

EMPLOYMENT OF THE PROBATIONER



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~~San Mateo County (CA) - Probation Department~~

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The San Mateo County Probation Department

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INTRODUCTION

Probation had its beginning in the mid-Nineteenth Century when John Augustus, a Boston cobbler, stood bail for a drunkard and was subsequently entrusted with his supervision. Today, well over half those persons within the criminal justice system are placed on some form of probation.

While probation itself allows for the continuation of work or the seeking of employment, one of the major problems confronting any probationer is the opportunity for meaningful work. Recent studies reaffirm the view that "unemployment may be among the principal causal factors in recidivism of adult male offenders."⁽¹⁾ More and more the realization that for any degree of offender rehabilitation and reintegration into the community, the opportunity for partaking in positive alternatives, of which fulfilling employment is a major one, must be made available.

In a society as structured around work as ours is today, it is obvious that meaningful work plays a significant role in the reintegrative process of offenders. It is in the seeing, for the first time in many instances, of one's self as being something of value, of being important in the accomplishment of a task, which may bear so strongly upon his rehabilitation.

There would seem to be three interesting and perhaps self-disturbing facts which are being brought more to the forefront these days in regard to the whole area of offender employment:

- 1) Studies continue to show a causal relationship between unemployment and recidivism.
- 2) Opportunities for employment, particularly meaningful employment, although increasing somewhat, still remain a major problem for those persons convicted of offenses (and in many cases, for those persons arrested but with no follow-up conviction).

- 3) Recent studies show that at some time in our lives, nearly all of us have committed acts which are illegal and punishable by law.⁽²⁾

The degree to which we become involved with those problems facing our communities, risk considering new and perhaps alien ideas, commit ourselves to responsible action, and show real concern for our fellow man - to that degree, we may hope to better our own present environment and that which our children will inherit from us.

I. ANSWERING SOME FREQUENTLY ASKED QUESTIONS AND MISCONCEPTIONS

There presently exists among the general public a vast lack of knowledge concerning the entire criminal justice field and, in particular, probation. This does not mean to indicate either a lack of interest or an unwillingness on behalf of the public (more specifically, employers), but, more likely, a past lack of emphasis by those responsible for providing meaningful information. The San Mateo County Probation Department, recognizing this fact, has for the last ten years taken an active position in working with employers throughout the Bay Area.

A. Probation and Parole

It is not unusual that upon first contact with a new company, the Employment Consultant will be told that the organization has previously hired ex-offenders from the San Quentin Penitentiary or some other prison. Confusion between probation and parole is common. Although all offenders and ex-offenders need assistance in gaining suitable employment, the San Mateo County Probation Department is concerned primarily with those offenders on probation.

Probation is a judicial order which allows the offender to remain within the community, maintain much of his past freedom as long as he refrains from un-

lawful behavior, and provides for the supervision of the probationer by a Probation Officer. Most probationers have never served any "time", and in those cases where they have, it has been at the local level - city or county jail - for a short time.

Parole, on the other hand, applies to an offender who has been incarcerated in a state or federal penal institution.

As can be easily seen, the two are not totally dissimilar. Perhaps some of the major differences can be shown in the following table:

Differences Between Probation and Parole

	PROBATION	PAROLE
Nature of Condition:	A conditional suspension of sentence - a judicial order.	Administrative release from incarceration.
Time Served:	Usually little or no confinement.	Prior incarceration within a correctional institution.
Nature of Offense:	Often lesser offenses or particular circumstances	Usually more serious offenses.
Frequency of Offenses:	Many first time offenses.	May be first offense or continued offenses.

B. Drug Diversion

Under the provisions of Section 1000 of the Penal Code, an act of the California Legislature was enacted to divert carefully selected drug offenders from the Criminal Justice System. Although supervision of the individual is maintained by a Probation Officer, the initial criminal proceedings are suspended until the end of the supervisory period, whereupon the charges are dismissed or reinstated. It should be noted that the person in the Drug Diversion Program has not been convicted of the drug offense, but is under supervision for a given period of time.

C. Recidivism

The continuation and repetition of criminal behavior often resulting in the return of an offender back into the correctional system.

D. Misdemeanors and Felonies

Misdemeanor is a term referring to those criminal acts considered less serious than felonies and which carry a maximum penalty of one year or less in jail at the local level (usually no jail time is required). Felonies, on the other hand, describe those crimes of a more serious nature which may be punishable by imprisonment in a state or federal prison, or death in some states. The distinction between the two is in the degree of punishment, both minimum and maximum, fixed by the law.

E. Prisons, Jails, and Community Rehabilitation Houses

Prisons normally refer to penal or correctional institutions under the management of the state or federal government. These institutions often house large numbers of inmates. Jails are managed at the local level by cities, municipalities, and/or counties. Community Rehabilitation Houses, along with a number of other alternatives to incarceration, are coming into existence in increasing numbers. The Community Rehabilitation House is mentioned here specifically because the San Mateo County Probation Department currently manages two houses - one known as Ellsworth House for male offenders and the other known as the Mustard Seed for female offenders. Each of the two houses provides a system by which an offender is allowed a degree of freedom, such as maintaining a job, while insuring reasonably tight control over the offender's whereabouts and actions.

F. Bonding

In the past, bonding practices by some companies have created serious blocks to employment possibilities for offenders.

Bonding of persons with criminal records is available by the State of California for applicants who meet the following eligibility requirements:

- 1) Possession of skills needed for the work in the occupation (no limitation on the type of job);
- 2) Not commercially bondable under ordinary circumstances, and bonding is necessary to obtain or retain employment;
- 3) Registration with the local office of the Employment Development Department (EDD) with bonding services requested.

It is certainly reasonable and responsible of any company to require bonding protection against loss from infidelity, dishonesty, or default. However, where an applicant is barred from employment because he cannot secure a bond, it is suggested that an employer contact the Employment Consultant for the San Mateo County Probation Department or the local EDD office for assistance. Bonds are available, up to a maximum of \$10,000 for eligible probationers.

G. Time Required for Reporting to the Probation Officer

Because of the priority and emphasis placed on securing and sustaining a job, it would be an unusual, and most likely, urgent situation that would require a probationer to leave his (or her) job to report to a probation officer during working hours. Occasionally, a probationer might need to take some time off to appear in court, but this is definitely the exception and a rare occurrence.

H. Training Programs

Many probationers need further vocational training or educational upgrading. To this extent, they are often referred to any number of credible vocational and adult education programs within the Bay Area. Unique this fiscal year 1974-75 is a training program for persons on Probation to San Mateo County

Probation Department which can provide up to \$65.00 per week for living expenses while a trainee is actively participating in an approved course. The program is made possible by a Federal Grant through the Law Enforcement Assistance Administration (LEAA) and CEATA. The program, although still a bit early to determine accurately, seems to be a success.

A formal proposal for on-the-job continuation of training, in areas such as clerical and office work and electronic assembly, has been submitted to two large corporations, one in San Francisco and the other on the Peninsula. At the time of this writing, both companies have indicated a strong desire to participate in this pilot program, and meetings have been arranged to complete the plans and determine a beginning date.

II. THE NATIONAL TREND (Dilemma and Recommendation)

Current national thinking concerning offenders by those within the criminal justice field, by progressive and responsible businessmen, organizations of all types, and, in general, the public is slowly changing. The traditional concept of "lock-'em-up and forget-'em", or "out of sight, out of mind" is being replaced by one of active participation and interest in assisting the offender to reintegrate back into the community and to become a productive citizen. The ever-mounting data on criminal behavior and recidivism clearly points to the need for responsible community involvement. The theory that by the taking away of one's freedom and rights, that individual will somehow eventually come to respect the rights of others is being realized as both illogical and detrimental. Yet, as the Chamber of Commerce states in its pamphlet, Marshaling Citizen Power to Modernize Corrections, "Employer attitudes toward ex-offenders remain the most difficult to counter because they are not written in any formal guidelines..."⁽³⁾

Prejudice in its most subtle form, the subtlety being a most difficult matter to deal with, is perhaps the greatest problem confronting the probationer in his endeavor to secure decent work. There seems to be a natural tendency within man to single out the best or worst aspects of a given group of people and to then generalize that characteristic to all within that group. The offender must continually face that particular generalization - that he by nature of being an offender needs extra help and assistance, or, more likely, that he is inherently bad, can't be trusted, and represents great risk to the employer. Further, he frequently experiences a "time" generalization, more unique to offenders perhaps than to any other given group. Because he committed an illegal act at one time in his life, it is generalized that the same illegal behavior must and will continue. This assumes that 1) because an individual committed an act deemed as illegal (regardless of the specific act itself), he is somehow different from the rest of us and a bad person who needs to be changed; and 2) that change has not or cannot take place within the offender's behavior. The truth, of course, is that each person, whether convicted or not, is, in fact, a unique individual who may never have led a criminal life, one who may have led and continues to lead a criminal life, or one who may have completely or partially changed from his former life style.

It is not illogical for an employer to somewhat predict the future success of an employee upon his past record, be it work, educational, social or criminal. But to prejudge an individual because he falls within a certain group, or to ban convicted persons from employment without regard to the relevance of the offense to the particular job would seem prejudicial, irrational, and a decision based upon emotion rather than factual information.

A job application itself frequently poses a problem for offenders. Most

applications ask about conviction records, yet do not indicate that an individual with a criminal record is eligible for hiring.⁽⁴⁾ The probationer (or any other offender) often is confused as to how or whether he should answer this portion. It would seem that he is damned if he answers honestly, and damned if he doesn't. The Institute of Criminal Law and Procedure at the Georgetown University Law Center recommends:

Every job application form should contain a statement clearly indicating that conviction of a crime does not automatically disqualify an applicant for a job. This statement should be contained in the same box as that in which the question about the record is asked.⁽⁵⁾

Further, it is recommended that the job application not request information as to either juvenile records or offenses which have been committed a substantial time earlier.⁽⁶⁾

Another significant barrier in the obtaining of employment by probationers is the lack of a relevant work history. Often this has been taken to mean a negative work record; yet, in actuality, the majority of probationers and offenders alike have neither good nor bad work histories. There are, of course, exceptions; however, most individuals with criminal records have been found to possess little significant work experience. This should not be construed as indicating that an offender falls into the category of the hard-core unemployable individual. It simply points out the lack of work experience, not necessarily a bad work history. Further, there is often a transference factor resulting in the generalization that a person with a criminal record either has or will have an adverse work record. The two do not automatically go together. It is true that a particular life style or behavioral pattern which led to a criminal act may also influence an individual's work performance. However, again, this is not necessarily the case and should not be automatically assumed. What is more likely is that positive alternatives in the form of employment have a greater influence

on the reintegrating and rehabilitation of an offender than does the committing of a certain offense have on the ability of an individual to work reliably and responsibly. In a recent survey, employers were asked whether offenders were better than, the same as, or worse than other employees in each of eight categories: punctuality, attendance, honesty, judgment, initiative, cooperativeness, accuracy, and industriousness. The results of the survey indicated little difference between employees with records and those without, and where there was difference in the reports, it was favorable toward the employees with records.⁽⁷⁾

It is certainly understandable that an employer is interested in hiring the best and most qualified individual for a job. However, it is recommended that in the case of the offender emphasis be placed on the applicant's potential and his willingness to work. As a recent article in the March-April 1974 issue of The Personnel Administrator points out, "The most critical of these (basic skills) is a sense of work orientation that facilitates good attendance, acceptance of supervision, respect for work rules, and acceptable appearance."⁽⁸⁾

The importance of a job in offering positive alternatives and as a rehabilitative measure for offenders is becoming increasingly clear. The preponderance of data suggests that a job does, in fact, provide the offender with the necessary personal stake in society and motivates him to resist returning to a criminal life style.⁽⁹⁾

There is today a continued growing awareness and concern by the public about the entire criminal justice system. Emphasis is being placed upon community involvement and the reintegration of the offender. The Chamber of Commerce, volunteer agencies, many other organizations, and industry are taking an active interest and participative role in the rehabilitative process of offenders. The National Alliance of Business Men, which emanated with President Johnson in his

Great Society Programs, has as its number one priority at this time, the entire area of offender employment. The various selected "on loan" executives from business and industry are now contacting the various corporations throughout the nation to discuss with these companies the hiring of probationers and parolees. The entire area of offender employment nationally is extremely well-documented and various Federal monies are being provided through the Law Enforcement Assistance Administration and the Department of Labor in the areas of community service and offender employment.

The courts are increasingly becoming involved in protecting the rights of probationers and offenders, and recently some law offices have announced that they would help offenders who specifically face job restrictions that bear little or no relationship to an individual's past crime or ability to perform that job.⁽¹⁰⁾ In 1972, California enacted a law that no act of the applicant could be sole grounds for denying a license if it did not have a "substantial relationship to the functions and responsibilities of the licensed business or profession."⁽¹¹⁾

As of July 1974, California has a bill before the State Legislature which would prohibit an employer from inquiries into arrests.⁽¹²⁾

A recent (June 1974) landmark law was passed by Hawaii prohibiting discrimination against ex-offenders by private employers.

The nation's first law prohibiting discrimination against ex-convicts in private employment has been enacted by the Hawaii legislature as an amendment to the state's Fair Employment Practice Law, making it just as illegal for a company there to base personnel decisions on a person's criminal record as on one's race or sex.

It is now an unlawful employment practice for an employer or a labor union to refuse to hire, or to discharge, or to deny fair employment conditions, or to exclude from (union) membership anyone because of race, sex, age, religion, color, or ancestry, or arrest and court record.

The law also forbids an employer or employment agency to make any inquiry, either verbal or on an application form, into the "arrest and court record" of a job seeker. The only exception allowed is for a "bona fide occupational qualification," wherein the employer proves that specific jobs require discriminatory selection.⁽¹³⁾

With growing public demand and governmental concern about the misuse and abuse of personal data and records, with a bill before the California Legislature to prohibit discrimination based upon an offense record, and with the recent Hawaii decision, it would seem clear that the "writing is on the wall." The probability nationally is that information pertaining to one's criminal record will be legally prohibited where not shown as either relevant to the job or endangering the public trust.

Certainly, it is self-evident that there is an increasing attention and awareness of the rehabilitation, socialization, and reintegration of the offender. There is national and local concern, both within the public and private sectors, to develop more effective ways of encouraging society to accept adult offenders back into the community. Employment is unquestionably one of the prime targets in offering probationers and offenders positive alternatives and support. That we as society begin to accept some of the responsibility and accountability for our increasing crime rate is paramount. "In the new view, crime and delinquency are symptoms of failure and disorganization in the community as well as in the offender."⁽¹⁴⁾ It would seem not only wise for the employer to become fully aware of the national trend in the area of offender employment (legally, politically, and socially), but also to commit himself to an affirmative program of considering and encouraging the hiring of offenders.

III. RELEVANT DATA FROM THE SAN MATEO COUNTY PROBATION DEPARTMENT

The San Mateo County Probation Department is an agency operating as part of the judicial branch of county government with inter-related responsibilities to the courts, to the community, and to individuals and their families. In its actions and recommendations, the probation department is in an intermediary position and has combined responsibilities to protect the community, serve the court, and serve the client.

The department is organized into five major divisions: 1) Adult Probation; 2) Juvenile Probation; 3) Juvenile Hall; 4) Camp and Day Programs; 5) Business Management.

During 1973, 4,263 juveniles from San Mateo County were referred to the probation department for appropriate legal action, and there were 1,345 youngsters under probation supervision at the end of December 1973.

During the past year, 1973, the total number of adults sentenced to probation was 2,849. The total adult cases supervised during the same year was 6,145. The revocation rate came to ten percent or 620 legal failures. The overall recidivism rate for the past twenty-six years has been 12.7 percent, consistently one of the best in the state.

The probation department consists of approximately 450 staff, including 237 staff members who work as probation officers, group supervisors, community workers and new careerists.

A variety of services and significant activities have been provided by this probation department during the past year.

Some of these include:

- A) Ellsworth House and the recently opened Mustard Seed. Each house was established as an alternative to County Jail; one being for randomly selected male probationers, and the other for randomly selected females on probation. The residential homelike facilities serve as a means for gradual readjustment and re-entry into the community while offering supervised living, counseling, educational and vocational training opportunities, and assistance in securing employment.
- B) Volunteers in Probation (VIPs) which allows and encourages participation by private citizens. (If the reader is interested in volunteer activities, such as one-to-one befriending/counseling of juveniles, contact either the Employment Consultant or the Director of Volunteers for the San Mateo County Probation Department.)

C) Public Service Project in which selected adult offenders may perform public service, usually in lieu of serving jail time. During 1973, a total of 27,476 hours were completed.

D) Employment Assistance. There were 415 adult cases formally referred to the Employment Consultant. More than 148 industries, business firms, and organizations within the three counties of San Mateo, San Francisco, and Santa Clara have taken an active interest in helping probationers find and sustain work.

E) A Federally-Funded Training Program for selected female probationers offers a wide variety of training programs while ensuring a modest payment for the living expenses of those in training.

F) Alcohol and Drug Programs are administered by the department, and a drug diversion program was implemented in April of 1973.

Along with the services provided to its clients, this department continues to emphasize its own professional development and the personal growth of its members.

Organizational Development has continued to be an on-going and viable process within the probation department as a whole. It has involved the self-examining of the department's philosophy, structure, and services, and has resulted in employee interest and participation in the program and enhanced job involvement, value, and commitment.

A National Award for Excellence: The National Council on Crime and Delinquency selected the Chief Probation Officer of this county, Mr. Loren A. Beckley, as the 1974 recipient of its most honored Irving W. Halpern Award for excellence in probation practice. The selection was made by a distinguished panel of judges from a sizable number of nominations from all parts of the nation. This award not only reflects directly upon the outstanding leadership and exemplary achievements of the Chief Probation Officer but also upon the dedication, progressiveness,

and accomplishments of the entire San Mateo County Probation Department as a whole. It should further be noted that the willingness and interest by employers to assist and provide job opportunities for probationers has been a key factor in the department's continued effectiveness, and more importantly, in the rehabilitation and reintegration of its clients.

It is hoped that the above will shed a bit of light on some of the many positive and progressive activities undertaken by the San Mateo County Probation Department.

The remaining portion of this section will furnish some relevant statistical data pertaining specifically to persons within the San Mateo County correctional system.

A Research Study on the Profile of Unemployed Probationers in 1973

A sample of unemployed probationers was developed by the San Mateo County Probation Department in 1973 which reviewed all referrals to the Employment Consultant during the previous four years. A random selection of 369 cases out of a total of 1,287 provided the following profile:

- 1) Age - the majority (280) were between the ages of eighteen and thirty years; 58 were between thirty-one and forty years of age; 24 were between forty-one and fifty years of age; and 7 were fifty-one years of age and over.
- 2) Educational Levels - the majority of probationers (294) had attended high school but did not necessarily graduate, or had received their G.E.D. Forty-four of the probationers had received some college education.
- 3) Formal Job Training - 76 cases had formal job training, and 293 had none.
- 4) Types of Offenses - all varieties of felonies and misdemeanors, as well as non-support cases.

- 5) Length of Probation - one year, 47 probationers; two years, 82 probationers; three years, 178 probationers; other, 62 probationers.
- 6) Marital Status - 122 probationers were married; 175 were single; 72 probationers were divorced or separated.
- 7) Children - 142 probationers had children, and 227 probationers did not have children.

It should be noted that the profile study of 1973 correlates in a very positive way with a much smaller study conducted during 1969.

A Survey of Job Placement Effectiveness

A recent survey was made of 158 randomly selected probationers who were referred to the Employment Consultant during the months of November 1973 through March 1974 to determine the department's effectiveness in the job counseling and job placement of unemployed probationers. It appears evident to us that without the assistance of the employment officers, the majority of unemployed probationers would still remain unemployed. This is based upon the number of weeks, and, in some cases, months, in which these same probationers were unable to find decent and permanent employment prior to their referrals to the Employment Consultants.

The following quantitative data resulted from the survey:

- 1) Total number of unemployed referrals ... 158 cases
- 2) Total job placements ... 77 (49%)
- 3) Placed in vocational training programs ... 12 (7%)
- 4) Not employed ... 58 (36%)
- 5) Not known ... 11 (7%)

It should be noted that at the time of the survey, fifty-six percent of the 158 cases researched were working or in vocational training programs. It is realized, of course, that the figure changes at any given time depending on pre-

viously unemployed probationers obtaining work and/or those that were employed losing their job. Further, it should be noted that the job market itself has a great influence upon the availability of employment opportunities. The survey is acknowledgeably small and, to a degree, may be somewhat affected by undetermined variables; yet, it does reflect both job placement effectiveness and willingness by employers to consider probationers as part of their working force.

Conclusion

During the past nine years, the San Mateo County Probation Department has provided for an Employment Function for the purpose of giving vocational counseling, carrying out job development, coordinating training programs, assisting probationers in the securing of employment, and the compilation of statistical information in this area. Because of the ever-increasing need to help probationers in securing meaningful jobs, the department acquired a second Employment Consultant funded by a Law Enforcement Assistance Administration Grant for a one-year period; and has since submitted a formal proposal for the allocation of a second Employment Consultant as a permanent position within the department.

The willingness and interest shown by those industries, companies, and organizations contacted by the San Mateo County Probation Department has been exceptionally gratifying. The awareness and concern for those individuals attempting to make positive changes in their life style is continually demonstrated by employers throughout the Bay Area. It is through this type of responsible action that reduction in the overall crime rate, recidivism, and tax dollars spent by the correctional process can begin to become a reality.

IV. SELECTION, REFERRAL, AND ETHICS

Unemployed probationers are referred to the Employment Consultant normally by a Probation Officer. They are referred from the entire probation caseload,

work furlough programs, and the community rehabilitation houses. Occasionally, a probationer will make direct contact with the Employment Consultant for his assistance; however, his Probation Officer would be made aware of this. In normal practice, however, the Probation Officer would get in touch with the Employment Consultant in order to arrange a formal interview for the probationer and to give some relevant information about him.

Prior to the interview, the probationer is given an employment application to complete. The front of the application itself is very similar to those of most companies -- requesting such information as health, personal, education, and employment history. The reverse side refers to such areas as the offense committed - its nature and circumstances, a general evaluation portion, a referral portion, and an area for job status information.

Upon completion of the application, the probationer and the Employment Consultant may spend anywhere from twenty minutes to over an hour discussing the information on the application, the goals and objectives of the probationer, his qualifications, barriers to be overcome, and referrals. Considerable interaction takes place during the interview and certainly an equal, if not greater, emphasis is placed on determining where the probationer "is at" - in other words, his attitudes, employment potential, ability to get along with others and accept some degree of authority, his general personality, his potential as a good and productive employee, and an overall assessment. There seems little point in hashing over one's past or moralizing on that which cannot be changed since it has already occurred. The interview is conducted in an atmosphere of openness and honesty, attempting to deal with the realities of securing and maintaining employment relevant to the particular probationer, his qualifications, and his career and life objectives. Vocational counseling in the areas of how to fill out an application correctly, how to behave and act in an interview, in being "up front" (honest) with the employer, dress, being on time - these and other relevant areas are discussed

to the degree felt necessary by the probationer and the Employment Consultant. Referrals to particular companies may be made at this time, but usually not until a later date.

Referrals to particular companies are usually made in one of two ways:

- 1) By appointment, and
- 2) Sending the probationer out to make his own contact using the Employment Consultant as a reference.

After the Employment Consultant has had time to evaluate and consider a particular individual, contact will be made with the designated company representative to discuss the candidate in regard to his background (to include work, social, educational, and legal aspects) and his present condition and future potential as a permanent employee. Confidentiality of the information should be assured in all cases and only those individuals with a direct need should have direct access to the applicant's criminal record. If an employment opportunity is available and the company wishes to consider the particular probationer, an appointment time will be scheduled at the convenience of the employer for a formal interview with the particular individual. The decision, of course, will be made by the company as to the candidate's rejection or acceptance of that organization.

If, in the course of employment, a problem should arise with a particular probationer, the company should feel free to contact the Employment Consultant. The probation department will do whatever is possible to help the company with any difficulties it may be experiencing with an individual on probation. It should be emphasized, however, that to the best of our knowledge, employment problems with probationers are definitely exceptions. At this point, a few other factors should be addressed.

It is reasonably obvious that there is no point in referring an individual who simply will not be able to make a success of the job. Not only would it be unwise

on the part of the Employment Consultant, who would soon lose any credibility with that particular company, but it would also be unethical and unfair to both the company and the probationer. Neither the San Mateo County Probation Department nor its Employment Consultant are in the business of "pushing bodies", "flesh peddling", or making an income based upon the numbers of individuals placed in jobs. The commitment is toward carrying out one aspect of a whole rehabilitative service. The emphasis is upon meaningful employment at the level of reality, whether that reality be a sheltered workshop, piece-meal work, vocational training, non-skilled or semi-skilled work (hopefully with some potential) or skilled and professional work. It is fully realized that it is the supervisor and the company who will live with the individual once he has been hired. Every attempt will be made to refer only those individuals closely meeting the qualifications requested by that organization.

Request: It is asked, however, that wherever possible, an employer give particular attention to the probationer's desire to work, potential as a reliable and hard working employee, and overall attitude rather than to the hard and fast work specifications - particularly in the areas of number of years' work experience, words typed per minute, and/or educational background.

If a company cannot or prefers not to consider individuals having committed particular types of offenses, the Employment Consultant should be given this information to prevent his referring persons in such offense categories to that organization.

It should also be brought out that although at this time probationers and offenders, as a whole, are not considered as falling within the Affirmative Action program, many probationers do in fact meet the requirements to be considered as eligible under this category. An employer should feel free to request individuals for employment consideration who meet the Affirmative Action requirements.

Along with job referrals, the department's Employment Unit can provide lectures and resource information to organizations on subjects such as "drugs within the work environment", "offender employment", "drugs and youth", or a number of other matters falling within the criminal justice field. Further, if there are any legal questions, particularly in regard to probation, the Employment Consultant will do his best to either answer the queries directly or refer the employer to an individual qualified in the particular subject matter.

This document was prepared by
Richard L. De Lisser,
Employment Project Consultant

NOTES

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2. Malcolm W. Klein, Criminological Theories as Seen by Criminologists: An Evaluation Review of Approaches to the Causation of Crime and Delinquency, prepared for the Governor's Special Committee of the Criminal Offender, (State of New York, December, 1967), p. 8.
3. Marshaling Citizen Power to Modernize Corrections, (Washington, D.C.: Chamber of Commerce of the United States, 1972, p. 14).
4. Georgetown University, The Closed Door, (Distributed by: National Technical Information Service, U. S. Department of Commerce, 1972), p. VIII.
5. The Closed Door, supra, p. 19.
6. The Closed Door, supra.
7. National Advisory Commission on Criminal Justice Standards and Goals, A National Strategy to Reduce Crime (Washington, D.C.: National Criminal Justice Reference Service, U. S. Department of Justice, Law Enforcement Assistance Administration advanced copy).
8. George H. Ebbs and Bert C. Shiensky, "Want to Cut Crime Costs? Hire the Ex-Offender", The Personnel Administrator, March - April 1974, p. 17.
9. James W. Hunt, James E. Bowers, Neal Miller, Laws, Licenses and the Offender's Right to Work, American Bar Association, p. 1 (National Clearinghouse on Offender Employment Restrictions, Washington, D.C., 1973).
10. Law Enforcement Assistance Administration, Outside Looking In, Washington, D.C.: U. S. Department of Justice, 1970). Also, American Bar Association, Offender Employment Review, "Removing Offender Employment Restrictions: A Report on Legislative Developments" and "Legal Rx for Employment Restrictions" (National Clearinghouse on Offender Employment Restrictions, Washington, D.C., September 1973, No. 6).
11. Offender Employment Review, supra.
12. Offender Employment Review, (National Clearinghouse on Offender Employment Restrictions, Washington, D.C., July 1974, No. 9) p. 1.
13. Offender Employment Review, supra, p. 1.
14. National Advisory Commission on Criminal Justice Standards and Goals, Corrections (U. S. Department of Justice, Washington, D.C., January 1973) p. 3.

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