

# Probation

**Performing Pretrial Services: A Challenge in the Federal Criminal Justice System** ..... *James R. Marsh*

**A Sanction Program for Noncompliant Offenders in the District of Nevada** ..... *John Allan Gonska*

**Recruitment and Retention in Community Corrections: Report From a National Institute of Corrections** ..... *National Institute of Corrections*

**Probation: A Solution to California's Drunk-Driving Problem** ..... *Lea L. Fields*

**Use of Force in Community Supervision** ..... *Paul W. Brown*

**Evolutional Role of the Board of Parole** ..... *Michael M. Pacheco*

**Programs on Probation** ..... *Thomas Ellsworth*  
*Karin A. Helle*

**Non-Probation Eligibles: Who Gets an ISP Sentence?** ..... *Philip L. Reichel*  
*Billie D. Sudbrack*

**Program Expansion Worth the Costs?** ..... *Thomas B. Marvell*

**What Works With Juvenile Offenders: A Review of the Literature and Experience** ..... *Peter W. Greenwood*

153611  
153619

**U.S. Department of Justice  
National Institute of Justice**

153611-  
153619

This document has been reproduced exactly as received from the person or organization originating it. Points of view or opinions stated in this document are those of the authors and do not necessarily represent the official position or policies of the National Institute of Justice.

Permission to reproduce this copyrighted material has been granted by

Federal Probation

to the National Criminal Justice Reference Service (NCJRS).

Further reproduction outside of the NCJRS system requires permission of the copyright owner.

# Federal Probation

A JOURNAL OF CORRECTIONAL PHILOSOPHY AND PRACTICE

Published by the Administrative Office of the United States Courts

VOLUME LVIII

DECEMBER 1994

NUMBER 4

## This Issue in Brief

**Performing Pretrial Services: A Challenge in the Federal Criminal Justice System.**—Contending that “the Federal release and detention process is far from routine and mundane,” author James R. Marsh explains in depth the challenges Federal pretrial services officers face daily. He discusses the responsibilities inherent in pretrial services—to assess the risks defendants pose, to complete investigations and prepare reports for the court, and to supervise defendants released pending disposition of their cases—and the challenges that accompany such responsibilities.

**A Sanction Program for Noncompliant Offenders in the District of Nevada.**—When probationers do not comply with the terms and conditions of supervision, probation officers must report the noncompliant behavior and take steps to correct it. Author John Allan Gonska describes how the U.S. probation office in the District of Nevada addressed the issue of noncompliance by creating a sanction program. The author explains how the program was developed and how it works, giving examples of violations and appropriate sanctions for them under the program.

**Recruitment and Retention in Community Corrections: Report From a National Institute of Corrections Conference.**—With a changing workforce and a changing work environment, how do community corrections agencies recruit and retain qualified employees? The National Institute of Corrections sponsored a conference to explore this issue with a group of community corrections managers from around the country. This article reports on the group’s discussion—which focused on probation and parole image, the recruiting market, qualifications, training, and motivation—and offers the group’s recommendations.

**Pretrial Diversion: A Solution to California’s Drunk-Driving Problem.**—Author Lea L. Fields explains how California currently has an array of pretrial diversion programs to address offenses ranging from drug abuse to domestic violence to sexual molestation but has no such program for drunk driving. The author examines drunk-driving diversion programs in

Oregon and Monroe County, New York, explains the benefits of these types of programs, and tells how a diversion program for drunk drivers could be set up in California.

**The Continuum of Force in Community Supervision.**—In these times of increased emphasis on offender control, some community corrections agencies may be providing their officers with lethal weapons such as revolvers and less-than-lethal weapons such as stun guns and personal defense sprays with little or no guidance as to when their use is appropriate. Author Paul W. Brown stresses the importance of proper training and describes the “continuum of force,” the primary tool for providing guidance to officers in the use of force. He explains how the continuum of force works, focusing

### CONTENTS

Performing Pretrial Services: A Challenge in the Federal Criminal Justice System . . . James R. Marsh	3
	153611
A Sanction Program for Noncompliant Offenders in the District of Nevada. . . . John Allan Gonska	11
	153612
Recruitment and Retention in Community Corrections: Report From a National Institute of Corrections Conference . . . National Institute of Corrections	16
	153613
Pretrial Diversion: A Solution to California’s Drunk-Driving Problem. . . . Lea L. Fields	20
	153614
The Continuum of Force in Community Supervision . . . Paul W. Brown	31
	153615
The Educational Role of the Board of Parole . . . Michael M. Pacheco	38
	153616
Older Offenders on Probation. . . Thomas Ellsworth Karin A. Helle	43
	153617
Differences Among Eligibles: Who Gets an ISP Sentence? . . . Philip L. Reichel Billie D. Sudbrack	51
	153618
Is Further Prison Expansion Worth the Costs? . . . Thomas B. Marvell	59
	153619
Departments	
Up to Speed . . . . .	63
Reviews of Professional Periodicals . . . . .	68
Your Bookshelf on Review . . . . .	74
It Has Come to Our Attention . . . . .	82
Indexes of Articles and Book Reviews . . . . .	83

153613

# Recruitment and Retention in Community Corrections: Report From a National Institute of Corrections Conference\*

*Community Corrections Division, National Institute of Corrections*

**C**OMMUNITY CORRECTIONS agencies at all levels of government are facing difficulty recruiting and retaining qualified staff that reflects a changing work force and a changing work environment. The National Institute of Corrections (NIC) wished to address these issues by beginning to explore and assess the potential problems/obstacles affecting the profession and thereby arriving at viable solutions. The Community Corrections Division of NIC selected a variety of community corrections managers and others with specific experience in the field from around the country to explore the issues and to formulate possible solutions.

They did so at a conference, "Recruitment and Retention," held on September 15-16, 1993, in Alexandria, Virginia.<sup>1</sup> This article reports on issues discussed at the conference and offers recommendations for more successful recruitment and retention efforts.

There was great disparity among the needs and concerns of the attendees in both recruiting and retention. All appeared to receive more than enough applications/resumes but were disappointed in the quality of the applicants. The attendees came both from the Federal and state level and operated under different regulatory guidance. It was therefore difficult to reach consensus on solutions to resolve issues adequately.

Each state or Federal agency's legal requirements for training or simply for procedures varied widely. Geographical diversity also contributed to a wide range of issues—in South Carolina it is fairly prestigious to work for the government, and as housing is affordable, a probation/parole officer may expect to be regarded as a person of some means in the community. In New York, however, officers must often consider moving away from the area as their families grow, for housing is extremely expensive.

Why do people get involved in probation and parole? How can corrections management ensure receipt of the best qualified people, then ensure their retention? The seminar attendees discussed a myriad of areas in order to try and answer these questions. The discussions all focused on the following major areas: proba-

tion and parole image, recruiting market, qualifications, training, and motivation.

## *Probation and Parole Profession Image*

According to the attendees, there are many different images, both within and outside of the profession. Because the public is not aware of what probation and parole officers do in many parts of the country, there may not even be an image. The profession is "close to" the legal profession and "close to" the law enforcement profession but does not have an identity all its own. Unlike some of the positions perceived as more glamorous, such as police work, which is regularly mentioned in the media, there is no vehicle for letting the general public know what is involved in probation and parole work. Generally, however, the image is acceptable but can always use a little work. Self-image is possibly the most important factor in overall image and needs to be reinforced if the profession hopes to retain experienced officers. Specific points of discussion were:

- Before image can be addressed a clear mission statement must be determined. Most attendees agreed the mission "protect the public" should be removed from their statements and thereby eliminate the idea that the profession is law enforcement-related. The main reason people enter the field is to help others. Some states have a well-defined statement and have gone to the extent of having it placed on wallet cards to remind the officers.
- The profession is often viewed as an agency at the bottom of the governmental hierarchy.
- In small communities, but not necessarily in urban areas, probation and parole work can be prestigious.
- Perceptions are so different that corrections professionals are seen as both blue collar and as white collar workers. Managers generally agreed that they expect white collar work but often treat the officers as blue collar employees.

## *Market for Prospective Employees*

Partly because of a slow economy throughout the U.S., many more applicants than are needed apply. People with advanced degrees, former law enforcement officers, and military veterans routinely apply for

---

\*J. Richard Faulkner, Jr., correctional program specialist, Community Corrections Division, National Institute of Corrections, coordinated the conference. This article is based on a report of the seminar prepared by Lynne Shaner of Shane(R) and Associates, Woodbridge, Virginia

positions. Often, however, finding the right person is challenging. Most areas are discovering the necessity of a culturally diverse and gender-balanced work force, and finding officers with fluency in a particular language, for example, can be difficult. Suggestions for finding ways to advertise in areas that might draw suitable applicants included tapping into small local newspapers, advertising on community billboards, maximizing use of volunteers as a potential pool of applicants, encouraging word-of-mouth announcement of job openings among workers who are members of a particular cultural group, and approaching local businesses and vendors and asking them to team up with the agency to promote the image of the officers. The major drawback to formal advertising efforts is the lack of advertising funds. Specific points discussed were:

- Volunteers are an important source for officers. These people have already shown an interest in the profession by volunteering, and they are often put through the same background checks as the officers. Additionally, the agency has an opportunity to observe the workers without having to pay them. Volunteers can be found through such organizations as the American Association of Retired Persons, church groups, associations, and job corps.
- The military is an acceptable market, but with downsizing, the military, especially the Army, is asking corrections departments for vacancies—so agencies do not need to actively recruit this market.
- Police officers often have difficulty transitioning to the probation and parole mission.
- The college market is good, and job fairs are an effective way of approaching new graduates. Coordination with college officials may establish an intern program that costs the government very little and offers the students college credit.
- Age is an issue at the Federal level because of regulatory requirements which limit entry age to 37.
- Paid advertising is difficult because of small budgets and is generally limited to special recruitment efforts such as a specific language need. Awareness advertising is too costly.
- Gender is not an issue in and of itself. One concern discussed was the effect of pregnancies and extended maternity leave on the caseloads of the rest of the staff.

### *Qualifications*

According to the attendees, anyone can apply for the positions as long as he or she meets the necessary experience and educational requirements and the officers reflect the composition of the community. All

agreed that gender, lifestyle choices, and ethnic origin were not barriers to becoming probation/parole officers. Age was an issue within the Federal agencies because of regulatory guidance. Significant discussion occurred regarding applicants with disabilities and their ability to perform the tasks. With some apprehension, the consensus was that the disabled could perform the tasks and should be evaluated individually. Many attendees agreed that former law enforcement officers often had difficulty adjusting to the profession. To clarify the agency's beliefs and areas of concern it is important to have a clear mission statement evident and available to new and prospective employees. It can help them self-screen and can keep the work force focused on priority areas. Some specific points were:

- Writing ability is important, and some agencies give tests to determine proficiency. Officers must be able to clearly articulate their reports and have them suitable for admission in court cases.
- Substance abuse provided an interesting discussion. All jurisdictions tested for drugs, but there seemed to be some question as to what the "statute of limitations" was on drug use that would prevent employment. There is a feeling that often the best officers to work with drug offenders are those who have experienced the problem personally. Although drug use is not acceptable behavior once the officer is hired, how severe or recent can the officer's previous use have been?
- Desire to help people is a key qualification. If they do not believe in what they are doing they will not remain in the program.
- There is a need for both young and old officers—again, the staff should reflect the composition of the community.
- Educational requirements ranged from high school diploma or equivalent to a degree in social sciences with most requiring a bachelor's degree in a related field.
- Some administer a merit test to assess written and verbal skills and psychological profiles.
- All appear to conduct substantive background checks.
- There is no certification requirement.
- There was a concern that officers needed to be "squeaky clean" in order to maintain credibility in the courtroom and prevent the defense from using officers' backgrounds against them.

- During the interview process some use a panel composed of a line officer, a supervisor, and a specialist, while others offer individual interviews.

### *Training*

Training was recognized as a critical, ongoing necessity. As the government continues to downsize, however, many were worried that training might be somewhat curtailed. While training programs varied widely, all agreed that a base level of mandatory hours of training was necessary. It might be possible, too, to allow officers to move laterally into a training position, giving them new areas of responsibility and the possibility of ongoing job satisfaction, even without increased salaries. Specific points discussed were:

- All have training programs and an associated probation period that ranged from 3 to 18 months. During this period a new officer is assessed for long-term effectiveness. Often supervisors are hesitant to terminate a trainee during the probation period unless they witness gross incapacities, resulting in marginal officers entering the corrections profession.
- Training varied greatly. Some required weapons training because they were authorized to carry firearms while others did not have authority to carry weapons—nor did they want it.
- Self-defense training has taken on added importance, given increased violence in society and a greater percentage of women officers, but still varied greatly. Some agencies give greater credence to negotiation skills.
- There is no technical proficiency testing after the initial training period.

### *Motivation*

Probation and parole officers see themselves as providing an important service and find their greatest reward in job satisfaction and recognition. The majority of officers came into the profession to help people. Although money is a significant issue, it is not the most important motivator. It is important for management to provide a work environment that fosters productivity and continually reinforces the individual officer's sense of self-worth. Performance certificates, tickets to local sports games, jackets with insignia, and family social events were all mentioned as important tools to use to encourage the work force. Team building seemed to be the single most important motivational technique to maintain officer effectiveness. Specific points discussed were:

- Offer officers the flexibility and freedom to use office time to get involved with another aspect of the operation.
- Switch officer caseloads so that they do not continually work with the same type of client.
- Recognition for major events in the officer's life is essential. Letters, cards, and telephone calls commemorating birthdays, anniversaries, and jobs well done were all mentioned as ways of doing so.
- Reduce caseloads to a more manageable level so that the officer can see that his or her efforts have positive results. Some jurisdictions are using volunteers to help in this area and have met with great success.
- Since promotions are difficult, if not impossible, a lateral move could be perceived as a promotion of sorts. Officers may become inefficient and bored working cases, while a lateral assignment to the field, investigations, or presentencing could offer the variety needed to maintain the officer's interest.
- Enforce EEOC requirements regarding harassment and other violations and handle resolution at the lowest possible level to preclude demoralizing people.
- Employees of the month/quarter/year often offer the recognition necessary to motivate a portion of the work force.
- Timely evaluations are important to show employees that their performance and career is important to management.
- Forcing officers out of the office to conduct home visits, while difficult at first, reminds them why they came into the profession and rejuvenates their interest.
- Employee assistance programs and day care are real motivators to this generation of dual-income families.
- Cash recognition is always appreciated.

Some other noteworthy issues surfaced that offered helpful information.

- Centralized treatment centers: Due to lengthy travel times in many areas, some jurisdictions have established central sites that are staffed with administrative, educational, and counseling personnel. These facilities, when managed effectively, can help ease overcrowding in the prisons. Some call them day reporting centers, others term them community-based centers.

- Community police projects: The City of Alexandria detailed a new program in which volunteers are assigned to live in high crime areas and work out of their homes in order to show a presence and help curtail crime. Volunteers must commit to 1 year.
- Americans With Disabilities Act: Attendees spent a significant amount of time talking about the ability of physically disabled applicants to perform certain tasks. All agreed that each applicant would have to be considered individually but that many of them had experiences in which people with disabilities could perform the jobs; with some clearly defined realignment of functions, corrections could be more open to this population. Core tasks must be identified clearly in any announcement to ensure fairness.
- EEOC: Every supervisor was clearly aware of the general rules. Some had stringent dress standards while others were very generic. Diversity programs were enforced.

### *Recommendations*

The attendees made the following recommendations:

- Some effort should be made to standardize requirements within the state and Federal community corrections profession. States operate within their own guidelines, which can differ down to the individual judges, often no two operating the same.
- A national campaign should be organized and funded by the Federal Government to develop an image for the profession. It should be not necessarily a recruiting vehicle but a public service announcement, professionally done, to let the public know of these unsung public servants.
- Some standardization should be directed from the national level to ensure qualifications of probation

and parole officers. Care must be exercised to preclude directing programs without the necessary funds; however, the benefit of such standardization would be consistency within the field and possibly the ability for officers to transfer throughout the country without having to "start over." Possibly a national certification requirement could be instituted.

- Every jurisdiction should conduct an analysis that profiles its employees and target those areas where shortfalls occur. The agencies may be able to balance the work force by offering officers transfers between districts and even offices.
- Involve the FBI in a training program so that it has a greater appreciation of probation and parole officer functions. The FBI often uses parolees as informants and is not fully cognizant of the role of the officer.

### NOTE

<sup>1</sup>The conference attendees were: John Baron, deputy chief, Hamilton County Probation, Cincinnati, OH; Ed Barajas, correctional program specialist, National Institute of Corrections; Lesley Bubenhofer, chief probation and parole officer, VA; Michael Goss, deputy chief probation officer, Maricopa County Probation, Phoenix, AZ; Kenneth Howard, captain, Alexandria City Police Department, VA; Kermit Humphries, correctional program specialist, National Institute of Corrections; Gene Johnson, deputy director, Virginia Department of Corrections, Richmond, VA; Eunice Holt Jones, chief U.S. probation officer, Southern District of New York, New York, NY; Keith Koenning, chief U.S. probation officer, Northern District of Ohio, Cleveland, OH; Mike Mason, supervisory special agent, FBI, Washington, DC.; Sharon Newman, public supervision coordinator, Oklahoma Department of Corrections, Oklahoma City, OK; Charles Page, Jr., manager, Selection and Training Standards, California Board of Corrections, Sacramento, CA; Joseph Papy, regional administrator, Florida Department of Corrections, Probation and Parole Services, Tampa, FL; and Richard Stroker, deputy executive officer, South Carolina Probation and Parole Services, Columbia, SC.