are 88 percent cellular, but in the South only 48 percent of capacity is in cells. That's far from the white story. Although 61 percent of all Federal prisoners live in cells of 60 or more square feet, the states of the Northeast and the West, which are more urban, have less than half of their cells in a 120 square foot or less. The authors note that the older the prison the smaller the capacity. The following report is a day that prison caps are to be locked up. The report was based upon the standard recommended by the American Psychiatric Association (APA) 80 square feet for each prisoner, whether in a cell or in a dormitory. Obviously, if we are to have prisons on 115 square feet or less, the APA standard was violated.