Federal Probation

SEPTEMBER 1992

Federal Probation

A JOURNAL OF CORRECTIONAL PHILOSOPHY AND PRACTICE

Published by the Administrative Office of the United States Courts

VOLUME LVI SEPTEMBER 1992 NUMBER 3

This Issue in Brief

Divided by a Common Language: British and American Probation Cultures.—American and British probation officers speak the same language but—according to authors Todd R. Clear and Judith Rumgay—have very different approaches to their jobs. The authors explore the important differences between the two probation traditions and their impact on the development of probation supervision in both countries.

Alternative Incarceration: An Inevitable Response to Institutional Overcrowding.—Authors Richard J. Koehler and Charles Lindner discuss alternative incarceration programs—programs for offenders who do not require the total control of incarceration, but for whom probation is not an appropriate sentence. The authors highlight New York City's Supervised Detention Program, a program which provides an alternative to pretrial jail incarceration, as an illustration.

Variations in the Administration of Probation Supervision.—Authors Robert C. Cushman and Dale K. Sechrest explore the reasons for the great diversity in the operations of probation agencies, including differences in caseload size and services provided. They document variations in felony sentencing and use of probation for 32 urban and suburban jurisdictions using data primarily collected by the National Association of Criminal Justice Planners.

An Evaluation of the Kalamazoo Probation Enhancement Program.—Noting that few studies have evaluated halfway houses designed exclusively for probationers, authors Kevin I. Minor and David J. Hartmann report on a study of a probation halfway house known as the Kalamazoo Probation Enhancement Program (KPEP). Findings reveal that while relatively few residents received successful discharges from KPEP, those who did were less likely than those who received unsuccessful discharges to recidivate during a 1-year followup period.

Criminalizing Hate: An Empirical Assessment.—Author Eugene H. Czajkoski focuses on a fairly new phenomenon in the criminal justice taxonomy, hate crime. He discusses the recent movement to criminalize certain forms of hate and examines data officially reported by the State of Florida regarding the first full calendar year of operation of its hate crime law.

Pretrial Bond Supervision: An Empirical Analysis With Policy Implications.—Author Keith W. Cooprider discusses policy and operational implications derived from an empirical analysis of bond supervision data obtained from a county-based pretrial release program. He analyzes the use of electronic monitoring and describes patterns of success and failure on bond supervision.

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Divided by a Common Language: British and American Probation Cultures

By Todd R. Clear and Judith Rumgay*

Introduction

This article explores some divergent aspects of British and American probation systems and their impact on the development of probation supervision in each country. The thesis of the article is that there are important differences between the two probation traditions, differences that are frequently overlooked by probation professionals on both sides of the Atlantic. The tendency to downplay differences, we think, stems from the common language the two countries share: Similarities in terminology make it easy to assume there is similarity in substance.

It is our position that these similarities are more apparent than real and that the common language obscures important differences between the two probation cultures. The purpose of this article is to identify those differences and describe their importance.

Contrasts are starkly drawn; the authors make no apology for this. Of course, concepts, philosophies, and traditions become blurred and overlap at their peripheries. However, a language problem is not resolved by attention to the peripheries of experiences and ideas, but by identifying core distinctions. Equally, the comparative analysis explored here may appear to gloss over some of the complexities of internal debate in either country. However, this article does not seek to examine the detail and nuances of internal debate, but rather to show how that debate itself may be constructively informed by the contrasts in probation cultures which it identifies.

This exploratory exercise suggests that American and British probation officers, misled by superficial similarities, have drawn some inappropriate conclusions from their observations of each other. For example, it is common for British probation professionals to believe that trends in the United Kingdom are following those that have occurred in the United States. Similarly, U.S. experts might easily perceive that British probation practices are not as advanced technically as those in America. We believe that such conclusions—based as they are upon a false belief in the basic similarities between the two probations—are unwarranted.

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It is not suggested that British and American probation systems are so alien that they can learn nothing from each other. However, the significant lessons derive rather from an understanding of their differences than from an assumption of their essential similarity.

Comparative Dimensions

Comparisons of British and American probation systems tend to draw on "quantitative" measures of supervision methods: their relative number, variety, intensity, and technological sophistication. However, this concentration on the outward appearance of probation practice overlooks two fundamental dimensions upon which they differ: unity vs. fragmentation; and client centeredness vs. client management.

Unity vs. Fragmentation

British probation systems are highly unified in comparison with American systems. There are four areas in which this contrast is most clearly revealed: organization; legislation; training; and professional identity.

Organization. For the uninitiated, Harman (1989) nicely encapsulates the eccentricities of British probation organization:

> The Probation Service, in organisational terms, is a very strange beast. It is a service orientated organisation whose main clients (offenders) and customers (courts) do not directly pay for its services. The major paying authority (Home Office) is not directly represented on the employing body: the Probation Committee; however, the Home Office automatically pays, under current arrangements, 80% of the budget once 20% has been agreed by Local Authorities who, themselves, are not major representatives on Probation Committees. It is also an organisation where 80% of its resources are people . . . (p.15)

This disconnectedness between the various parts of the organization is more apparent than real. There are 56 separate, local probation services crammed into the—by American standards—remarkably small geographical area of England and Wales. However, each of these local services uses similar internal hierarchical structures and bureaucratic procedures, is constrained within a framework of national policy and law, and is equally accountable to the center. Thus, variations in policy and practice between local services are differences of emphasis rather than substance. While it is true that, in Northern Ireland and in Scotland, probation is subject to separate organization and legislation, it is nevertheless also the case that legislation is essentially similar, policy and practice pursue similar paths, and training is similarly housed in social work education programs. Indeed, the most

striking dissimilarity—the location of probation in Scotland within social work departments—is, in this respect, perhaps also the most telling. Despite the multiplicity of local services, therefore, British probation officers experience no ambiguity in their use of the expression "probation service" as an umbrella term embracing their common structure and professional identity.

By contrast, probation in the United States is extraordinarily fragmented. There are literally thousands of distinct probation departments in the U.S., and they follow no less than eight different organizational arrangements: Adult and juvenile probation (and parole) programs may be separated or combined, they may be placed under state or local government, and they may be housed within the judicial or executive branch of government. Remarkably, all possible permutations exist, and some jurisdictions have more than one combination of possible organizing stuctures (see Clear & Cole, 1990, for a description).

The fragmented nature of U.S. probation systems is difficult to overstate. In all major cities of the United States, there is more than one probation agency in operation, and sometimes there are as many as three with distinct legal jurisdictions covering the same geographical area. Sometimes, the probation agency is organizationally separate from all other human services and is thereby able to sustain a degree of autonomy from them. Elsewhere, probation is accountable to the same administrator who manages the prison system.

Funding practices are similarly inconsistent. Some systems are funded out of state revenues, some out of local taxes, and others are funded by a combination of these sources. Increasingly, "special" revenues such as probation supervision fees and fines are used to supplement the costs of probation (Baird, 1986), with the consequence of considerable inequities among U.S. probation systems regarding the level of financing.

As a result of this multifaceted fragmentation it is not meaningful to refer to probation in the United States as "the probation service" in the same way the term is used so routinely in Britain. There is no single U.S. "service"—indeed, many observers would object to the use of the word service to describe probation. Instead, the term "probation agency" seems more apt—and exactly what it means depends entirely upon which which one of the hundreds of agencies is being described.

Legislation. All probation services in England and Wales are bound by a single legislative framework which delineates their structure, statutory reponsibilities, and the legally enforceable requirements which may be imposed on offenders under supervision. As previously stated, the legislative base of probation in Northern Ireland and Scotland is similar in essential respects. The probation order is available to sentencers for all criminal offenses other than murder and treason and in this respect has occupied a unique position in British criminal justice, being, in principle, independent of the tariff scale along which other sentences range. Thus the British probation order has traditionally been a legitimate option for sentencers in its own right, representing the individualized response to the perceived need of an offender for supervision.

The history of British probation legislation has also entailed a process of increasing specification of the limits to intrusion into probationers' lives, placing explicit limitations upon requirements concerning residence, medical treatment, and intensive day center programs. "Creative" interpretations of this legislative framework are generally discouraged. Most notably, attempts to invoke an apparently permissive clause in the Powers of the Criminal Courts Act 1973 to enforce attendance at day centers were so criticized by the House of Lords (Court of Appeal: *Cullen* v. *Rogers* [1982] W.L.R. 729), that these developments effectively ceased until the limits to such requirements were specified in later legislation in the Criminal Justice Act 1982 (Raynor, 1985).

Enabling legislation for U.S. probation is different in each of the states, the District of Columbia, and the Federal system. This means that no single legislative tradition can be studied, as applies to England; instead, there are over 50 such traditions. One result of this variability is that there are vast differences in the formal mission and philosophy of probation, as embodied in legislation. An illustration is provided by the contiguous western states of Washington and Oregon. In Washington, offenders are sentenced directly to probation and normally cannot be revoked from probation except in the face of a new arrest. Oregon offenders are sentenced to a term in prison and may be placed on probation only if the judge chooses to suspend the execution of prison term. They may be revoked for a proven failure to abide by any of a list of 15 "conditions" or more.

Another implication is the status probation legislation takes in most penal codes: It is seen predominantly as an "alternative to incarceration." As a result, probation in the U.S. is normally thought of as a penal sanction which must be compared to prison, rather than defined on its own terms.

Training. British probation practice is predicated on qualification in social work. Although the educational level at which social work training courses are pitched varies, catering to both graduate and non-graduate markets, this baseline qualification ensures that all probation officers enter the service with a

common grounding in the academic social sciences, social work theory, and extended periods of supervised practice. Two years of full-time such study is now the most common route to qualification for probation students, many of whom are sponsored during training by the Home Office. As a result, there is a ready market for a substantial body of literature which describes, analyzes, evaluates, and conceptualizes the role, tasks, and methods of probation work.

It goes without saying that the educational and training requirements for a U.S. probation officer vary from agency to agency. For the most part (though not always) the entry level requirement is a completed degree from an accredited liberal arts college. The area of study is often open, but generally emphasizes traditional behavioral and social sciences. Frequently, the route to a probation career requires passing an entry-level "merit" exam prepared by the civil service system, even after completing the educational requirement to qualify for the position. However, these tests do not have very ambitious expectations for prospective officer's knowledge.

Perhaps because of the variable basis by which new officers enter the field, a distinction is normally made betweeen education and training as preparatory for the profession. Regardless of educational background, officers are normally required to attend a "basic" training program in the early days of their work—national standards call for 160 hours of training in the first year (4 weeks) followed by 40 hours retraining each subsequent year (ACA, 1981). The training programs are typically run by the agency itself (or an associated state agency), and so they tend to emphasize narrow performance requirements of the job rather than "concepts" of probation, and their curriculae are idiosyncratic. It must be admitted, however, that on a national scale, many probation agencies do not provide the training that is required by minimum standards, and even when they do, the training is of suspect quality (GAO, 1977). The only nationally focused training program, run by the National Institute of Corrections, is directed toward the needs of managers and administrators, not line staff.

Professional Identity. Partly as a result of the long tradition of training based in social work educational programs, the British probation service has a strong, cohesive professional identity as a social work agency. This identity is rooted in a philanthropic tradition of antipathy to imprisonment, sympathy for the offender's social and personal difficulties, and reform through intervention at the level of personal need. The injunction to probation officers to "advise, assist and befriend" offenders under their supervision has been a cornerstone of their practice throughout the service's history (Bochel, 1976; Jarvis, 1972). British probation officers, through a mixture of public argumentativeness and private guile, have successfully resisted all attempts to persuade them to embrace a more explicitly coercive philosophy, even when attack appears to come from within their own ranks (see, for example, Davies, 1984; Haxby, 1978; and Kent Probation and After-Care Service, 1980, for failed attempts to induce correctionalist enthusiasm). In this, they have been protected by their recognized professional status; few critics refuse to acknowledge some good in their work.

It is hardly surprising that in the United States, with its myriad legislative missions, organizational functions, job requirements, and training emphases, there is nothing approaching a "uniform" probation identity. Whereas in Britain, the standardized training requirement creates and reinforces a predominant social work identity in the field, no such force exists in the United States. Idiosyncratic training experiences following vague educational requirements do not constitute an "identity," nor do they promote one.

If anything, then, the "identity" of the U.S. probation officer is diffuse, tied to the rapid growth of "criminal justice" undergraduate education. There is a tendency for officers to see themselves as part of a system: In the case of judicially linked agencies, it is the court system; for others, it is the corrections system. Likewise, U.S. probation officers are more likely to see themselves as a part of "law enforcement" than do their British counterparts. But any broad generalizations about professional identity should not overshadow the significant disagreements that exist among U.S. probation staff. This has led to a number of studies of "role-taking" among probation officers, because U.S. probation officers might select from among a variety of orientations (Glaser, 1951; Duffee & O'Leary, 1967).

Client Centeredness vs. Client Management

The social work tradition and training of British probation officers lead naturally to a focus on the offender as the primary recipient of professional service. British probation officers acknowledge, and are often acutely conscious of, their accountability to, and need for, credibility with courts and the public (see, for example, Coker & Martin, 1985, on parole supervision; McWilliams, 1986, on presentence recommendations). Nevertheless, this accountability is interpreted from a perspective which is primarily offender focused.

In the U.S., the accountability of the probation officer has been a topic of considerable debate (compare Clear & O'Leary, 1983; MacAnany, Thompson, & Fogel, 1984; von Hirsch, 1976; Barkdull, 1976; Klein, 1989). Yet the offender fares remarkably poorly in these debates. Instead, writers tend to compare the merits of accountability to courts, to victims, to the

general public, and in all these cases, accountability means to "represent the interests" of these external clients to the offender. This is the point: when the British probation officer says "client," the word denotes the offender; U.S. officers think of the community, the judge, the police as "clients" perhaps having greater importance than probationers.

This contrast in client centeredness and client ambivalence is clearly revealed in differing approaches to voluntarism, to coercion, and to innovation in supervision methods.

Voluntarism. Among British probation officers, the professional value base of social work, and also the legislative tradition of probation, encourages considerable investment in voluntarism. In the spirit of voluntarism, the informed consent of offenders to the content of supervision is a priority goal. The offender's consent to the probation order in open court formally establishes his agreement to the conditions of probation. This emphasis on voluntary, informed consent places much of the responsibility for the good conduct of the order squarely on the offender's shoulders. It is by the offender's action that the order is "breached."

Ironically, a form of new life has been breathed into the traditional social work ethic of client self-determination (Biestek, 1961) through critiques of the damaging coercive potential of unfettered rehabilitative zeal (Cohen, 1985; Schur, 1973). Some of the most radical shifts in British probation practice reflect a direct response to research evaluations of the excessive intrusiveness of rehabilitative ideology (Hudson, 1987). For example, evidence of potential net-widening, tariff-shortening, and ultimately incarcerative results of probation intervention have encouraged the development of strategies attempting to control the natural tendency of the service to extend its reach (see Mair, 1989). Probation officers no longer assume that their well-meaning interventions are self-evidently good for offenders. Offenders must make their own mistakes, until such time as probation supervision would represent a timely diversion from greater harms, in particular imprisonment.

Such critiques, coupled with evidence of ineffectiveness, had quite a different effect in the United States. Instead of spawning a reaction to control probation's intrusiveness, there was a series of complaints that probation could not carry the weight of the burden it had been assigned. Robert Martinson (1976) referred to probation as "kind of a standing joke." Wilson (1975) and Van den Haag (1975) suggested subtly that probation was irrelevant to the crime control mission of criminal justice. Von Hirsch (1976) and others (Friends, 1971) represented probation officers as impotent, intrusive "do-gooders" who made life miserable for ordinary offenders.

This difference was perhaps a natural result of the ambivalence with which probation in the U.S. had embraced any sense of mission. Uncertain whether the job it had undertaken was supposed to prevent crime, protect communities, or help criminals, the field was caught in the breach when the plethora of studies questioning any effect of supervision on offender behavior poured forth. Because the U.S. debate about the probation mission had a longer tradition of recognizing public accountability, the failure of probation was seen not as a failure with regard to offenders, but a failure with regard to the community—the people who pay the costs of probation. Thus, the question facing probation engaged the jugular: How could probation re-establish itself to serve the needs of its "client"—the public who pays the tab? U.S. probation leaders found themselves faced with the need to justify their continued existence, not to a lobby group of offenders and their advocates, but to a political context increasingly alarmed about crime.

Coercion. The British emphasis on voluntarism, coupled with a training which emphasizes the skilled conduct of interpersonal relationships, results in an interactive style with offenders which is primarily based on negotiation. This interactive negotiating style should not be confused with *laissez faire*, to which its behavioral manifestation can lend a misleading superficial resemblance (Baldock & Prior, 1981). It is an unassuming approach which belies a technique of containment and persuasion based on a personalized focus on the offender (see, for example, Coker & Martin, 1985; Hardiker & Curnock, 1984; Whitehead, 1990; Willis 1983). In the current climate of government pressure on the probation service to toughen up its image and approach (Patten, 1988), probation officers themselves frequently appear somewhat embarrassed about such observations of their interactions with clients, claiming them to be outdated accounts of a service changing too rapidly for research to keep pace. Nevertheless, these repeated observational accounts remain unchallenged. Indeed, the emergence of such methods in programs designed as tough alternatives to custody (see Raynor, 1988) is hardly surprising given the concentration of training in precisely such skills.

The desire to avoid coercion should not be attributed solely to the idiosyncracies of a professional ethos. British probation practice, in this respect, also reflects a legislative tradition demanding consent and specifying limits to probation intervention, and a general reluctance on the part of sentencers to impeach their own credibility by the imposition of unenforceable requirements, however superficially desirable they may appear (see, for example, Magistrates' Association, 1988, on electronic monitoring). It is a curiously

unremarked fact that, contrary to probation officers' thrilled anticipation of a major confrontation with sentencers, their refusal to implement curfew conditions in juvenile supervision, introduced in the Criminal Justice Act 1982, met with virtually no resistance.

The U.S. probation practice has a longer tradition of coercion. The existence of a probation order with which the client disagrees is seen as standard practice. The client does not "breach" the order, as though he is the active agent; rather, the officer is the active agent, "revoking" the probation after "proving" a violation. If there is little surprise that the probationer resents some of the conditions of probation, there is less alarm that it is the officer's job to carefully monitor whether the resentment has turned into defiance. It is a part of what U.S. officers refer to as their "law enforcement function," and in many areas, this means carrying guns and making arrests.

To this extent, the idea of "client self-determination" is not relevant to the U.S. probation experience. Offenders are not asked whether they want to abide by conditions. The court's job is to set conditions that reflect public interests, not offenders' interests. To act as though the offender's personal goals play a large role in this process is thought to promote the charade that probation officers are "there to help." It is good when the client accepts the problems of his life; it is good when the officer can do things to help him with those problems. But this is never the core purpose of probation activity, except when "helping with problems" directly reduces criminal behavior.

Innovation. It is undeniable that in the 1970's, probation came under widespread criticism on both sides of the Atlantic. In the face of serious doubts about the credibility of the practice, a need arose for innovative thinking about the work of the probation officer.

British innovation followed historical traditions that developments in methods of offender supervision be rooted in practice initiatives, reflecting shifts in social work fashion and theory. For many years, probation practice was dominated by a casework approach derived from the theoretical emphasis in social work on the significance of the client-worker relationship for effecting change (Foren & Bailey, 1968; Monger, 1964). In the 1970's, a broadly based "unitary" approach (Pincus & Minahan, 1973; Goldstein, 1973) emerged in social work theory, which stressed diversification of the methods to be brought to bear upon clients' personal dificulties. In probation, innovative strategies developed by practicing probation officers encouraged the adoption of groupwork with offenders and the mobilization of various community resources in the interests of offenders and crime prevention generally. Such "ground up" initiatives were endorsed by national policy (Home Office, 1984, 1988) and facilitated by legislation (Criminal Justice Act 1982).

In the U.S., managers invented managerial solutions to the attacks on probation. The most notable examples were the "model probation and parole management systems" designed and promoted by the National Institute of Corrections. These were essentially techniques for rationalizing the supervision process—giving it structure and making it susceptible to external controls. On a wholly voluntary basis, several dozen agencies led the way in adopting the "model," which within a few years became standard practice across the country (Burke, 1991). This was a top-down response to the challenge facing probation. For the most part, line probation staff resisted the changes, sometimes vociferously. But their concerns did not prevail, for the catchwords of the day were "systems," "accountability," and "decision-making structures." The concomitant new technologies of management—prediction scales, workload measures computer systems (Baird, 1981)—took the field like a juggernaut. This again illustrates that the problem was seen not as one between probation officers and their clients, but between probation agencies and their communities.

Thus, comparison of British and American probation systems on the dimensions of unity vs. fragmentation and client centeredness vs. client ambivalence reveals some fundamental differences in their structure, traditions and perspectives. British probation systems are unified in organization, legislation, and identity and are based on a theory of offender supervision that is rooted in social work, emphasizing voluntarism and encouraging practitioner innovations in supervision methods. American systems are highly fragmented legally, politically, functionally, and financially. Lacking a traditional identity, they have increasingly embraced coercive and managerial strategies of supervision.

A Crisis Shared is Two Crises

The divergences in British and American structure, traditions, and perspectives, identified above, are crucial to an understanding of a fundamental difference in the experience of the most significant crisis in the history of the probation service on both sides of the Atlantic: the collapse of the rehabilitative ideal. Originating in Martinson's (1974) review of evaluative research, this crisis precipitated a radical review of probation and a change in approach to the supervision of offenders. For both British and American probation services, the collapse of rehabilitation was a threat to survival.

This obvious similarity, however, masks a crucial difference in the experience of this crisis in survival. For British probation officers, the loss of faith in rehabilitation constituted a crisis of identity. How was a profession which derived its essential *raison d' être* from

social work values and methods to preserve its identity in face of a profound attack on the validity of these very principles? There was work for probation officers to do; the decline in the use of probation was compensated by increasing parole and community service provision. It was the threat to the essential nature of their function which alarmed them.

The U.S. crisis made itself felt as a diminishment of resources. Probation was not only faced with attacks on its credibility, but it was equally placed into conflict with growing demands for public services combined with reduced revenues to provide them. One of the most popular documents of the day was entitled *Probation in an Era of Diminishing Resources* (Nelson & Klapmuts, 1984). Its title illustrated the new world with which probation's leaders grappled. In California, for example, where probation was funded by county property taxes, a new law (Proposition 13) arbitrarily limited increases in taxes, even though inflation was increasing the costs of government. Probation found itself competing for funds with the police, the jail, the schools, the roads, sanitation, and so forth. And it found itself losing, for it had no effective way to present its value to the public. The question facing voters seemed: "Would you rather have your trash picked up or this offender receive a job?" The problem existed everywhere, not just in California, and caseloads started to grow nationally.

That is why managers responded by developing accountability systems. Classification-based supervision standards provided a minimal performance criterion for staff; workload-based staffing practices presented a rationale for increasing staff levels that government budget professionals could understand. Information systems showed which programs were working and which were not.

The importance of the different experiences of these attacks on probation's credibility is illustrated by the differences in the development of "intensive" supervision in the two nations. British probation officers saw "intensity" as an opportunity to demonstrate the viability of eclectic social work methods for offenders. Conceptually, intensive supervision programs neatly complemented the contemporary trend towards diversification of social work methods. Increasing sophistication in the control of net-widening, and the adaptation of social work methods to focus directly on offending behavior, encouraged the perception of intensive supervision as an appropriate professional approach to diverting serious and recidivist offenders from imprisonment (see Raynor, 1988).

In the U.S., intensive supervision developed within the context of public accountability for crime control results. Thus, the "new generation" of intensive programs is portrayed as "tough, surveillance-oriented supervision" (Petersilia, 1986). Instead of trying to increase the amount of support a probation officer gives clients, these programs are characterized by strict rules, carefully enforced, with close monitoring of offender "adjustment" and—presumably—quick revocation for those who falter. Evaluations suggest the rhetoric is not far off from reality (Petersilia & Turner, 1991a; 1991b).

The Aftermath: Reflections and Prospects

The 1990's will undoubtedly witness considerable, and rapid, developments in probation on both sides of the Atlantic. To what extent these developments will continue to parallel each other in outward appearance remains to be seen. Certainly, the British probation service tends to look askance at reported developments in the United States, seeing a portent of its own future, half envious of the U.S.'s technological sophistication, half alarmed at its apparent coerciveness. To American eyes, the apparent British laggardliness can provoke the perception of a "dinosaur" anachronism: outmoded, unadventurous, unsophisticated, and, therefore, uninformative.

Yet it is interesting that two of the most important innovations in U.S. community supervision—community service and day centers—are direct translations of British ideas. When it comes to "programs for offenders," as opposed to "systems of management," the British seem, by U.S. standards, to be far advanced. Meanwhile, well-established U.S. developments—notably risk assessment systems and electronic monitoring—are attracting interest in the United Kingdom. These trends might give the impression of two probation cultures growing ever more similar.

Such a perception stems from the assumption that the current state of affairs in British and American probation services may be judged by the same criteria. The criteria for comparison usually invoked are the "state of the art" supervision methods, ignoring underlying conceptual differences. In the aftermath of the rehabilitative crisis, however, British and American probation officers are traveling quite separate conceptual roads.

British probation officers are currently reflecting anew on the implications of a decade of change for their professional identity in social work. Given the "ground up" development of practice initiatives in Britain, it is ironic that probation officers now regard current criminal justice policy with foreboding, perceiving a concerted attempt by government to turn them into agents of punishment and control. With the single exception of electronic monitoring, all forms of intensive supervision now favored in official policy (Home Office, 1988) originated in practitioner intiatives. Probation officers now perceive their diversity

of social work methods being "hijacked" by government, translated into forms of coercive control, with the inevitable destruction of their professional identity.

British probation officers' resistance to electronic monitoring is not merely a reflection of technological naiveté (although this is perhaps a rather endearing characteristic of British probation officers), but of its vacuity as a social work method. In particular, it excludes the interactive style of negotiation as a primary working tool in the containment of offenders' behavior. Debate about the appropriate balance between care and control has thus reached a new pitch of feverish intensity in the British probation service, which perceives in criminal justice policy a fundamental threat to its client-centered practice. Failure to comprehend the basic fragmentation of service and client management philosophy of the American experience encourages the belief that current American practice exemplifies just such a professional decline.

This British obsession can, however, appear shrill and self-indulgent to the detached observer. Firstly, from the perspective of a fragmented agency, lacking a cohesive professional identity, it is puzzling that British probation officers should apparently regard a tradition which has persisted intact over nearly a century as such a fragile creature. Indeed, it is notable in this context that the government, despite its intention to stiffen the spines of probation officers, has retreated in current legislation from insistence that the service assume direct responsibility for electronic monitoring. Secondly, American traditions have facilitated a dispassionate approach to the development of risk management techniques (Clear & O'Leary, 1983), which are nevertheless capable of embracement by social work principles. Indeed, at one level, these techniques might be construed as a developed articulation of the implicit decision-making processes of British probation officers (see, for example, Curnock & Hardiker, 1979). From this perspective, it is not obvious that heightened behavioral control in order to deal with serious offenders in the community is either unethical or inevitably linked to disrespect for offenders' humanity.

If the British look nervously across the Atlantic to see what may be "in store," it suggests that the offender-based response to the crisis of the '70's and '80's has not entirely succeeded in cooling criticisms of its continued failure to empty the prisons. In the U.S., too, the advent of accountability systems has not ended the resource crunch, though classification and intensive/electronic methods seem to have resulted in a higher profile for the field and have placed probation back in the debates of the justice arena.

But the British approach is something of a holding action. There is a long tradition, deeply engrained in training and professional associations, that is now being reworked into a modern version of the same values. It is the very values that probation officers seek to protect against a tide of studies and trends that provoke the need for new thinking. Instead of resisting the trends and forces, the British professional seeks to incorporate them into practice: a "confrontative," intensive, client-centered service to offenders (see, for example, Raynor, 1988). Despite the appeal to some of the language of corrections, however, no American observer would be deceived for a moment into thinking that social work had been relinquished in these programs.

The U.S. counterpart has little to protect, by comparison. In general, probation in Britain is better funded, more highly trained, and more favorably regarded by justice officials. It commands a place in the scheme of things that most probation leaders in the U.S. would envy. But the transformation of probation in the 1980's has been more a phoenix-like rise from the ashes of ridicule and neglect. Surrounded by crises of inundated courts and unconstitutionally overcrowded prisons, U.S. probation has slowly designed for itself the legacy it will carry into the 21st century: a bifurcated system of risk management, doing little with the vast bulk of clients, but focusing powerful attention on the handful of cases that make it most useful as a mechanism of community protection and a service to courts and prisons.

It is important to realize that where the U.K. probation officer thinks of "a service to clients," the U.S. probation officer thinks of "case management"; when the U.K. probation service considers its effectiveness, the U.S. probation agency will be oriented toward its accountability; when the U.K. probation trainee receives instruction about how to alter criminal lifestyles, the U.S. probation trainee hears about how to control them.

These are differences that are unlikely to change dramatically in the next few years, no matter how much the two countries appear to emulate each other. U.S. probation will not become less fragmented, nor its training more systematic, nor its accountability focus shifted toward the offender's interests. Britain's probation service will remain deeply linked to the professional traditions of social work and will retain a self-identity quite separate from the correctional punishment apparatus. To the degree that some leaders in Britain seem to embrace the ideas of "offender control" and "community punishment," they cannot be realized there in the same way they have emerged in America; to do so would be a wholesale departure from the legal, professional, and cultural traditions of the service.

Conclusion

This exploratory comparison of the conceptual traditions of British and American probation systems has

deliberately sought to use the emergent divergences to take a "sideways" look at the experience of each. The customary, "quantitative" approach to comparison usually invites the suggestion that one service, having less of a certain, apparently desirable, attribute, should acquire more of it. Certainly, this has been a characteristic of British applications of transatlantic observations. The authors, however, having taken a different approach to comparison, also reach a different conclusion.

It may be inappropriate for different probation cultures, despite a common language, to ease the transition, to attempt emulation, however desirable some characteristics may appear in the context of their "home" culture. Rather, the purpose of cultural comparison should be to contribute to internal debate and development by providing an abrasive challenge to the routine assumptive framework within which that debate and development tend to occur. Rather than allowing superficial appearances to disguise the conceptually unfamiliar, comparative analysis which provokes conceptual challenge may enhance the development of a distinctive probation culture.

If this is true, then the challenge each system poses to the other needs to be considered more carefully—something that might be beneficial in later studies. Rather than try to provide a comprehensive detailing of the kinds of challenges we see deriving from the comparison, let us instead give two examples to illustrate what we mean.

(1) Both British and American probation observers are fond of discounting "soft" British methods by an appeal to the idea that U.S. offenders on probation are so much more serious than their British counterparts. To support this idea, appeals are made to the deleterious impact of prison crowding on U.S. probation, which now must handle as clients many offenders who "belong" in prison. Yet the British probation caseload is far from benign. For example, in one probation area, 32 percent of probationers have committed crimes of violence and 38 percent have previously served prison terms. Yet only 13 percent of probation orders are terminated by new convictions. When asked about this, the chief probation officer observed, "We don't run probation in order to find violations." Such success with a caseload rivalling any urban agency in the U.S. surely challenges the most cherished ideas of U.S. probation's penchant for "toughness."

(2) Whatever the seriousness of urban probationers in the U.S., nobody can deny that newly released prisoners from the Texas prison system include some of the most difficult offenders in the world—and represent a considerable risk to the community. Knowing traditional casework techniques had been demonstrated to be of limited effectiveness, agency administrators adopted a tightly structured accountability system that programmed the supervision effort using standardized "paperwork" formats (Eisenberg & Markley, 1987). Despite the sometimes heavy resistance of staff to the new approach, evaluation demonstrated that it increased the effectiveness in solving client's problems and in reducing new arrests. As it turned out, the cherished, traditional casework methods had contributed to poor performance overall. Could it be that a key to increasing probation effectiveness lies in controlling and channeling probation officer discretion? If so, what does this mean for the powerful forces in Britain that still seek to protect "professional autonomy" and argue against "management interference"?

The answers to these questions—and others—are not obvious and deserve considerably more analysis than is possible here. However, it has not been the primary intention of this article to assert what probation in either country *ought to become*, but to explore, by contrasting them, what they truly *are*. Our point would be that to assume one service should somehow try to emulate the other is not only unpromising, but fails to consider the very reasons for the existence—and persistence—of differences. There is a common language, but little else is truly the same.

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