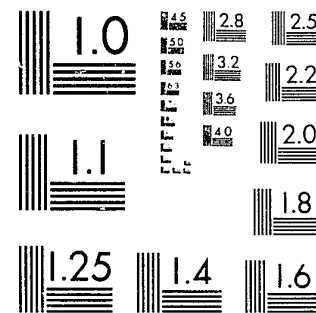


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6/12/84

Federal Probation

Public Relations in Probation *Eugene Kelly*

Academic and Practical Aspects of Probation:
A Comparison *James R. Davis*

Profit in the Private Presentence Report *Chester J. Kulis*

Reducing the Cost and Complexity of Probation
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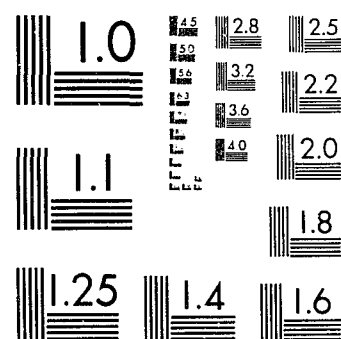
Managing the Mentally Abnormal (Dangerous) Offender *Herschel A. Prins*

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DECEMBER 1982

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

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

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

Subscriptions may be ordered from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, at an annual rate of \$9.00 (domestic) and \$11.25 (foreign). Single copies are available at \$3.50 (domestic) and \$4.40 (foreign).

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

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

Federal Probation

A JOURNAL OF CORRECTIONAL PHILOSOPHY AND PRACTICE

Published by the Administrative Office of the United States Courts

VOLUME XXXXVII

DECEMBER 1983

NUMBER 4

This Issue in Brief

ERRATA: The volume number on the June and September 1983 issues of FEDERAL PROBATION is incorrectly shown as Volume XXXXVI (46) instead of Volume XXXXVII (47).

Public Relations in Probation.—U.S. Probation Officer Eugene Kelly outlines the need of probation offices for public relations so that the community can be more aware of the philosophy that motivates probation workers. He also examines the role of the media—television, press, radio, college—and advocates a specific program for developing interns in parole and probation.

Academic and Practical Aspects of Probation: A Comparison.—In the practical world of probation, probation officers emphasize logic or common sense, subjective criteria, rules and guidelines, a maximum caseload size, and processing defendants quickly and skillfully. The academic world of probation emphasizes knowledge for its own sake, objective data, theory, and empirical research. Dr. James R. Davis of the New York City Department of Probation concludes that it may be dysfunctional to mix the academic and practical worlds of probation since each has its own role in criminal justice.

Profit in the Private Presentence Report.—Four basic issues raise a question about the appropriateness of private presentence reports, according to U.S. Probation Officer Chester J. Kulis. They are: (1) whether the private sector has a legitimate role in a quasi judicial function such as sentencing; (2) whether private presentence reports thwart needed reform of the probation function and sentencing; (3) whether private reports are truly cost-effective; and (4) whether the private practitioner has ethical dilemmas tending to compromise the sentencing process.

Reducing the Cost and Complexity of Probation Evaluation.—Professor Magnus Seng of Loyola University of Chicago believes that, while evaluation

is sometimes complex and expensive, it need not be. His article examines two misconceptions or myths

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about evaluation that lead to erroneous views about its methods and its cost and suggests ways in which meaningful evaluation of probation programs can be conducted without undue complexity or expense.

The Lively Career of an Island Prison.—The Federal penitentiary on McNeil Island began as a territorial prison over a century ago. Though it had an ill-advised location, the most primitive of accommodations, and no program except menial work, Paul Keve reports that it survived a half century of neglect to become one of the more dynamic of the Federal prisons. Its story is also the story of pioneers, the U.S. Marshals Service, the Puget Sound area, and the Federal Bureau of Prisons.

Prison Industries in Transition: Private Sector or Multistate Involvements.—Interviews with prison industry leadership in five states show that their problems are primarily organizational in nature. Authors Miller, Funke, and Grieser write that industry leadership was seen to have the necessary technical competencies to implement change, while inmate population increases have motivated correctional agencies to desire industries' expansion.

The Incidence of Sex and Sexual Aggression in Federal Prisons.—The first of two reports by Drs. Nacci and Kane establishes baselines of male in-

mates' involvement in sex and sexual aggression. Three hundred and thirty randomly selected inmates from 17 randomly chosen Federal prisons were interviewed by an ex-offender. Inmates were volunteers; confidentiality was maintained.

Group Psychotherapy and Intensive Probation Supervision With Sex Offenders: A Comparative Study.—This report by Joseph Romero and Linda Williams is based on a 10-year followup study of recidivism among 231 convicted sex offenders. The findings indicate that group psychotherapy in addition to probation does not significantly reduce sex offense recidivism when compared to intensive probation supervision alone. Issues in the evaluation of intervention techniques with sex offenders and implications of the findings are discussed.

Counselling the Mentally Abnormal (Dangerous) Offender.—Some aspects of social work counselling with the mentally abnormal (dangerous) offender are discussed from an English perspective by Herschel A. Prins of Leicester University. The need to have regard for the offender-patient's social milieu is stressed and some specific strategies for more successful work with this type of case are suggested.

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 an 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.

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Public Relations in Probation

BY EUGENE KELLY

U.S. Probation Officer, Camden, New Jersey

THERE is no question that there is a great need for public relations in probation. Probation as a human service is a relatively new development in social services. It needs to be defined and identified, and its various services need to be explained. The community generally classifies probation with juvenile service. Little is known about the existence of even such a fundamental document as the presentence report. Editors of newspapers, as a general rule, eliminate reporting that a presentence investigation is being prepared. Some years ago one newspaper in Chicago used for its logo the slogan, "Abolish Parole." Frequently it has been said that probation officers are reluctant to discuss their job not because of confidentiality of reports but because of a feeling that theirs is not a socially acceptable profession in society. The probation officer as a member of the community is a second-class citizen. Moreover, probation is a public service and the community has a right to know what this office is doing just as they know about the role and function of the district attorney's office. Unless, therefore, he speaks out, all of the good that this service does will remain unknown.

Public relations is "developing reciprocal understanding and good will." It is also, "the conscious effort of an organization to explain itself to those with whom it has or would have dealings."¹ Public relations is a generally well understood concept in most social organizations. Normally a private agency could not function without good and ongoing public relations. Most businesses know that they would have no customers without full public relations and widespread knowledge of their product or services. Probation needs a special kind of public relations which differs with each "public" that is encountered. The first of the "publics" regularly contacted by probation officers is the clients. They may be called, "criminals," "offenders," a "caseload," or just "the cases," but they are the human beings who, for a wide variety of reasons, find themselves convicted of a state or Federal offense which brings them into contact with a probation officer, first as an investigator and

then, in many cases, as a regular counselor. Public relations begins with this first contact with the client. Projecting himself as an interested, efficient, competent and well-informed public official dealing with his client is the first public relations function of the probation officer.

In addition to this key role, a probation officer encounters a number of other persons in the court and correctional system. These include: judges, defense attorneys, prosecuting attorneys, secretaries, student interns, and jail personnel. Probation officers should as a matter of practice have an open door to all members of the "court family." This should incline him, for example, to give new judges and other lawyers a full explanation of the role of probation and the different duties of the position. This can be done formally by a full program outlining the probation officer's role or informally by office chats and exchanges of views. Both techniques serve a specific function.

Probation officers, more than any other agency officials in state or Federal Government, unite what are described as human service functions and police duties. Each of these has a somewhat different role and a different philosophy. In reality they both offer a social agency service that, like probation, is often misunderstood. Police, although often defined differently, function as helping persons in many situations. Social service agencies often investigate clients in situations that sometimes are more difficult than police making an arrest. Probation officers share both these roles. Most probation officers can share the frustration of both agencies and may be able to bring an understanding of each that is special to the probation function.²

Probation has a special role in addressing the problem of the development of new community agencies. This brings into the system a number of different "publics" which must be managed in different ways. The probation officer as an investigator often knocks on doors and interviews people of different classes in society. He encounters the very poor, the middle classes, and occasionally members of the upper classes. Perhaps, a Federal probation officer encounters more corporation heads than other probation officers because of the various offenses that are special to Federal courts; nevertheless, all probation officers interview employers, landlords, school officials and

¹Guide to Community Relations for United States Probation Officers, Federal Judicial Center, Washington, D.C., 1975, p. 1.

²Ehlers, Walter H., et al., Administration for the Human Services, Harper & Row, 1976, p. 291 ff.

relatives which tend to cross class lines frequently. This exposure to all parts of society qualifies probation officers to understand the needs of the community and to enter into planning for new community agencies which will help his clients. He can take these occasions to inform the community of the needs of clients of probation. He can participate in meetings which design these new agencies, and he can assist in the implementing of the new agencies in whatever ways may be available. The following quotation suggests the ways to carry out such programs:

In addition to the specific duties set out above the probation officer has a broad responsibility to know his community, its culture, traditions, institutions and agencies. He should know all the social resources in the community and how to make use of them, and he should take an active interest in his community's social welfare.

Further, the probation officer should do all he can to increase public understanding and knowledge of probation and parole and recognition of their advantages. The officer should handle publicity with dignity and tact and friendliness, being mindful of the confidential nature of the court's work and his own responsibility to the offenders he is assisting.³

Leadership in such programs can be done by the probation management team or by individual officers who are given these assignments. Naturally, the management team and the judges would be kept advised of such projects. Judges particularly offer and contribute a great deal of personal leadership to help develop services which are needed. The current effort to have probationers participate in community service work suggests a trend that can be most fruitful for the entire probation system.

What should motivate a probation officer to engage in a program of public relations for his community? The following quotation may add some understanding:

Why is the probation officer in the business of promoting probation? Most obviously he is the person best suited to do so. He knows what it is all about. It is he to whom the court turns for knowledge of the human qualities of the men or women that are placed under probation supervision. The probation officer assists his men in seeking employment. He explains to an employer, for example, why it might be just as satisfactory to hire a probationer for the job of steamfitter as it would be to hire someone else. He knows that crime is a combination of many factors and not necessarily innate viciousness of the person who has been convicted. He knows the family life and martial history of the person who has been placed on probation and is better able to explain why this particular person was in conflict with society.

Probation Officers are not alone in believing that many persons convicted of crime should be granted an opportunity to become responsible, productive, law-abiding citizens in the free community. Many citizens in a community already believe in the dignity and worth of the individual and his capacity to improve his behavior. They are interested in probation and want to help the probation officer do his work efficiently and effectively.

All they need is information about the way probation works. One of the purposes of this monograph is to help probation officers disseminate information and interpret probation to the community. Although many people share with the probation office a common belief in the worth of the individual, the majority have never thought about probation or the treatment of the offender. They have a few partially formulated ideas, some negative opinions, and also some rather naive notions about the offender, criminal behavior, and the role of probation, institutions, and parole in criminal justice. For these people the probation officer can develop a meaningful public relations program.⁴

If one is motivated to engage in a program of public relations and has some talent at doing the job as well as the encouragement and assistance of the judge and the management team, how does one go about preparing to carry out such a program? The *Guide for U. S. Probation Officers* offers a brief outline of a possible talk on probation, but this by itself is not sufficient. Ehler's work on *Administration for the Human Services* gives a brief outline of using public relations which easily could be adapted to the probation system. The Federal Judicial Center has a number of records that are available to prepare for such programs. But what is not frequently explained is the "chain of development." Besides those functions which are a natural part of the court function, how does one have the opportunities for presenting public relations material on probation?

The first step is understanding the media. In order to understand the media we should know the logical place to present material on probation. The first of the doors to open for the inexperienced probation officer might be the service organizations such as the Rotary and various other community service centers. Each of these organizations has a program person who designs and selects speakers for meetings over the course of the year. This is the person the probation officer has to telephone to develop a program in public relations. The program person will then arrange the opportunities for an address at one of their meetings. One or two addresses may open up additional doors to other service organizations. Usually there are many service organizations that may contact a probation office for speakers. If the office is large enough, a committee could be developed by the chief probation officer so that these possible opportunities for speaking engagements can be met.

There was mentioned in a previous paragraph a concept called "chain of development." This has been coined by the author to indicate a linking of public relations functions as the base begins to expand. If programs turn out to be successful and the speakers are interesting, there will be increased demand for their services and consequently a greater experience working with the media. If a staff of probation officers have practiced with the service agency approach, they may then move in the direction of using the profes-

sional media. The first of these might be public service television. All of the networks presenting TV programs are required by FCC regulations to offer a certain number of hours of programming that are not commercial and represent a "public service type of programming." Each station has a public service manager who prepares programs for airing that are called "public service." Consequently, if a probation officer were interested in arranging a short program that could fulfill this requirement, there would be no problem in using this medium. The various networks have time set aside for public service announcements. Hence, if a probation office wished to contact a representative of the network in order to develop a volunteer system and desired to attract public interest and participation in the system, all that would be required would be some efforts to film a small 2-minute segment which could be aired frequently just as commercial messages are aired. This has been brought home to the author because the Camden County Probation Office has carried out just such a program for the total cost of \$50 and the announcement has been shown for 2 or 3 years.⁵

The opportunities for presenting programs on television are not limited to the public service program manager. The station manager who controls all the material presented on the station may offer other suggestions for presentations. A telephone call to the program manager or to the station manager will begin the process. However, the officer must do his "homework." He must be prepared to outline an entire half-hour program with ideas on how to put his message across. It might be possible to take slides of significant functions of probation to illustrate how, for example, a presentence is prepared. Circle Theater in New York many years ago devoted an hour program showing how a probation officer does his field investigation. A cameraman was supplied to the New York office and he photographed an average field day of a probation officer. This happened only because the chief felt this was an appropriate function for this office. The staff were willing to carry it out and did so with very good skill.

How can a probation office, after a program has been aired, evaluate their efforts? It might be possible to contact a communications professor at a local college and arrange for his class to evaluate a taped presentation as to content and development. A study such as this could be another vehicle of public information.

The recent development of cable television offers numerous chances for a probation staff to experiment with new formats for public information. For example, nurses at the University of Pennsylvania have prepared an instructional television program which dramatizes how to do the job of a nurse. This film is now being used in Africa to instruct other nurses. This inventive sort of application of the media could well be used by probation.

What method might be used to put together a program in public relations in a large probation office? First of all a committee, chosen from the staff, could be organized to discuss the sort of projects that might be considered. This could be governed by the principles suggested by William P. Anthony in his work *Participative Management*.⁶ The group method called "family" grouping which involves selecting a vertical "slice" of the organization might be used for a sort of "retreat like" atmosphere to discuss the methods of achieving this sort of objective. Having once formed this group, the members might test various public reactions to programs on the other members so that, in a nonthreatening atmosphere, the reluctance of the members to undertake such programs might be explored and the supporting group could encourage undertaking new programs. It could happen, too, that various hobbies and interests of the staff might augment the information of the group and add more impetus to the project. Sharing in the project would act as a catalyst to unlock the talents of the staff. In a small office of approximately six employees such a program might not be as possible. In small offices outside resources such as a local college might be used to augment the limited resources of the agency.

The newspapers in a community offer the probation system an excellent medium of development. A freelance writer for a newspaper can find many human interest stories in the average probation caseload. We face a singular difficulty in the area. Those who succeed on probation infrequently want their stories told. Consequently, that side of the picture is grossly underreported. The police are often aware of the failures of probation and parole and this information is often presented. Most probation officers are aware that as many as 85 percent of their cases complete probation without incident, but this fact is not known to the public. This fact justifies our occupational efforts and balances the sad story of crime. If each of us talked to our successful probationers at length, possibly we might find at least a few who would permit their success stories to be told if the reporter did not use true names. Most of us work in probation because the human experiences are often fascinating. These stories would be equally

³An Introduction to the Federal Probation System, The Federal Judicial Center, 1976, p. 8.

⁴Guide to Community Relations for U. S. Probation Officers, p. 8.

⁵Interviews with Chief Probation Officer Kenneth Spaar, Camden, N.J., 1981.

⁶William P. Anthony, *Participative Management* (Addison-Wesley Publishing Co. Philipines, 1978) p. 88 ff.

fascinating to the average newspaper reader. In fact, such an example of this kind of reporting is presented in *Federal Probation Quarterly* under the title "New Careers."⁷

Another usage of the newspaper that could be made by the management team is the Sunday supplement section. It has been the writer's observation that the Federal Bureau of Investigation seems to instruct their regional superiors to arrange for such media presentation about once or twice a year.

The contact person for this feature is the editor of the Sunday supplement. A telephone call to this person begins the process. Either the probation department, if they have talented staff, can supply the photos or the newspaper will arrange photos themselves. Interviews with rural probation officers and city probation officers and the presentation of the differences should illustrate the complexity of probation work. One must always be sensitive to the identity of individuals and the need for confidentiality, but with that caveat, a great deal can be done. It is, however, important that probation officers and the management team give the reporter only that information that is within the limits set by the court and approved by the chief probation officer.⁸ On the other hand, we must be aware of the needs of the press. They are principally interested in the answers to the following questions in a news story: who, what, where, when, why, and how. The difficulty will be in balancing the two features of our work—the need for press relations and the need for confidentiality.

Another sort of story that often goes unreported in the probation system is the hiring of new staff. This would give a chief probation officer an excellent opportunity on an occasional basis for showing the public that his staff are educated, dedicated to helping their fellow man and experienced professionals. Moreover, each new change in probation work should be reported so that there will be a sense of development and progress.

Another mass media resource often neglected by the probation department is the radio. Just as television stations are handled by a program manager, the radio stations also have a program manager and often a public service manager. These are the persons that probation officers may contact for getting the information about probation to the public. Radio stations frequently offer "talk shows" and often the topic may be an aspect of the "crime problem." It is precisely in that sort of program that the successes of probation should be aired. There is no question that failures

of probation are currently often given undue time in such programs. Since most offices today are equipped with tape recorders, it would be simple enough for officers to practice with their machines in the presentation and development of radio shows.

The writer has discovered that an interesting feature of the use of the tape recorder that might aid in public relations is the use of the telephone wiretap. Few of us have deliberately cultivated a telephone presentation nor do we evaluate our telephone voice and attitude. With the use of wiretap equipment it might be helpful especially with the training of new probation officers to show them what they sound like when they speak on the telephone, and how they might improve that telephone style. Trainers might be obtained from the local phone company.

Another interesting usage of the tape recorder that could be serviceable to probation officers is what is known as "oral research." Columbia's Butler Library and other libraries have a division that specializes in developing historical research by interviewing people for their memories of historical events and their personal histories. Such an interesting research technique was used by the student to interview the judge who presided at the swearing in of Albert Einstein as a citizen of the United States.⁹ Much of the history of the development of the court system in the United States could be preserved and could be an important training tool for young people in colleges. This tool has been very effectively used for research by Columbia since almost 75 percent of those engaging in that form of study have obtained their Ph.D's. Moreover, it provides the primary research for a great number of books.

This small paper has largely emphasized the role of public relations for probation, but it is equally true that state parole divisions are gravely in need of this service. This was one of the themes at a national workshop on parole and the following is directed at parole officials:

All personnel-parole board members, professional staff, and clerical staff must be completely oriented to the basic concepts of parole and the basic functions and responsibilities of the board and department. Each person must be considered as a potential interpreter of parole to the community. For example, a parole organization may create a favorable or unfavorable impression by the manners of an employee on the telephone. Moreover, everyone in a parole organization moves in a society where he or she has an opportunity to sell parole. The more informed he is, the more effective he can be.

Advocates of parole should be constantly on the alert for opportunities to inform the public of the entire parole program, and to interpret the objectives and advantages of parole. Acceptance of parole procedure will come when the taxpayer is convinced that he is adequately and economically protected.

Citizens must be convinced that proper parole release and supervision of parolees can only be established if parole agencies are adequately staffed with properly qualified personnel.

Civic groups and organizations should be approached in a program of public relations as they provide a channel for proper presentation of parole to the general public.¹⁰

Correctional internship in a probation or parole office may provide another avenue of public relations for an agency. Ten years ago this was a rare feature in a correctional agency. Possibly the only office in the Federal system that had internships was the Chicago office. Today more and more administrators of probation are seeing this teaching approach as a necessary function of their offices. However, there still is a gap and a basic misunderstanding between probation and colleges. Like other sorts of investigation this needs "field work." It is important that the professors who guide the students in the internship experience have frequent contact with the staff and administrators of probation. Critical to the development of this program is staff support and input. Staff meetings must be devoted to a discussion of the role of the interns, their functions in the agency and the role of the supervising probation officers. The interns must be screened and only qualified students invited to participate. A coordinator of interns must have a

fully developed program with a testing and evaluating procedure to assure the successful completion of the goals. Moreover, the student interns should have a daily activities procedure outlined from the beginning which incorporates the full gamut of various functions and exposes the student to a variety of agencies. It is important that the student prepare a self-evaluation of his or her experience in the probation internship program. This document can provide necessary input for improving the program in the future and correcting errors quickly.¹¹

In this article we have attempted to outline the needs of the probation office for public relations. This is a two-way street bringing the probation officer and the public in contact with each other; but, moreover, it is a way of explaining the philosophy that motivates probation workers. We have tried to select areas in which improvements would be most useful to the busy probation official. We have suggested methods of implementing public information that may prove useful to officers in both large and small offices. We have examined the role of the different media—television, press, radio, college—and a specific program for developing interns in parole and probation.

These suggestions will only prove fruitful if they are carried out by every probation officer in the United States.

⁷Guide, pp. 10, 11.
⁸Jeffrey L. Schrank, "The Development and Administration of a Correctional Internship Program: A Model," *Federal Probation*, December, 1979, pp. 43-48.

Academic and Practical Aspects of Probation: A Comparison 92863

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IF ONE BELIEVES that what is learned in the academic world is relevant to the world of everyday work, he or she is naive and will experience disappointment or frustration. A good example is the case of probation. I have been employed as a probation officer for 13 years. I have also experienced the academic world for many years as a student in criminal justice. I have read extensively in the field. I have also done research in criminal justice for a number of years. Therefore, I believe that I have experienced both the academic world and the practical world of probation to offer a comparison of the two worlds.

¹See James R. Davis, *The Sentencing Dispositions of New York City Lower Court Criminal Judges*, Washington University Press of America, 1982.

Presentence Investigation

As a probation officer in a lower-criminal court in New York City, my job has been mainly to investigate the background factors of defendants, e.g., family, social, educational, legal, etc., and incorporate these facts with a sentencing recommendation in a presentence report called PSI. Since I work in a lower-criminal court, these are mainly misdemeanors, although occasionally we investigate felonies. The recommendations written in our reports are usually followed by the judges.¹ This function of probation is called investigation, and the other major function of probation is called supervision. In supervision, defendants are counseled and supervised by probation of-

⁷*Federal Probation*, June 1975, p. 61.

⁸Guide, pp. 35-41.

⁹Eugene Kelly, *Oral History of the U. S. District Court in New Jersey and Trenton*, unpublished, 1975.

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