



Probation

Structuring the Exercise of Sentencing Discretion in the Federal Courts 83170 Brian Forst
William M. Rhodes

Zero-Sum Enforcement: Some Reflections on Drug Control ... 83171 P. Andrews
C. Longfellow
F. Martens

Inreach Counseling and Advocacy With Veterans in Prison ... 83172 Bruce Pentland
Ray Scurfield

The Probation Officer and the Suicidal Client Frederick F. Casucci
Gary K. Powell

An Experiential Focus on the Development of Employment for
Ex-Offenders 83173 Stanley S. Nakamura

Alienation and Desire for Job Enrichment Among Correction Officers 83174 Hans Toch
John Klofas

S in Corrections Wiley Hamby
J.E. Baker

signing the Criminal Justice System: A Commentary on Selected
ential Strategies 83175 Tommy W. Rogers

egies for Maintaining Social Service Programs in Jails .. 83176 Henry Weiss

ises and Realities of Jail Classification 83177 James Austin
Paul Litsky

e Victim Compensation: A Survey of State Programs . 83178 Gerard F. Ramker
Martin S. Meagher

ical Probation: A Skills Course — Probation Officers Do Make a
erence 83179 Marilyn R. Sánchez

83170-
83180

MARCH 1982

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

WILLIAM E. FOLEY
Director

JOSEPH F. SPANIOL, JR.
Deputy Director

WILLIAM A. COHAN, JR.
Chief of Probation

EDITORIAL STAFF

DONALD L. CHAMLEE
Deputy Chief of Probation
Editor

WILLIAM A. MAIO, JR.
Managing Editor

MILLIE A. RABY
Editorial Secretary

ADVISORY COMMITTEE

WILLIAM E. AMOS, ED. D., Professor and Coordinator, Criminal Justice Programs, North Texas State University, Denton

RICHARD A. CHAPPELL, Former Chairman, U.S. Board of Parole, and Former Chief, Federal Probation System

ALVIN W. COHN, D. CRIM., President, Administration of Justice Services, Inc., Rockville, Md.

T. C. ESSELSTYN, PH.D., Emeritus Professor of Sociology, San Jose State University

BENJAMIN FRANK, PH.D., Chief of Research and Statistics (Retired), Federal Bureau of Prisons, and former Professor, Southern Illinois University and The American University

DANIEL GLASER, PH.D., Professor of Sociology, University of Southern California

RICHARD A. MCGEE, Chairman of the Board, American Justice Institute, Sacramento

BEN S. MEEKER, Chief of Court for the Northern

LLOYD E. OHLIN, PH.D., Professor of Criminology, Harvard University Law School

MILTON G. RECTOR, Director, National Council on Crime and Delinquency, Hackensack, N.J.

GEORGE J. REED, Commissioner (Retired), U.S. Parole Commission

THORSTEN SELLIN, PH.D., Emeritus Professor of Sociology, University of Pennsylvania

E. PRESTON SHARP, PH.D., Executive Director, American Correctional Association (Retired)

CHARLES E. SMITH, M.D., Professor of Psychiatry, The School of Medicine, University of North Carolina, Chapel Hill

MERRILL A. SMITH, Chief of Probation (Retired), Administrative Office of the U.S. Courts

of Corrections (Retired), West- Editor, American Journal of

U.S. Department of Justice
National Institute of Justice

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/Administrative
Office of the U.S. Courts

to the National Criminal Justice Reference Service (NCJRS).

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

Federal Probation, Administrative Office
All phases of prevent
The Quarterly wishes to si
the study of juvenile and
invited to submit any sig
Manuscripts (in dupli
Office of the United Stat
Subscriptions may be
annual rate of \$9.00 (dom
Permission to quote
reprinting of articles may

FEDERAL PROBATION QUARTERLY

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

For sale by the Superintendent of Documents, U.S. Government Printing Office
Washington, D.C. 20402

Federal Probation

A JOURNAL OF CORRECTIONAL PHILOSOPHY AND PRACTICE

Published by the Administrative Office of the United States Courts

VOLUME XXXXVI

MARCH 1982

NUMBER 1

This Issue in Brief

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

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

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

The Probation Officer and the Suicidal Client.—This article by Federal probation officers Casucci and Powell attempts to provide the probation officer with enough information to be able to

recognize and deal effectively with the suicidal client. The authors furnish an overview of the problem of suicide, a profile of the suicidal client, and the therapeutic response of the probation officer in this crisis situation.

An Experiential Focus on the Development of Employment for Ex-Offenders.—U.S. Probation Officer Stanley S. Nakamura of the Northern District of California states that a concerted effort

CONTENTS

| | | |
|--|---|-------------|
| Structuring the Exercise of Sentencing Discretion in the Federal Courts | Brian Forst William M. Rhodes | 3 |
| Zero-Sum Enforcement: Some Reflections on Drug Control | P. Andrews C. Longfellow F. Martens | 83171 14 |
| Inreach Counseling and Advocacy With Veterans in Prison | Bruce Pentland Ray Scurfield | 83172 21 |
| The Probation Officer and the Suicidal Client | Frederick F. Casucci Gary K. Powell | 29 |
| An Experiential Focus on the Development of Employment for Ex-Offenders | Stanley S. Nakamura | 83173 31 |
| Alienation and Desire for Job Enrichment Among Correction Officers | Hans Toch John Kiofas | 83174 35 |
| BARS in Corrections | Wiley Hamby J.E. Baker | 44 |
| Redesigning the Criminal Justice System: A Commentary on Selected Potential Strategies | Tommy W. Rogers | 83175 49 |
| Strategies for Maintaining Social Service Programs in Jails | Henry Weiss | 83176 55 |
| Promises and Realities of Jail Classification | James Austin Paul Litsky | 83177 58 |
| Crime Victim Compensation: A Survey of State Programs | Gerard F. Ramker Martin S. Meagher | 83178 68 |
| Practical Probation: A Skills Course—Probation Officers Do Make A Difference | Marilyn R. Sanchez | 77 |
| Departments: | | 83179 |
| News of the Future | | 81 |
| Looking at the Law | | 85 |
| Reviews of Professional Periodicals | | 86 |
| Your Bookshelf on Review | | 91 |
| It Has Come to Our Attention | | 97 |

has been made in his District to establish an employment program that would provide real assistance to those clients interested in working. Integrity, friendship, patience, professionalism, trust, placement, and followthrough are the basis of a successful employment program, he concludes.

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

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

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

Strategies for Maintaining Social Service Programs in Jails.—Social services within jails and community-based alternatives to incarceration are vulnerable to cutbacks, asserts Henry Weiss of the Wharton School in Philadelphia. His article suggests a number of strategies for maintaining the improvements in service delivery that have been so painstakingly won over the past 15 years.

Promises and Realities of Jail Classification.—The process by which jails reach classification decisions has rarely been studied due to the preoccupation of the field with predictive models, assert James Austin and Paul Litsky of the National Council on Crime and Delinquency Research Center. The authors' opinions expressed in this article are based on their findings of a comparative process study of four jail classification systems.

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

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

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

Probation Officers Do Make a Difference

BY MARILYN R. SÁNCHEZ

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

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

—An offender, quoted in a North Carolina prison ministry publication¹

All probation officers have heard offenders make remarks similar to this one. And the question arises again and again: What makes for change? What are the agents for change?

Perhaps the word *change* can be defined from one of the goals that Al Havenstrite (chief probation officer, United States District Court, Dallas) lists for probation officers: “. . . help the client to improve social adjustments during the period of supervision and hopefully throughout the remainder of his life.”²

That temptation always exists for probation officers (or parole officers or agents) to explore every new trend to see if *it* is the miracle that will transform lives. (Not that the classes, the techniques, the seminars and the workshops are not helpful, but they frequently are found wanting.) In fact, officers sometimes become discouraged waiting for even a slight amount of growth, forgetting that they often are pivotal in helping change to come about.³

In Hennepin County,⁴ Minnesota, near the end of a defendant's term on probation, the probation officer writes a report to the judge having jurisdiction, summarizing a defendant's progress while on

probation and making recommendations concerning discharge, as well as giving some feelings about his or her future behavior.

To facilitate writing such a report, I solicit the probationer's comments. These sessions also have been used to determine how the probationer perceives my role as probation officer during the time of probation. I find that many probationers affirm the role of the officer.

Since 1975, I also have invited several probationers to join me in making presentations in schools. Repeatedly, when probationers addressed classes, they said that: (1) the probation officer *mattered* and that (2) change *was* occurring in their lives. (Sometimes the changes were small, sometimes dramatic.)

Because the probationers indicated that the probation officer was an instrument of change,⁵ and because so much literature and attention are pointed at the failure of the “system” (including probation), my interest was heightened to pursue the notion of “success” in a more structured way.

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

- (1) The “exit interview” with the probationer,⁶
- (2) presentations in schools,
- (3) and the postprobation, checkoff list.

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

Hennepin County's District Court Probation Adult Division has provided probation officers the opportunity to explore avenues of improvement and has been generous in providing one time to speak in schools. My supervisor and division head have been particularly supportive and flexible in helping me to make plans and necessary arrangements.⁷ And were it not for the Fourth Judicial District judges' concern for probationers and the trust the judges place in probation officers, probation supervision would be either much more mechanistic or more difficult.

¹ “Yokefellow News,” September 1980, Vol. 5, No. 3, p. 1. This publication is by Yokefellow Prison Ministry of North Carolina, Inc., P.O. Box 10094—Salem Station, Winston-Salem, North Carolina. This particular offender changed his life through a religious experience.

² Havenstrite, Al, “Case Planning in the Probation Supervision Process,” *Federal Probation* 44:2 (June 1980), p. 57.

³ *Ibid.* Mr. Havenstrite states: “A probation officer can serve as an agent of change in the life of a probationer.”

⁴ Hennepin County includes Minneapolis and its suburbs, a metropolitan area of about 940,000 people. Its court system works with not only local offenders, but those from a five-county area and also from other parts of Minnesota. Minneapolis is the largest city in the State.

⁵ Although Dr. Shello Dietrich (staff psychologist at the Federal Correctional Institute, Oxford, Wisconsin) questions the training and competence of the probation officer to facilitate change in another person (see “The Probation Officer as Therapist: Examination of Three Major Areas,” *Federal Probation* 43:2 (June 1979), pp. 14-19), Dr. Henry Hartman (psychiatrist, Toledo, Ohio) writes that he believes the probation officer can begin to reach motivations and strengths: “This does not mean the probation officer should play the role of psychiatrist or analyst. It means identifying and utilizing these factors within his competence as a counselor.” (See “Interviewing Techniques in Probation and Parole: The Art of Listening,” *Federal Probation* 43:2 (June 1979), pp. 58-59.)

⁶ The term “exit interview” was used extensively by the communications media, referring to interviews of voters as they exited polling places in 1980.

⁷ Edward Sedio, supervisor; Willard Botko, division head, District Court Probation.

For the most part, Hennepin County probation officers supervise only medium- and high-risk offenders. (Low-risk offenders are transferred to a team of volunteers supervised by a probation officer.) Caseloads include the usual range of felony and gross misdemeanor offenders, as well as a good many criminal sexual and assaultive offenders (who receive additional supervision time as required by the Bench), and a number of white-collar offenders. Probationers include both men and women, 18 years and older, with some younger juveniles certified as adults. These caseloads generally are between 45 and 85 clients, and probation averages about 2 years. Minority offenders are largely blacks and Indians.

As often found in an involuntary relationship, many probationers are hostile, testing, and angry when they are first assigned to probation. Frequently, they are particularly angry about specific conditions of probation, such as keeping away from the victim, paying restitution or treatment. As Dr. Henry Hartman has noted, "It (the relationship) is likely to be viewed by the probationer more often as punitive. . ."⁸

The "Exit" Interview

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

1. General rules of probation, including any arrests.
2. Specific conditions of probation, such as restitution or treatment.
3. Presentence investigation evaluation section.
4. A review of the needs/wants assessment inventory filled out initially by the probationer during the first quarter of probation.
5. A review of the specific offense(s) and situation which brought the offender into Court and a discussion of the likelihood of repetition of, or propensities toward, illegal activity.
6. Status factors, such as living arrangements, job or family.
7. A comparison by the probationer of his or her life now, compared to when he or she was first on probation.

⁸ Hartman, H., "Interviewing Techniques in Probation and Parole: Building the Relationship," *Federal Probation* 43:1 (March 1979), p. 60.

⁹ More than 15 probationers have emphasized how important it is to keep asking about chemical use. One young man reported: "I lied several times but I got so I couldn't bear to think I'd have to continue to lie to you when you asked if I were staying off drugs and keeping away from 'old' friends; so I quit the drugs."

¹⁰ Some of the defendant's mentioned how helpful the book *Love and Addiction* was in focusing on what love meant. Peele, Stanton, Love and Addiction (New York: New American Library, 1976), 293 pp.

¹¹ These speaking engagements average five times a year, in public and parochial schools, to such courses as Sociology, Consumer Law, Business Law, Journalism, Social Studies, and Health.

8. Present attitudes toward self-control, authority, and right versus wrong.

9. A review of techniques of problem-solving and ways to relieve stress.

10. A review of resources available to the probationer.

11. The probationer's perceptions of the role of the probation officer.

The first eight topics give the officer and probationer a context in which to examine change. Numbers 9 and 10 review help available to the probationer for the future. Number 11 assesses the effectiveness of the probation officer.

Many probationers mention events or actions during the time of probation which took on meaning for them, such as receiving a birthday card from the probation officer (it was "the only one" they received), a call they received asking how a grandfather was doing after hospitalization, the importance of asking (for the millionth time, it seemed to me), "Have you been keeping away from drugs or drinking?,"⁹ a discussion about the meaning of love,¹⁰ or a confrontation about the probationer's hostility toward a mate.

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

Presentation in Schools

On several occasions during the year, probationers who show some measure of stability are invited to join in making presentations in schools. Probationers are not told what to say during the presentations, but they are encouraged to be honest. The teacher gives me a general outline on the kind of information requested by the class.¹¹

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

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

Real treatment can be understood as any kind of purposeful intervention rendered within the context of an ethically bound professional relationship and directed toward aiding the client in easing some problematic aspect of his or her functioning.¹²

She goes on to raise the question about the key situation, "Is it meeting some real need? Is it likely to produce some real change in the situation for the better? Can the client and other people involved make some real change in the situation for the better? Can the client and other people involved make some real use of the help you are offering?"¹³

Probationers who are invited to speak in schools must meet the following criteria:

1. On probation for at least a year.
2. No new felony, gross misdemeanor convictions.
3. No new arrests while on probation, unless there is evidence that the probationer learned a significant lesson from the arrest.
4. Showing ability to learn from the original offense.
5. Meaningfully employed or in school or a homemaker.
6. Showing at least two specific instances where he/she overcame disappointment or did not insist upon his/her own way of doing things.

¹² Cunningham, G., "Social Work and Criminal Justice: New Dimensions in Practice," *Federal Probation* 44:1 (March 1980), pp. 84-89. Dr. Cunningham is assistant professor, School of Social Work, Loyola University, Chicago.

¹³ One example of a probationer developing insight: A probationer spoke to a high school class that was studying chemical dependency. After a student in the class confided to her that he had a problem with drinking and needed help from Alcoholics Anonymous, the probationer confided: "I regret very much that I minimized the AA approach in answering that young man's question. I won't do it again. I should have recognized AA is very important and a good way for a lot of people—maybe the only way for some of them."

¹⁴ At a conference in Cottonwood County (Minnesota), social service agency workers identified their attitude toward probation officers. The positive attributes were "involved, dedicated, available, understanding, knowledgeable." Taken from *Interchange*, Summer 1970 (7:3), in a brief article "Judging Impressions." Published by the Minnesota Supreme Court.

¹⁵ *Crime and Delinquency Magazine* (issues of 1977-1978), *Corrections Magazine* (issues of 1978-1979), and *Federal Probation* (issues of 1977 through June 1980).

¹⁶ Bulletin No. 440 (Adult), 5/72: This bulletin delineates a responsibility to the probationer, community, court, and division supervisor. Department Policy Bulletins of 7-73 and 7-79 further detail specific functions of the probation officer (direct service, indirect service, community representative, court officer, agency member), as well as specific skills to be used in these functions. For example, skills required in "Direct Service" are diagnostic ability, case work, group work, and family counseling. Criteria are also given for each level of probation officer work: probation officer, senior probation officer, principal probation officer. For example, the principal probation officer is expected to "be extremely competent in supervisory skills."

¹⁷ In my experience, when under stress, the people who were most influential were inspirational, empathetic, full of good humor, persuasive in encouraging perseverance, and assured me that one could survive with faith and optimism. They also gave the impression they would offer whatever time was necessary to help.

¹⁸ My commitment is to the following: To present clearly what I expect from the probationer. To tell the truth. To never use authority to threaten or manipulate for my own use. To not ask any questions that I would refuse to answer about myself. To respect. To share personal experiences when appropriate. To care. To ask questions, point out consequences and warn of dangers. To be as consistent as possible. To celebrate progress and responsible decisionmaking by the probationer. To be patient and use problem-solving strategies. To aid in role rehearsal with practice of appropriate words and ways and situations. To develop awareness of behavior dichotomy and the broad spectrum of human potential. To mention the victim from time to time. To talk about reconciliation in all its forms. To be firm and to emphasize order. To advocate strenuously when a probationer is hurt or victimized.

¹⁹ Most psychology and human relations books mention components of the successful interaction between people. These components usually include reciprocal behavior (Golden Rule); acceptance of another; consideration of another's likes, interests, aspirations; recognition of another's personal worth and recognition for another's accomplishments; cementing a feeling of partnership and teamwork. See chapter 10, "Human Relations Are Everybody's Business," in Laird, Donald and Eleanor Laird, *Psychology: Human Relations and Motivation* (New York: McGraw-Hill, 1967), pp. 200-214, 301.

7. Attempting to be honest.
8. Wanting to share what has been learned.
9. Showing evidence of problem-solving.

The Checkoff List Assessment of the Probation Officer

Instead of tucking away these "good words" from the probationers to feast on during frustrating or depressing days, I was challenged to determine *why* the officer makes a difference and *how* the difference is brought about.

I began to compile desirable characteristics for a probation officer¹⁴ and a list of effective probation methods, using these sources:

1. The probationers (from the "exit" interviews, the remarks made in the speaking engagements, letters, and in probation reporting sessions).
2. The professional literature.¹⁵
3. Hennepin County Court Services Bulletins outlining responsibilities and expectations of probation officers.¹⁶
4. Fellow probation officers, supervisors, judges.
5. Reviewing the type of people in general who had made a difference in my life.¹⁷
6. Reviewing my personal assumptions about the probation process and my part in it.¹⁸
7. A friend who teaches a Human Relations course.¹⁹

The list then seemed to have several categories:

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

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

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

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

A portion of the form is reproduced here.

Probation Officer
Checklist

M.R. Sanchez, Probation Officer
Date _____ Name (if you wish) _____

Please take a few minutes to check off your answers to these questions about your experience with your probation officer. Your filling this out will help her to emphasize important aspects and to know if she should make changes or not. You may make comments at the end if you wish. You may leave these pages with her supervisor or mail them to the supervisor.

Check (✓) the answer that you agree with.

- | | Most of the time | Not very often |
|--|------------------|----------------|
| 1. Did she explain what the job of a probation officer was? | | |
| 2. Did she explain how the probation officer related to the judge? | | |
| 3. Did she tell me what problems she felt I had? | | |
| 4. Did she tell me what she thought my good points were? | | |
| 5. Did she listen to me when I needed to talk to her? | | |

Here are some representative questions:

Communication:

Did she explain what the job of a probation officer is?
Did she listen to me when I needed to talk to her?

Assessment:

Did she tell me what problems she felt I had?
Did she tell me what she thought my good points were?
Was she able to detect manipulation or "conning"?

Knowledge:

Did she teach me how to solve problems?
Did she refer me to other people or agencies when she could not help or did not have specific knowledge to help?

Limit-setting
and prevention:

Did she warn me of what consequences I might expect if I took certain actions?
Was she able to help me understand right and wrong better?
Did she seem interested in my life?
Was she direct and honest?

Personal traits:

At the end of the checkoff list, three kinds of comments are solicited: (1) What the probation officer had done that was extremely important, (2) What the probation officer could have done differently during the term of probation, and (3) General or specific comments.

Actions described as "extremely important" have included:

²⁰ There may still be some merit to the so-called "coercive motivation." Havenstrite, *ibid.*: "While a voluntary commitment to program participation is most desirable, coercive casework can be successful."
²¹ Probationers often see the officer as "helping" even though it is sometimes unfashionable to use that word.

"She accepted me." (personal trait)

"She made me feel good about myself." (assessment)

"She was firm but compassionate." (limit-setting, personal trait)

"She made me go to drug treatment."²⁰ (communication, limit-setting)

"She helped me think of consequences." (prevention)

"She helped me work on finances."²¹ (knowledge)

"She gave me a chance on work release." (assessment)

The main areas mentioned as ones needing to improve were these:

Reviewing problem-solving. (knowledge)
(This suggests that one can never overuse this technique.)

Trying to understand depression better (knowledge)

Asking more questions. (communication, assessment)

Continuing to review the probationer's good points (assessment)
(This suggests that offenders need a great deal of help with self-esteem.)

The "other comments" category often revealed personal growth:

"She was tough when I needed it and gave me freedom to make decisions when I acted responsibly."

"At a time I needed trust most, it (probation) was especially rewarding."

"I could talk about the things going on in my life and knew my trust would not be dishonored."

"Of all the negative circumstances that brought us together, I have found this (probation) extremely gratifying."

These comments were not made at the beginning of the probationary period, so they cannot be dismissed as those of "con artists" at work.

The checkoff assessment forms have been given to probationers following discharge, from approximately March 1979 to October 1980. Twenty-six people received the forms and 22 people returned them, representing a response of 85 percent.

The results of the feedback model described here (exit interviews, probationers speaking in schools, and a postprobation checkoff list) reinforce the probation officer's role as an integral part of the interaction process with the probationer—that of engaging the offender's ability to mobilize his or her own forces to alter behavior (to change), and to teach him or her how to perform adequately in normal role behavior.

Dr. Cunningham offers this summary of that role:

We do have a responsibility, however, to interpret to all clients the availability of such services, our skills in helping them to negotiate ordinary and extraordinary developmental or life stage problems, and our conviction, when it exists,

that we can make a significant and positive impact on their lives by so doing. We have, in short, the right to "sell" our skills to clients. This does involve the conviction, however, that we do have an important function to perform, that rights will be protected in the process, and that the services we have to offer are professional, effective and of real worth.²²

²² Cunningham, G. *op cit.*, p. 68

Probation officers work with probationers at a crucial time in their lives: a time when they can seize opportunities for renewal and change. Unlike the offender quoted at the beginning of this article, offenders frequently are able—with the help of probation officers—to say, "The cycle of my life did change!"

News of the Future

RESEARCH AND DEVELOPMENT IN CORRECTIONS

BY JOHN P. CONRAD

The Sam Houston State University, Huntsville, Texas

THERE are too many prisoners, too few guards, too many incompetent managers, too little money. Not enough work for prisoners to do; longer terms for them to serve. Years of poor maintenance have left too many prisons in a state of filthy decay. No other public institution is in such disarray as our penal facilities; no other public institution is less likely to have its troubles remedied. It is no wonder that litigation has been under way in 30 states to correct the outlandish conditions that prevail in so many places of incarceration. After all, judges have consciences, and as one of them recently remarked in anguish, he has to anesthetize his feelings whenever he must sentence a young man to prison in his state. And, as another judge put it, nothing in the Constitution of the United States requires any state to maintain a prison, but if a state chooses to open such a facility it must comply with the terms of the eighth amendment.

What to do? The question was posed by the right party, though too late to act on the answer. In 1976 Congress mandated the National Institute of Justice to survey the Nation's penal facilities and to return with the answers to three questions:

- [1] Are the Nation's Federal, state, and local corrections facilities adequate to meet the needs of their expanding prisoner populations?
- [2] What expectations can be formed about the size of the prison population in the near future?
- [3] How might various proposals for more determinate sentencing affect the use of imprisonment and the need for additional correctional resources?

These weighty questions were turned over to the Abt Associates of Cambridge, Massachusetts. We now have their final report, and the answers are cautiously complex. There are five volumes; none is easy reading. Because the whole report is a landmark in penological research, I want to run through the major findings, not so much to tell you what I think

¹Abt Associates: *American Prisons and Jails* (Washington, U.S. Department of Justice, October 1980)
Volume I: Joan Mullen, Kenneth Carlson, and Bradford Smith. *Summary Findings and Policy Implications of a National Survey.*
Volume II: Kenneth Carlson, Patricia Evans, and John Flanagan. *Population Trends and Projections.*
Volume III: Joan Mullen and Bradford Smith. *Conditions and Costs of Confinement.*
Volume IV: Richard Ku. *Supplemental Report; Case Studies of New Legislation Governing Sentencing and Release.*
Volume V: William DeJong. *Supplemental Report—Adult Release Facilities.*
²Mullen and Smith, Volume III, p. 42.

they mean as to prod you into getting the whole report for yourself to decide what they mean for the prisons and jails in your part of the Nation.

ENOUGH CAPACITY?

The most creative research reported has to do with the capacity of American prisons and jails to house the masses of prisoners on hand. At best, administrators have been haphazard in determining the number of people who can be crammed into their accommodations. As the Abt reporters comment: "indeed, the capacities of correctional facilities have been administratively redefined from time to time, often with no attendant changes to the physical plant."² Further, the capacities of two identical prisons may be 500 or 1,000, depending on whether it is planned to put one or two prisoners into a cell. No sense can be made of the prison capacity problem by relying on data of this kind.

The solution was obvious but laborious. In their mail questionnaire to all the Nation's 599 prisons, the investigators asked for measurements. The survey called for physical dimensions in square feet of all the "confinement units" in which prisoners spent the night. Two categories of "confinement units" were defined: those measuring 120 square feet or more, and those measuring less than 120 square feet. Penology is still debating the minimum standards for cell space. Various organizations have recommended standards; the range goes from 50 to 80 square feet, with some adjustments to be made depending on the number of hours a day that prisoners are to be locked up. Abt based its survey on the standard recommended by the American Public Health Association (APHA): 60 square feet for each prisoner, whether in a cell or in a dormitory. Obviously, if two prisoners occupied a unit of 119 square feet or less, the APHA standard was violated.

Across the Nation, about half our prison capacity is in cell housing. That figure is meaningless. Prisons in the Northeast are 88 percent cellular, but in the South only 46 percent of capacity is in cells. That's far from the whole story. Although 61 percent of all Federal prisoners live in cells of 60 or more square feet, only 45 percent of state prisoners enjoy this minimum standard, and the corresponding figure for jails is 39 percent. The authors note that the older the prison the smaller the cells are likely to be. (Volume III, pp. 51-55)

A statistic that will disturb thoughtful prison reformers is the distribution of those 60 square feet cells by security classifica-

83180