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ACQUISITIONS

Federal Community Service Sentencing
Demonstration Project

Final Report

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THE OSBORNE ASSOCIATION, INC.
in conjunction with
UNITED STATES PROBATION OFFICE
OF THE SOUTHERN DISTRICT OF
NEW YORK
(SDNY)

88088

Federal Community Service Sentencing
Demonstration Project

The Osborne Association, Inc.
105 East 22nd Street
New York, N.Y. 10010

Funded by the Jessie Ball duPont
Religious, Charitable and Educational
Fund

January 1, 1980 - December 31, 1981

This report was prepared by Jane Simone, Research and Program Coordinator and Joseph M. Callan, Executive Director.

September, 1982

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PREFACE

Alternative sentencing projects can be found in city, county, state and federal courts throughout the United States. They are as diverse in their goals, operations and outcomes as are the courts in which they operate.

In 1978 The Osborne Association, Inc. established as one of its major objectives the reduction of today's over-crowded jail and prison population through the promotion and greater use of alternative sanctions. On January 1, 1980, with the unparalleled cooperation, support and enthusiasm of the United States Probation Office, we were able to take a small step in meeting this goal by implementing a Community Service Sentencing Demonstration Project in the Southern District of New York.

Since it was a primary goal to have the project continue after our role as facilitator ended, we asked for (and received) early assurances from Probation that every effort would be made to institutionalize this project at the end of the demonstration period. To assist in this institutionalization process we developed a very detailed operational manual for probation staff use. We are delighted to report that on January 1, 1982, a Community Service Sentencing Unit was formed in the Probation Office and the project is still operating successfully (the Association remains as an unofficial adviser to the project).

Also, during the planning stage of the project, we decided that a thorough evaluation and study would be conducted at the end of the demonstration period. For this purpose we developed a research design and a comprehensive data collection system. It was our hope to both describe the project in detail, and respond to critical questions regarding outcomes.

The following report reflects our efforts in this area. We hope it will be of benefit to those of you who are interested or involved in community service projects.

ACKNOWLEDGEMENTS

Expressions of appreciation are in order to organizations and individuals who helped make this project a reality. First and foremost, a very special thanks to the Jessie Ball duPont Religious, Charitable and Educational Fund, which financially supported this project for its two year duration. The Trustees and Executive Secretary of the Fund were always supportive, encouraging and, most importantly, permitted us to concentrate our efforts on strengthening the project. Morris Kuznesof, who was the Chief U.S. Probation Officer at the time of the project, is also to be commended for his enthusiastic support and leadership. Additionally a special thank you is due Michael Luciano, the present Chief U.S. Probation Officer. He has committed the necessary personnel and the resources of his office to ensure the project's continuation into the future.

We also acknowledge with thanks Ms. Valerie Dease, The Osborne Association's Project Coordinator and Mr. Thomas Eich, the U.S. Probation Liaison Officer. Their special skills and unswerving commitment to the project contributed greatly to its success.

Lastly, we owe a special acknowledgement to Dale Nelson, Ph.D., Research Consultant and Dennis McClain and Patricia Cochran, Research Assistants, without whose input and special technical skills this Report would not have been possible.

Excerpts from Press Release
(12/31/79-New York Law Journal)

A one year experiment to provide Federal offenders with an opportunity to work and provide volunteer community services instead of serving prison sentences will be launched Wednesday by judges, prosecutors, probation officers and a private organization that works with prisoners.

Participation in the experiment will be available to 150 persons with no serious history of drug, alcohol, sexual or assault offenses. They will work at jobs and perform volunteer work for the infirmed, aged or disadvantaged or do public service work, instead of serving prison time.

Those who do participate will be supervised and provided with basic supportive services including job placement.

While the grant for the program is only for one year, the Probation Department hopes to make the project permanent, with the assistance of The Osborne Association, Inc., at the end of the demonstration period.

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FEDERAL COMMUNITY SERVICE SENTENCING PROJECT

I. BACKGROUND

On January 1, 1980 a Community Service Sentencing Project was officially introduced in the U.S. District Court of the Southern District of New York (SDNY). Originally this demonstration project was to operate for one year (January, 1980 - December, 1980) and then, as stated in the press release, U.S. Probation would assume full responsibility. However, the Osborne Association, Inc. decided to extend the demonstration period for another year to December, 1981 to ensure acceptance of the project by the Court and to allow for an adequate sampling of project participants.

The preparation and planning stages began in late 1978 and continued through 1979. From the onset it was agreed as a major objective that, after the demonstration period ended, the U.S. Probation Office would operate the project on a permanent basis. We therefore involved Federal Probation in this crucial planning stage. A joint task force was formed with representatives from the Osborne Association, Inc. and all units of Probation (Pre-Trial, Pre-Sentence and Supervision). Major policy decisions regarding selection, sentencing, supervision and staffing were raised and resolved at this time.

For example, although it was the Association's original intent to offer the community service/probation sentence as a "pure" alternative to incarceration, it was Probation's opinion that it should also be used as a strengthening element to Probation in some cases where incarceration would not be appropriate. We therefore agreed to accept both alternative to incarceration and non-alternative cases, with the thought in our mind that these different groups could be compared in the areas of program performance and outcomes at the end of the project. On another issue, it was our hope to provide the Pre-Sentence Officers and the Judges with some specific sentencing guidelines regarding the number of community service hours to be given to each participant, based upon the seriousness of the offense. Again, Probation disagreed and felt that this decision should be left entirely up to the discretion of the Pre-Sentence Officers and Judges. Finally, we unanimously agreed that this project should include individuals from all economic, racial and age groups. Further, we concluded that individuals with histories of sex offenses, serious drug or drinking problems or assaultive/violent criminal records should be excluded from consideration.

During this pre-implementation period Association staff developed intake, orientation, counseling and processing pro-

cedures. Community service sites were located for probationers and reporting systems were established. Also, our research strategy was developed and data collection instruments were prepared. The Probation Office selected their staff who would handle community service cases and named their Coordinator, Mr. Thomas Eich. Several meetings took place to iron out specific operational procedures that involved the cooperative efforts of the Association and Probation.

On November 14, 1979, the Chief Judge of the Federal District Court in the SDNY, Hon. David N. Edelstein, gave judicial approval to implement the project. Although initially the judiciary expressed no objections or criticisms, we expected the Judges to be cautious in the use of this sentencing option for the first several months. We also correctly assumed that their use of this option would increase as they developed confidence in the project.

After the Chief Judge's approval, meetings were held with representatives from the Legal Aid Society and the U.S. Attorney's Office for informational purposes. As we anticipated, there were some negative reactions to the proposed project. Legal Aid expressed their concerns that only "white collar type offenders" would be sentenced to community service. We assured them that the project was developed to handle any type of offender. In fact, supportive services, such as job placement, counseling, etc., were included in the project to ensure that those probationers in need of employment or other services could be properly assisted. Not surprisingly, on the other hand, the U.S. Attorney's Office felt that offenders who "should go to prison" might instead receive the Probation/Community Service Sentence. They further felt that this added condition of probation (community service) might predispose an individual to failure/violation, since this presented the probationer with yet one more requirement that must be met.

Although we responded to these and other questions on a theoretical basis at this stage, we looked forward to the day when we would be able to respond with concrete, specific answers. It was with this in mind that our research component was designed to provide descriptive, process and outcome information on all aspects of the project.

On January 1, 1980 the project officially began and on January 10, 1980 the first offender was sentenced to perform community service.

The Sentencing Process and Outcomes

The sentencing process was one of the most important elements of the project and the one that the Association had the least direct control over. It was therefore incumbent upon staff to fully educate the Pre-Sentence Officers on all aspects of the project. The Probation Liaison Officer, Mr. Thomas Eich, also assumed responsibility for maintaining ongoing contact with the Pre-Sentence Officers and Judges, and responded to all questions regarding individual cases.

The initial sentencing guidelines can be characterized as being very general. The disqualifying criteria (violent criminal records, serious drug or alcohol problems, etc.) were the only limitations on selecting potential offender/probationers. Unlike other sentencing options, the convicted offender could refuse a community service sentence as the project was voluntary in nature. Rarely, however, did anyone not consent to a community service sentence.

In most cases the Pre-Sentence Officer would recommend the community service sentence in the pre-sentence report. The Judge would either accept or reject the recommendation and sentence accordingly. There were some cases where the Judge would select the community service option, even if it had not been recommended in the pre-sentence report. The Judges had the ultimate decision making authority, as they do with all other types of sentencing.

The specific number of hours of a community service sentence, like the selection of the sentence itself, was decided by either the Pre-Sentence Officers or the Judges. Sometimes the specific number of hours would be contained in the pre-sentence report; other times it would not be. On occasion a Judge would develop a very specific plan, including the number of hours, where and when the volunteer work was to be performed, and the time frame in which it should be accomplished.

The community service requirement was a condition of probation in all but seven deferred prosecution cases and one conditional discharge case. In twenty-six (26) cases it was part of a split sentence which also included short term or weekend incarceration. In addition, in seventy-six (76) cases a fine or monetary restitution was also a part of the sentence.

The nature and severity of the crimes committed by probationers sentenced to community service were as diverse as the actual numbers of hours of the subsequent sentences. Table I identifies all offenses committed by the project participants and their frequency. This table does not attempt to rank of-

fenses in order of seriousness, but is listed in order of referral to the project. Table II indicates the specific sentences, including their frequency of use, and Table III reviews various amounts of community service hours contained in individual sentences ranging from 20 to 6,000 hours.

Table I
Federal Offenses Committed and Frequency ()

01	Mail Fraud	(20)
02	False Statements to IRS	(8)
03	Possession of Stolen Mail	(2)
04	Conspiracy to Deal in Counterfeit Obligations	(5)
05	Conspiracy to Import and Distribute Cocaine	(2)
06	Bribery	(2)
07	Wire Fraud	(6)
08	Forgery of U.S. Treasury Checks; Fraud; Forgery	(7)
09	Conspiracy to Counterfeit U.S. Food Coupons	(3)
10	False Statements on Bank Loan Applications	(3)
11	Conspiracy to Obstruct the Mail	(3)
12	Conspiracy to Import, Distribute and Possess Marijuana	(4)
13	Conspiracy to Defraud U.S.; Harboring Aliens	(1)
14	Bank Robbery	(1)
15	Unlawful Payments to a Union Official; Illegal Labor Payments	(3)
16	Failure to File Income Tax Returns; Evasion	(15)
17	Wire and Mail Fraud	(5)
18	Conspiracy to Distribute and Possess Methaqualone (Schedule IV Narcotics)	(7)
19	Accepting and Receiving a Bribe as a Government Employee; Gratuities	(4)
20	Possession with Intent to Distribute Cocaine	(5)
21	Bank Embezzlement	(17)
22	Possession of Schedule IV, Controllable Substance	(3)
23	False Statements to Department of H.E.W.	(1)
24	Social Security Fraud	(5)
25	Unlawful Dealing in Firearms	(3)
26	Conspiracy to Distribute Methaqualone and Biphedamines	(1)
27	Use of a Telephone to Facilitate Distribution of Methaqualone	(1)
28	Odometer Rollback	(5)
29	Bribery of U.S.I.N.S. Official	(1)
30	Conspiracy to Defraud U.S.; Making False Statements; Perjury	(8)
31	Student Loan Fraud	(4)
32	Conspiracy to Defraud U.S.; Aiding Another to Fail to Appear	(1)

33	Securities Fraud (manipulation of trading)	(4)
34	Conspiracy to Aid in False Tax Returns and Interstate Travel in Aid of Racketeering	(2)
35	Conspiracy to obtain Dilaudid by Forged Prescription	(1)
36	Possession of Heroin; Schedule IV Narcotic	(2)
37	False Statements on Federal Documents	(1)
38	Aiding and Abetting Bank Fraud	(1)
39	Theft of Government Property	(2)
40	Distribution and Possession of Schedule II Controllable Substance	(12)
41	Aiding and Abetting Check Kiting	(1)
42	Food Stamp Fraud	(1)
43	Preparation and Sale of Adulterated Products with Intent to Defraud	(2)
44	Conspiracy to Defraud Art by Sale of Bogus Art Material	(1)
45	Conspiracy to Transport Stolen Securities in Interstate Commerce	(2)
46	Illegal Transport of Aliens	(1)
47	False Statements to U.S. Department of Agriculture	(1)
48	Theft of Mail by Postal Employee	(2)
49	Conspiracy to Possess Goods Stolen from Interstate Shipment	(2)
50	Conspiracy to Violate Food Stamp Act	(3)
51	Assault on an Internationally Protected Person	(1)
52	Possession of Cocaine	(3)
53	Attempt to Manufacture Schedule II Substance (Methamphetamine)	(1)
54	Illegal Demonstration	(2)
55	Embezzlement from Labor Union	(1)
56	Hijacking in Interstate Commerce	(1)
57	Conspiracy to Violate Federal Narcotics Law	(1)
58	Interstate Commerce of Fraudulently Marked Goods	(1)
59	Conspiracy to Interfere with Commerce by Means of Extortion	(1)
60	Conspiracy to Misapply Money Belonging to a Common Carrier	(1)

Total.....210

7 Deferred Prosecution Cases included in these figures.

Table II.
Sentences of Community Service Participants

<u>Sentence</u>	<u>Percentage and Number Receiving Sentence</u>	
Probation + Community Service	47%	(99)
Probation + Community Service + Fine	26%	(54)
Probation + Community Service + Restitution	11%	(22)
Probation + Weekend Jail + Community Service	2%	(4)
Short-Term Incarceration + Community Service + Probation	10%	(22)
Community Service + Conditional Discharge	.5%	(1)
Deferred Prosecution	3%	(7)
Missing	.5%	(1)
Total.....	100%	210

Table III
Number of Hours Contained in Sentences

<u>Range of C.S. Hours</u>	<u>Frequency</u>
20-100	31
101-200	66
201-300	50
301-400	17
401-500	10
501-600	10
601-700	1
701-800	4
801-1,000	5
1,001-1,300	2
1,301-1,600	4
1,601-2,000	4
2,001-6,000	2
Missing	4
Total.....	210

Median = 249.273
Mean = 379.578

Project Operation

Introduction

The remarkable quality of the operational phase of the project was the cooperation and facility of the working relationship between the Osborne Association and Probation staff. From the onset respect, support and open communication were evident. Although this cannot be quantified in statistical tables, it had a significant positive impact on the success of the operational phase of the project.

The Offender Participation and Procedural Flow Chart (Attachment A) gives an overview of the operational phase of the project.

Intake

A total of 210 individuals were sentenced by the U.S. Southern District Court to community service during this project. However, a total of 68 probationers served their sentences outside the New York City metropolitan area and were not under the direct supervision of Mr. Eich and the Osborne Association, Inc.

Immediately after sentencing, the probationer would report to Mr. Eich, the Liaison Officer. He would review and clarify the sentence, including the various conditions of probation, of which community service was one. At this meeting he would call the Association's Project Coordinator, Ms. Valerie Dease, and set up an initial intake interview for orientation and subsequent placement on a community service site.

At the initial interview at the Association the following were accomplished: intake forms were completed; consent to release information was granted; a needs assessment was conducted; volunteer work interests and skills were reviewed; and any potential problems that might interfere with participation were identified and evaluated. If the probationer was prepared for immediate placement, a tentative volunteer work schedule was developed and an appointment was made with a selected participating non-profit community agency (community service site) for a placement interview. In all cases, with very few exceptions, probationers were scheduled to perform their community service hours on a part-time basis, as we did not want to jeopardize their full-time employment situations.

Services

In the event the probationer was unemployed and in need of a job, or had a serious medical or personal problem, placement on a community service site would be delayed for a short time. Efforts to assist the probationer in securing full-time employment or in the resolution of other problems were begun immediately. In some cases, probationers preferred to concurrently look for full-time employment and perform their community service. Out of the 210 probationers, 25 (11.9%) were unemployed and looking for work at the time of their initial interview.

In addition to job placement assistance, other needs such as psychological treatment, training assistance, welfare problems, educational assistance, personal counseling and emergency financial assistance were identified. In some cases these needs appeared to require immediate full-time attention, causing delays in starting community service. In summary, however, the typical probationer did not experience long delays between intake at the Association and placement at the community service site.

Community Service Site Placement

A total of 33 non-profit agencies participated in the project, 26 on a regular basis and 7 on a one-time basis. Hospitals, nursing homes, handicap agencies, senior citizen centers, governmental agencies, settlement houses, day care facilities, drug and alcohol rehabilitation programs and community centers were represented in this group. Prior to accepting probationers, the Volunteer Director of each agency was given a full orientation session on the project. Procedures, reporting requirements and project goals were reviewed in detail.

The selection of an agency for a probationer's assignment was based upon such factors as the probationer's interests and skills, court directives, the agency's particular needs and scheduling considerations. The types of volunteer job assignments at these 26 agencies included clerical aides, patient escorts, tutors, fund raising assistants, dietary aides and maintenance workers.

Every participant in the community service project was given "regular volunteer" status, and his/her addition to the agency never jeopardized the full time salaried jobs of the regular employees.

Prior to accepting a probationer, the non-profit agency had the opportunity to interview the prospective probationer/volunteer. Likewise the probationer could decide if the site was appropriate. On occasion a site would reject a potential volunteer or vice versa. However, in the majority of cases only one referral was required to make a successful placement.

As indicated earlier the probationer was identified as a "regular volunteer" to all co-workers, patients, etc. The probationer's supervisor, along with the Director of Volunteers, was the only agency representative who was aware of the volunteer's probation status. They too were responsible for providing regular feedback on the probationer's work performance, attitude, hours completed, absences, etc.

Association staff would make periodic site visits and would respond to all problems that developed throughout the probationer's tour of volunteer service.

Alternatives to Incarceration Decisions

Since it was our objective at the onset of the program to offer community service as an alternative to incarceration, it was incumbent upon us to make a determination on each probationer sentenced to community service regarding his/her "alternative to incarceration" status. This proved to be very difficult to accomplish in most cases due to the lack of specific statements by Judges at sentencing time. In other cases, when the defendants were sentenced to short-term incarceration plus probation and community service, they were easily identified as "certain" alternatives (to long-term incarceration).

To identify the "probable" alternatives, the Association staff, in consultation with the U.S. Probation Office, developed a set of objective criteria. With these we hoped to make these alternative decisions in a fair and uniform manner.

The "Alternative to Incarceration" Worksheet incorporates these criteria, which include: pertinent sentencing information such as the pre-sentence officer's recommendation, the offender's past arrest and conviction record, and the severity of the current offense (see Attachment B for severity of offense categories). As you will note later, some of the 9 items on this worksheet contain options that are arranged in order of seriousness and different point assignments are made on the basis of these gradations. If a score of 30 or more was reached after completing the items on the worksheet, the probationer was assumed to be a "probable" alternative to incarceration. All decisions were reported to Mr. Thomas Eich, U.S. Probation

Liaison Officer, for review and approval.

The following sample worksheet should give you an understanding of how this process operated. In this sample the probationer scored a total of 43 points, and was therefore considered a "probable" alternative to incarceration. Of particular significance was the client's previous criminal history, the recommendation by the Pre-Sentence Officer and the severity of the instant offense.

Additionally, since the "alternative or not" question is so essential to any project of this nature, and since our research effort examines the significance of the "alternative to incarceration" status, it was decided to summarize the results of our "alternative decisions" ("certain" alternatives; "probable" alternatives; and "not" alternatives). We also included the following information for the three separate groups: severity of offense rating; range and median number of probation months; range and median number of community service hours; and percentage breakdown by group (see Attachment C for summary).

SAMPLE

The Osborne Association, Inc. - C.S.S.P.
Alternative to Incarceration Worksheet

<u>004</u> #	<u>004</u> Name of Client	<u>Score</u>
A.	Co-Defendants	
	<u> </u> Co-Defendants/incarcerated = 3 points	<u> </u> 0
	<u> x </u> No = 0 points	
B.	Judge's Statement at Time of Sentencing	
	<u> </u> Yes - Alternative to Incarceration = 30 points	<u> </u> 0
	<u> x </u> No = 0 points	
C.	<u> x </u> ESS = 5 points	<u> </u> 5
	<u> </u> ISS = 3 points	
D.	Severity of Offense	
	<u> </u> Greatest = 10 points	<u> </u> 8
	<u> </u> Very High = 9 points	
	<u> x </u> High = 8 points	
	<u> </u> Moderate = 7 points	
	<u> </u> Low Moderate = 6 points	
	<u> </u> Low = 5 points	
E.	Past Incarceration/Previous Criminal Record	
	<u> </u> Yes - incarcerated = 8 points	<u> </u> 6
	<u> x </u> Yes- previous convictions = 6 points	
	<u> </u> No - = 0 points	
F.	Pre-Sentence Officer's Recommendation for Incarceration	
	<u> x </u> Yes = 8 points	<u> </u> 8
	<u> </u> No = 0 points	
G.	Supervisory Officer's Opinion for Incarceration	
	<u> x </u> Yes = 5 points	<u> </u> 5
	<u> </u> No = 0 points	
H.	Number of Years Probation	
	<u> x </u> 5 years = 5 points 2 years = 2 points	<u> </u> 5
	<u> </u> 4 years = 4 points 1½ years = 1 point	
	<u> </u> 3 years = 3 points	
I.	Number of Community Service Hours	
	<u> </u> under 200 hours = 0 points	<u> </u> 6
	<u> </u> 201-300 hours = 3 points	
	<u> </u> 301-400 hours = 5 points	
	<u> x </u> 401-500 hours = 6 points	
	<u> </u> 501-600 hours = 7 points	
	<u> </u> 601-700 hours = 8 points	
GRAND TOTAL...		<u> </u> 43

ALTERNATIVE FOR INCARCERATION:

- X Yes - score is 30 points and over
- No - score is under 30 points

Research Outcomes

Introduction

The following is a three part analysis of the offenders sentenced to community service from January, 1980 to December, 1981. All of them received this sentence because of the existence of the Association's demonstration project. While the Association staff and the Probation Liaison Officer, Mr. Thomas Eich, directly supervised the majority of this group (142), another 68 fulfilled their community service obligation out of the New York City metropolitan area.

Part I is a descriptive analysis undertaken to gain a basic familiarity with the social and personal background characteristics of the total offender population (210). Additionally, the incidence of past and/or present drug and alcohol addiction (abuse), psychological problems and prior criminal involvement are examined. This is the only section that looks at the total population of 210. The offenders represented in the remaining two sections of this study are limited to those who were under the Association's direct supervision and met the participation time requirements for each specific analysis.

In Part II we attempt to identify those factors which had the greatest impact on successful or unsuccessful participation in the project. At the onset of the project we planned to define "success" and "failure" as either the satisfactory completion of the court assigned community service hours or the non-compliance of same, resulting in probation violation proceedings. However, given this definition, during the time period of the study only one actually failed. We therefore found it necessary to re-define success and failure and change the focus to the quality of participation, and not to the absence of participation.

What factors seemed to impact the most on the quality of participation? What clients required a disproportionate amount of Association and Probation staff time? Did older or younger clients fare better or was age essentially irrelevant? Did sex, marital status, employment status, income level, race or ethnic origin seem to have an impact? Were ex-addicts a problem group? Did a history of psychological disorder inhibit program participation? Were those with criminal records more or less likely to be problem participants? Did those probationers who received community service as an alternative to incarceration perform better or worse? We seek to find answers to these and other questions in Part II of the analysis.

In Part III we turn our attention to Association staff activities and the degree to which these contributed to client improvement over time. First, we evaluate the extent to which Association staff was responsive to problem clients, that is, when clients caused delays in assignments to community service sites, required site changes, received poor performance ratings or required punitive intervention by probation officers, were they more likely to be the focus of staff attention and service delivery? Secondly, we look at client's site performance over time. Who improved or maintained mediocre or poor performances? Who actually declined? Of special import is the following question - are the number and type of Osborne interventions with clients associated with improved performance?

Because the Association is intensely interested in taking stock of its procedures, services and resources for the future, the above analysis is useful. In addition, other agencies participating in similar alternative to incarceration programs will find this section especially helpful. Conclusions and recommendations follow Part III of the analysis and deal with the broader implications of our study and the project.

Part I Description of Client Population

Age, Sex and Marital Status

Clients ranged in age from 19 to 70, with a mean of 40.9 years and a median age of 38.8. Only slightly less than 10% of the 210 clients were over 60 years of age, while almost one-quarter (23.8%) were 30 years or younger. The sample was predominantly male in composition (83.8%). Most clients were married (59.1%), while another 22.4% were single and had never been married; 18.6% were either separated or divorced and were disproportionately female in composition.

Socio-economic Characteristics

The socio-economic make-up of the client population provides interesting information for analysis. First of all, the majority (72.4%) of clients were employed full-time at the time of entry into the project. Another 5.7% were employed part-time. Of the 46 (21.9%) unemployed, 25 (11.9%) were looking for work, while the remaining 21 (10%) were either disabled, retired or performing full time household duties.

While the average (mean) annual income was \$27,491, the median

of \$16,000 was considerably lower. The mean income was overly inflated, indicating that a few clients (9) had incomes in excess of \$100,000. To acquire a more detailed picture of the income distribution of the 210 community service participants, Table IV breaks down the client population into five roughly equal income categories:

Table IV
Income Distribution of Community Service
Participants (N=210)*

<u>Category</u>	<u>Number</u>	<u>% of Population</u>	<u>Cummulative %</u>
\$2,500-\$7,000	42	20.0%	20.0%
\$7,000-\$12,000	42	20.0%	40.0%
\$12,000-\$21,000	42	20.0%	60.0%
\$21,000-\$40,000	45	21.4%	81.4%
\$40,000-\$200,000	39	18.6%	100.0%
Totals...210		100%	-

Median Income = \$16,000

*Income sources include: employment, investments, welfare, unemployment insurance, pensions, social security, relatives' support and disability payments.

The project had clients represented in all income levels. Initially it was the Association's concern that the lower income levels would not be adequately represented.

Occupationally, the client population broke down into two groups. Approximately 66% could be classified as "white collar" employees and 33% as "blue collar". (White collar occupations include professional, technical, clerical, sales and managerial, while blue collar occupations include craft, operative and laborer jobs.)

Since "white collar" jobs tend to be in greater abundance in the New York City metropolitan area, it is not unusual that our client sampling is larger in this occupational group. Furthermore, one third of the offenses committed by the project participants were done so from positions of trust, which were "white collar" jobs (Executives, Bank Clerks, Postal Clerks, Attorneys, etc.). Additionally, the fact that Federal Courts handle a large majority of "white collar" crimes is also a significant factor. These factors contributed to the unequal distribution of "white collar" versus "blue collar" occupations.

Educational Backgrounds

Educationally the client population reflected a wide range of backgrounds as indicated in Table V.

Table V
Educational Background

<u>Educational Level</u>	<u>Percentage and Number</u>		<u>Cummulative Percentage</u>
Less than High School	22.4%	(47)	22.4%
High School Graduates	16.7%	(35)	39.1%
Technical Training	10.0%	(21)	49.1%
Some College	23.3%	(49)	72.4%
College Graduates	16.2%	(34)	88.6%
Graduate and Professional School	11.4%	(24)	100.0%
Total.....	100%	210	

As with the income levels it was our initial concern that offenders with less education would not be represented in our sample. However, as the table reflects, we did have a substantial group, 22.4% (47), who did not complete high school. At the other extreme, college graduates and beyond (graduate and professional school) made up 27.6% of our total population.

Racial/Ethnic Composition

Although the racial/ethnic make-up of our total population was skewed towards whites, the minority, i.e, the non-white proportion of the population was 28.1% (see Table VI for distribution).

Table VI
Racial/Ethnic Composition of Client Population (N=210)

<u>Racial/Ethnic Identity</u>	<u>Number</u>	<u>Percent of Population</u>
White	151	71.9%
Black	35	16.7%
Hispanic (Puerto Rican)	11	5.2%
Hispanic (Other)	8	3.8%
Asian	3	1.4%
Other - Non-White	2	1.0%
Total.....	210	100%

Drug, Alcohol and Psychiatric Backgrounds

There are few indications that drug or alcohol addiction was a serious problem in this offender population. Since current drug or alcohol addiction was a disqualifying condition for consideration for the project, this is not surprising. No clients were identified as current heroin users at the time of entry into the project. A relatively small group of 10 (4.8%) had a history of heroin use, while a larger portion (16.7%) had abused drugs other than heroin, such as cocaine, angel dust, marijuana, etc. The overwhelming majority (96%) had no history of alcohol abuse. Only one client was identified as an active alcoholic.

While only 3 (1.4%) of our clients had been formerly institutionalized as the result of serious psychiatric problems, another 28 (13.3%) did have non-institutional histories. The majority of this group was receiving psychological treatment at the time of entry into the project.

Criminal History

Prior criminal activity of the project participants was examined closely as it was hypothesized that this group, along with those with histories of psychological and drug problems, might demonstrate a higher frequency of participatory problems.

Table VII summarizes the information on the prior criminal activity of the project participants.

Table VII
Prior Criminal Activity of Community Service Participants (n=210)

<u>Incident Classification</u>	<u>Total # of Probationers</u>	<u>Total # of Incidents</u>	<u>Average per Probationer</u>
Arrests	57	181	3.2
Arrests Only	17	29	1.7
Misdemeanor Convictions	30	72	2.4
Misdemeanor Convictions Only	22	32	1.5
Felony Convictions	18	29	1.6
Felony Convictions Only	10	11	1.1
Misdemeanor + Felony Convictions	8	40 Misd. 18 Felony	N.A.
Past Incarcerations	19	44	N.A.

SUMMARY

<u>Status</u>	<u># of Probationers</u>	<u># of Population</u>
No Criminal Record	153	72.9%
Arrests Only	17	8.0%
Misdemeanor Convictions Only	22	10.5%
Felony Convictions Only	10	4.8%
Misdemeanor + Felony Convictions	8	3.8%
Total.....	210	Total.....100%

Summary

To summarize, while the social and personal background characteristics tend to be skewed towards whites, males, older and more highly educated individuals as compared to the prison population in general, there are useful samples in each category of all background and social characteristics. We therefore

can use these as independent variables in our impact study. Also, the potential problem groups, consisting of individuals with serious psychological, drug and criminal histories were large enough to enable us to examine the impact of these conditions on program performance. Part II addresses these issues.

Part II
Quality of Participation

As was stated earlier the analyses in this and the remaining sections will be limited to those clients who were directly supervised by Association staff and participated in the project for a significant period of time. This is necessary because our measures of outcomes indicating problem behavior involve direct contacts between Association and Probation personnel and participants over time.

To what extent did these clients proceed smoothly through their community service participation? Stated in more negative terms, who were our problem participants and why were they so identified? Although we hypothesized that individuals with certain background and sentencing characteristics might indeed be problem participants, it was necessary for us to define a participatory problem. For this process we reviewed the wide range of specific direct behavior outcomes and concentrated only on those that required a disproportionate amount of Probation and Association staff time to resolve, had a direct negative impact on the participant's program status, and were not the result of unfortunate circumstances that the client had no control over (e.g., loss of job, illness, etc.). The four most serious negative outcomes were selected and assumed to be indications of participation problem behavior. They are as follows: (1) Delays in Community Service Site Assignment (over one month) - the result of a negative attitude or the continued reluctance to commit to a site assignment; (2) Site Changes - resulting from frequent complaints by site staff, poor attendance, or a negative attitude; (3) Marginal Community Service Site Performance Evaluations - fair or poor job performance evaluation from on-site supervisors; and (4) Punitive Probation Interventions - unofficial and official warnings, return to court or violation.

Table VII reports the proportion of clients whose behavior resulted in one or more of the four outcomes identified above. The total percentage of clients who had one or more such outcomes is also reported on the right of the table.

Table VIII
Types and Extent of Negative Outcomes (N=129)*

<u>Problem Behavior</u>	<u>Delay in Assignment</u>	<u>Site Change</u>	<u>Marginal C.S Job Performance</u>	<u>Punitive Probation Intervention</u>	<u>Client Prob-lem</u>
Yes	20.2%	11.6%	25.6%	18.6%	50.4%
No	79.8%	88.4%	74.4%	81.4%	49.6%
	100%	100%	100%	100%	100%

*Of the 142 Association supervised probationers, 10 were excluded because of their late sentencing in the project; one was given special supervision due to a language problem and, therefore, could not be included; and two Asians were excluded because of a research decision to limit the race/ethnic independent variable to black, white and hispanic.

The data in Table VIII indicate that half of the client population sampled had at least one negative behavior outcome. The most prevalent negative outcome was marginal community service job performance evaluation (25.6%), and the least was the need for a site change (11.6%).

Which, if any, of the various social, personal or current sentencing characteristics examined in the previous section is associated with problem behavior? For the purposes of analysis we will divide the four negative outcomes that indicate problem behavior into two general categories. Those clients with negative outcomes of site delays and/or site changes will be referred to as administrative problems and those with negative outcomes of fair or poor volunteer job performance ratings and/or punitive probation interventions will be called supervision problems.

In order to ascertain the relative effects of the social, personal and sentencing variables in the analysis, we will utilize both multiple regression (MR) and multiple classification (MCA) analysis.

The Administrative Problem Client

Table IX below reports findings on the relative impact of

10 different social, personal and sentencing variables: age, sex, marital status, employment status, socio-economic status (income + occupation + education), racial/ethnic origin, psychological problems and drug/alcohol addiction, previous criminal record, the severity of the current offense and the alternative to incarceration status. If the clients had a delay in site placement, or required a site change they were considered an administrative problem and were coded 1. All others were coded 0. In the first column, beta weights are reported for each independent variable to indicate its relative importance vis-a-vis the other independent variables, as well as the magnitude of its unique (i.e., partial or controlled) relationship to administrative problems.

The second column reports the original (zero-order) relationship for each independent variable (i.e., before the other 9 were held constant). Pearson r correlation coefficients are reported for continuous variables, while η s (the non-linear equivalent to r) are reported for multiple-nominal (categorical) variables. The Multiple R and Multiple R^2 reported at the bottom of Table IX indicate the joint correlation of all 10 independent variables with the two administrative behavior problems and the percentage of variance explained in these administrative problems by all independent variables combined.

Table IX
Regression Analysis: The Relative Impacts of Social, Personal and Sentencing Factors on Administrative Problem Behavior. (n=129)

Independent Variable	Beta Weight	Pearson r/eta
1. Previous Criminal Record	.17	.17
2. *Socio-economic Status (SES)	-.16	-.13
3. Race/Ethnicity	.15	.19
Black (n=28)	.04	
White (n=89)	--	
Hispanic (n=12)	-.16	
4. Marital Status	.15	.11
Single (n=39)	.07	
Married (n=66)	--	
Separated Divorced (n=24)	-.11	
5. Psychological Problems Drug or Alcohol Addiction (Past or Present)	-.13	-.04
6. Alternative to Incarceration Status	.07	.06
7.**Employment Status	.05	.01
8. Age	.04	-.01
9. Sex (Female = +)	.03	-.01
10. Severity of Offense	.02	.01

Multiple R = .320

Multiple R^2 = .102

*SES = Income + Occupation + Education

**Unemployed included: Employed part-time, unemployed and looking for work, unemployed disabled, unemployed housewife and unemployed retired.

The findings in Table IX are interesting in several respects. First, the independent variables collectively explain a fairly small amount of variance in the extent of administrative problem behavior (only about 10%). Although previous criminal record is the best predictor of administrative problems, its impact is weak (i.e., Beta = .17). Clients of lower socio-economic status (SES) are slightly more likely to be administrative problems. While black and white clients are about equally likely to be administrative problems, hispanic clients are slightly less likely to be such problems. Single clients are more prone to problem behavior than the married and divorced. It is interesting to note that clients with histories of psychological problems and/or drug and alcohol addiction are not likely to be among the most problematic cases. Lastly, the client's alternative to incarceration status, employment status, age, sex and severity of offense appear to be unrelated to the degree of administrative problem behavior.

Supervision Problems

As discussed earlier, the second kind of problem was identified as the result of fair or poor volunteer job performance ratings and punitive probation interventions. Which, if any, of the 10 independent variables previously indicated are related to high and low performance ratings? Can these independent variables help us to identify clients who are most likely to require punitive intervention by Probation staff? Multiple regression and MCA were once again employed to answer these questions. Table X lists the variables in descending order of their importance as predictors of supervision problems. If the client received either a poor or fair performance rating by his/her site supervisor, or a warning/return to court from a Probation Officer, he or she was coded "1"; all others were coded "0". Beta weight, Pearson r (zero-order) relationships, R and R^2 are reported in Table X.

Table X
Regression Analysis: Relative Impacts of Social, Personal and Sentencing Factors on Supervision Problem Behavior. (n=129)

<u>Independent Variable</u>	<u>Beta Weight</u>	<u>Pearson r/eta</u>
1. Alternative to Incarceration Status	.32	.13
2. Severity of Offense	.30	.18
3. Age	-.23	-.26
4. Psychological Problems Drug or Alcohol Addiction (Past or Present)	-.14	-.05
5. Marital Status	.13	.26
Single (n=39)	.12	
Married (n=66)	--	
Separated/Divorced (n=24)	-.02	
6. Employment Status	-.11	-.13
7. Previous Criminal Record	.08	.05
8. Sex (Female = +)	.07	.12
9. Race/Ethnicity	.06	.14
Black (n=28)	-.05	
White (n=89)	--	
Hispanic (n=12)	.00	
10. Socio-economic Status (SES)	.00	-.12

Multiple R = .461

Multiple R^2 = .213

Table X provides interesting data for comparison with Table IX. First, much more of the variance in job performance and punitive intervention outcomes is explained by the 10 independent variables (21.25%) than the variance of administrative problems (10%) in Table IX. In fact, the first five independent variables explain 19.4% of the variance alone.

The best predictor of supervision problem behavior is the alternative to incarceration variable (.32); specifically, those clients who were identified as alternatives to incarceration are more likely to receive fair or poor volunteer job performance ratings and/or negative probation interventions.

The second most significant independent variable influencing supervision problems is the severity of the current offense. As the severity of the offense increases, so does the frequency of problem behavior. On the other hand, as the age of the client increases, the likelihood of problem behavior slightly decreases. Once again clients with psychological problems and drug/alcohol addiction backgrounds are not among the problem group. As in Table IX, clients who are married, separated and divorced have a slight tendency to present fewer problems than single clients. The full-time employed tend to present slightly fewer problems. Previous criminal record, sex, race/ethnicity and socio-economic status have little or no bearing on predicting supervision problem behavior.

SUMMARY OF TABLES IX AND X

To summarize the findings in Table IX and X on factors influencing the quality of community service participation, only two variables (Marital Status and Psychological and Drug or Alcohol addiction problems) appear to have a slight impact on both administrative and problem behavior. Specifically, single clients tended to present more problems and those clients with psychological or drug problems in their backgrounds tend to present fewer problems.

While the previous criminal record was a weak predictor of administrative problem behavior (Table IX), it has very little significance in predicting supervisory problem behavior (Table X). Alternative to Incarceration Status had the strongest impact on supervision problem behavior (Table X), but had little bearing on administrative problems (Table IX).

Of some import is the discovery that individuals with past or present psychological or past drug addiction problems were not among the problem groups in either area. We had hypothesized that clients with these background problems might

present some special difficulties in their project participation. Perhaps an explanation for this outcome was the fact that the majority of the psychological problem group was receiving treatment at the time of their participation. Another group we had earmarked for special scrutiny, those with previous criminal records, did show a slight tendency toward a higher frequency of administrative problem behavior.

In Table X the age variable ranked third and had a negative Beta Weight (-.23), indicating that as the client became older, the likelihood of supervision problem behavior decreased. However, in Table IX, the age variable had virtually no relationship to administrative problem behavior.

In conclusion, we feel that the significance of these analyses is the fact that there were no overwhelming discoveries regarding client characteristics that predisposed a probationer to successful or unsuccessful participation in this project. While we might like to be able to predict future behavior based on personal background and sentencing characteristics, it is not possible in this case.

Part III

Association Staff Activity

We next turn our attention to Association staff performance and impact. Three areas have been selected for analysis. First, we will assess the degree to which Association staff responded appropriately to "problem clients". Secondly, we will identify those clients whose performance improved as they progressed through the project. And, lastly, we will examine the relationship of Association staff contacts and visits to this improved performance.

Association Responsiveness

To what extent were Association personnel responsive to problem clients? Although staff "responsiveness" could conceivably be measured in several ways, we have selected three fairly objective measures: (1) the total number of staff contacts with clients; (2) the total number of staff contacts with client's probation officer; and (3) the total number of special (problem-related) site contacts made on client's behalf.

Ideally, the frequency of our responses or contacts should be directly correlated with the number of incidents of negative behavior. In other words, the "problem client" should, in most

cases, be receiving more of staff's time and attention and the relatively problem free client should be receiving less.

Table XI reports Pearson r correlations between the three responsiveness items and the four indicators of problem behavior.

Table XI
Responsiveness of Osborne Personnel to Client Problems.
(n=104*) (Pearson r's)

<u>No. and Type of Response</u>	<u>PROBLEM INDICATOR</u>				<u>PROBLEM** INDEX</u>
	<u>Assign-ment Delay</u>	<u>Site Change</u>	<u>Job Per- formance</u>	<u>Proba- tion Warning</u>	
Client Con- tacts	-.02	.43	.20	.25	.32
Site Contacts/ Visits	.00	.44	.41	.46	.48
Contacts with Probation	-.03	.28	.23	.35	.31

*Unlike the case for Table VIII, IX and X, we are examining the degree of problem behavior, both as an index and for individual problem areas. Twenty-five (25) cases were excluded because these participants did not have the equal opportunity to exhibit problems in all four areas due to participatory delays.

**The variable "Problem Index" in the Table is a summary measure of the four problem items, and has three categories roughly equal in size: 0 = exhibited none of the four problems; 1 = exhibited one problem and 2 = exhibited two or more problems.

The data in Table XI generally speaks well for the responsiveness of Osborne staff. With the single exception of the correlations for delays in site assignment, Pearson r correlations are essentially strong and in the appropriate (i.e., statistically positive) direction. However, since one of the major aspects of client delays involved tardiness in contacting Osborne personnel, it is understandable why site delays would be essentially uncorrelated with the number of Osborne contacts.

It is especially interesting to note that the strongest correlation in Table XI is between site contacts and the overall problem index. The more a client evidences a serious behavior problem in general (as shown by the problem index), the more substantial and time consuming the type of Association intervention. Site contacts usually involve extensive phone, written or personal contact with supervisory personnel at the non-profit participating agencies.

Table XII below, which is the result of crosstabulation analysis, presents an even clearer picture of the extent to which Association staff members have responded to problem clients. Across the top of the table the variable "Number of Association Contacts with Client" has been dichotomized into a "low" category, which includes less than the median number of contacts, and a "high" category, which includes those who were contacted more than the median number of times. On the left side of the table is the dependent variable "Problem Behavior Index", which has three categories - no problems (none), one problem (low), and two or more problems (high):

Table XII
Crosstabulation of Overall Client Problem Behavior by Degree of Osborne Staff Response. (n=104)

<u>Problem Behavior Index</u>	<u>NUMBER OF CONTACTS WITH CLIENT</u>		
	<u>Low</u>	<u>High</u>	<u>Total</u>
None	70.6%	34.00%	51.9%
Low	25.5%	34.00%	29.8%
High	3.9%	32.00%	18.3%
	n=51 49%	n=53 51%	n=104 100%

Pearson r = .42

Table XII presents generally favorable results regarding the extent to which Association personnel properly responded to problem and non-problem behavior clients. Of the 104 clients under evaluation, 18 clients received too much of staff time (defined as more than the median number of contacts), and only two (2) received less attention than would seem to have been warranted. The majority of clients (84/104) were responded to in the degree appropriate to their problem behavior.

Improvements in Community Service Performance

Did most clients improve, decline or stay the same in their community service job performance? To what extent were Association efforts (interventions) associated with improved and/or high quality performance over time? These are the central questions of this next step in program evaluation.

Of the Association supervised clients, 104 received at least one job performance evaluation from their community service site supervisor, 81 received two and 62 were evaluated three times. Eight different areas of their community service performance were evaluated: attitude toward community service, supervision, and co-workers; attendance and punctuality; general quality of work; ability to follow instructions; and willingness to accept added responsibility. Using these eight areas of service performance, an overall rating was given for each client, which included the categories excellent, good, fair and poor.

In order to evaluate the extent to which clients improved, declined or remained the same over time, scores on the overall ratings were compared for the first and second evaluations (if only two (2) were completed), and the first with the third evaluation for the 62 who completed 150 or more hours. A variable (and score for each respondent) was created by subtracting the score on the first evaluation from that of the second evaluation. Thus, if a client's score on the "change" variable was a positive number, he had improved over time; if the score was a negative number, his or her performance had declined; and if the score was zero, the job performance had remained stable over time, i.e., neither improving nor declining.

However, the problem with this initial measure was that those who received consistently excellent evaluations were grouped together with those who received consistently good, fair or poor evaluations. To rectify this problem, the stable group was divided into two groups: "remained excellent" and "stayed good, fair or poor" over time. Table XIII below reports the results of job performance ratings over time.

Table XIII
General Job Performance Ratings at Community Service
Sites Over Time. (n=81)

<u>Category</u>	<u>Number</u>	<u>Percent</u>
Improved	18	22.2%
Stayed Excellent	33	40.8%
Stayed Good, Fair or Poor	26	32.1%
Declined	4	4.9%
Total.....	81	100%

The data in Table XIII show that there was a strong tendency for clients to improve (22.2%) or maintain excellent quality performance (40.8%) at the community service job sites. While 32.1% maintained good, fair or poor ratings, only 4.9% actually declined.

The question arises: Is improvement or decline associated with the social, personal and sentencing variables examined earlier? To answer this question we again turn to multiple regression and multiple classification analysis (MCA). Table XIV reports the results.

Table XIV
Regression Analysis: The Effects of Social, Personal
 and Sentencing Factors on Job Performance Over Time.
 (n=81)

	<u>Independent Variable</u>	<u>Beta Weight</u>	<u>Pearson r/eta</u>
1.	Previous Criminal Record	-.20	-.18
2.	Age	.17	.11
3.	Marital Status	.14	.14
	Single (n=25)	.09	
	Married (n=38)	--	
	Separated/Divorced (n=18)	-.08	
4.	Psychological Problems Drug or Alcohol Ad- diction (Past or Present)	.12	.06
5.	Employment Status	.08	.08
6.	Severity of Offense	.07	-.00
7.	Race/Ethnicity	.04	.12
	Black (n=19)	-.01	
	White (n=56)	--	
	Hispanic (n=6)	.03	
8.	Alternative to In- carceration Status	.04	-.00
9.	Sex (Female = +)	-.03	-.07
10	Socio-economic Status (SES)	.01	.09

Multiple R = .304

Multiple R² = .093

Table XIV identifies three characteristics which effect job performance improvement over time. Specifically, those with little exposure to the criminal justice system, older clients and single clients have more of a tendency to improve over time. The effects of these independent variables are not strong. Again, however, it should be pointed out that no single variable or set of variables is particularly strong as a predictor of improved job performance.

The final stage in our evaluation involves examining the effects, if any, of Association staff interventions on improved job performance. Did the number of contacts Osborne personnel have with clients, on-site supervisors or probation officers effect an improvement in job performance? Pearson correlational analysis was used to help answer this question. Table XV below reports correlation coefficients for the relationship between the dependent variable (improvement in job performance) and three measures of Association staff activity: number of client contacts, number of site visits/contacts and number of contacts with probation.

Table XV
Effects of Association Staff Interventions on Improved
 Community Service Job Performance. (n=81) (Pearson r's)

IMPROVEMENT IN JOB PERFORMANCE

1.	Number of Clients	.05
2.	Number of Site Contacts/Visits	-.42
3.	Number of Contacts with Probation	-.03

The results of correlation analysis reported in Table XV are interesting. First, the number of contacts with clients and the number of probation contacts are unrelated to improvement. Second, it is only the number of special site contacts or visits that is correlated with improved job performance. However, the relationship uncovered is actually an inverse one, which means that fewer special contacts/visits are associated with client improvement.

The implications of the above findings for client and staff relationships are not exactly clear. We do know that site visits were frequently used on a crisis intervention basis (e.g., to resolve an on site problem that had placed the poor

performing probationer in jeopardy of site dismissal) and, therefore, might result in an inverse relationship with improved performance. However, we do need to ask ourselves and further examine why the number of Association and Probation staff contacts was unrelated to performance. If improved performance is an objective of a community service project, we should explore ways in which staff can contribute more effectively to this end.

To summarize, we found that Association staff members were highly responsive to client problems in general. They seem to have allocated their time properly with regard to identifying and dealing with clients whose problem behavior is greatest. We also noted that there is a slight tendency for certain clients to improve when their job performance is evaluated over time. Those with little previous exposure to the criminal justice system, older and single clients seem to improve most, although the differences are not great. Finally, we noted that staff contacts do not appear to be highly correlated with improved job performance at participating community service sites. This may be an area for possible improvement in the future.

RESEARCH CONCLUSIONS AND RECOMMENDATIONS

It was our objective from the onset to provide in-depth descriptive data on our client population. Through our information gathering instruments we were able to accomplish this.

Of equal importance was our desire to identify those clients who presented special problems in the project. In other words, with whom should the courts and pre-sentence units exercise caution when considering for a community service sentence. Although there were some interesting results in the regression studies, we could not develop a profile of a "problem participant". We did learn, however, that clients with histories of drug or psychological problems were not any more prone to problem behavior than those who had no such backgrounds. In fact, there are some indications that they tended to present fewer problems in the areas we studied.

While the single client tended slightly toward a higher frequency of problem behavior in both areas (administrative and supervision), it was not to a highly significant degree. Although previous criminal record, alternative to incarceration status, severity of offense, age, socioeconomic status and race did have an impact on one or the other problem areas, none of these independent variables had a significant impact on both areas.

As was stated earlier, this project generally was very successful. Since we had only one failure (returned to court), we had to identify problem participants in other ways. We could conclude from the results of our analyses that the courts and pre-sentence officers should not be so cautious in their use of community service. Ex-addicts, those being treated for psychological problems, the unemployed, the rich, the poor and the offender who committed a serious crime performed at acceptable levels in this project.

When considering the Osborne Association's overall performance, there are some areas that need to be improved. First, there were too many delays in site assignments (over one month period elapsed from first contact with the Association and placement on a site). Site placements should therefore be the first priority, the resolution of client problems, second.

Also, there seems to be an indication for more "punitive" involvement on the part of Probation. For example, while almost half of the participants had displayed at least one incident of problem behavior, less than 20% received a warning from Probation. Perhaps the Association staff should have developed a standardized procedure for informing the Probation Department of negative problem behavior, both at an earlier stage and in every case. Also, Probation staff may consider using this "punitive intervention" on a more frequent basis as a motivator, albeit negative.

Lastly, we should further address the issue of acceptable performance levels on community service sites. Is it enough for an offender to report to his volunteer job site regularly and on time, but perform his/her duties in a mediocre or poor manner? Perhaps we should set higher standards for participant service performance and specify these standards to all participants at the onset of the project. Also we should concentrate on developing ways to help participants improve their performance.

OTHER RECOMMENDATIONS

(based on observations and experiences not related to research findings)

- community service as a condition of probation should be utilized only as an alternative to short-term incarceration or in combination with short-term incarceration (as an alternative to long-term incarceration); community service should not be used as an "add on" to probation to make it (probation) more meaningful, since we cannot afford such a luxury in the face of our terribly overcrowded correctional institutions
- Judges, when sentencing offenders to community service, should make clear whether or not it is an alternative to incarceration; this approach would clarify somewhat this "alternative or not" issue
- the community service sentence should be viewed by all parties as a punishment replacing jail/prison, with the completion of community service being the major goal of the sentence; meeting the participant's service needs and benefiting the public through voluntary services are also very important, but must remain secondary, if community service sentencing is to be accepted by the public at large as a "real" punishment
- specific sentencing guidelines regarding the number of hours of a community service sentence should be developed, utilizing the "severity of offense" categories as the primary measurement
- the number of hours should not be excessive (not over 300 hours), unless there are unusual circumstances surrounding a case
- strict time frames should be set and enforced for completing community service requirements
- participants' service needs (or disabilities) should be fully evaluated at intake; failure to do this can result in unsuccessful performance or failure; in some cases, if it is determined that the sentenced probationer cannot actually perform community service work, e.g., serious physical or emotional disability, the Court should be petitioned to delete community service as a condition of probation.

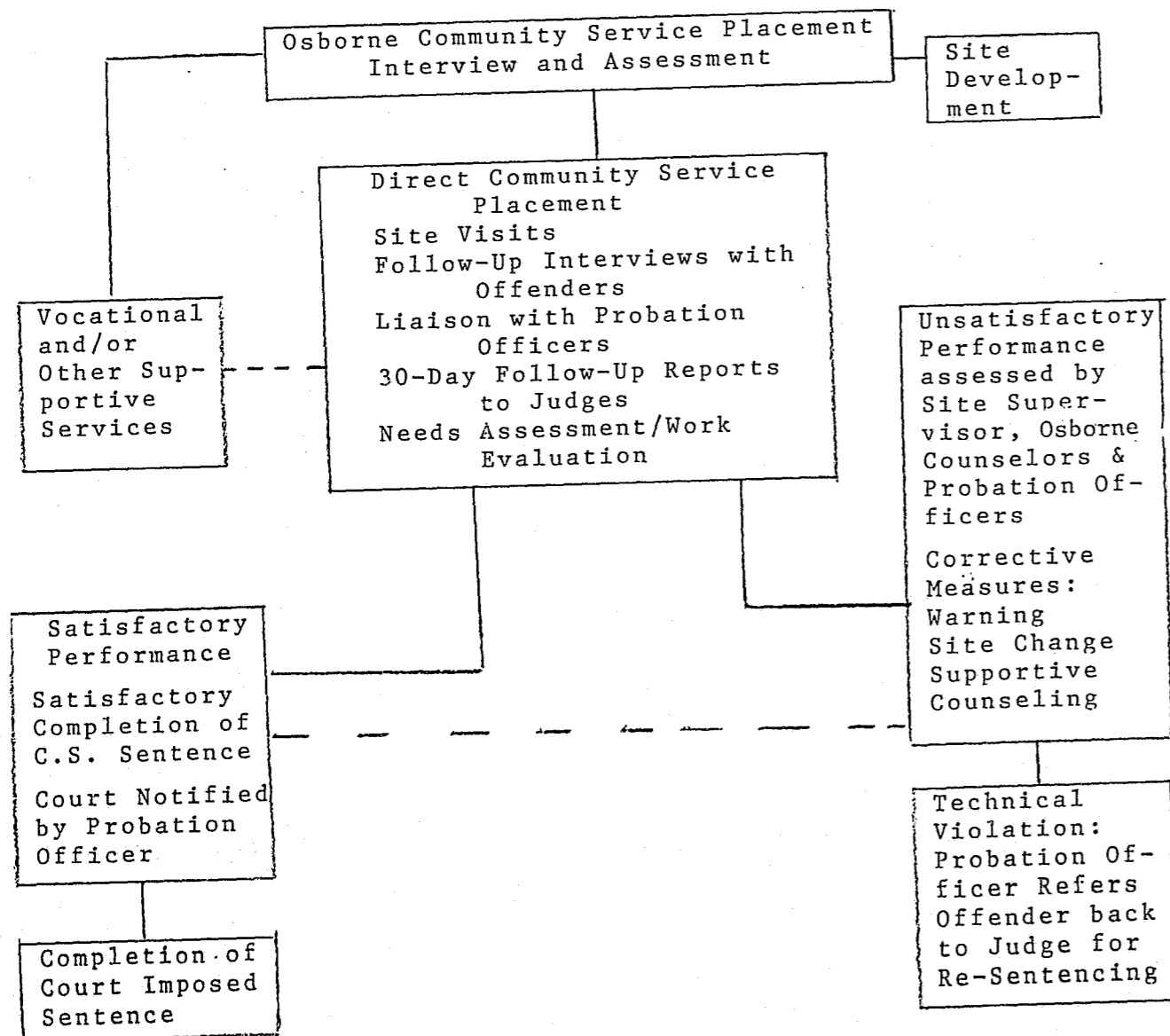
- those participants who fulfill their community service obligations, without any serious problems, should receive early probation termination
- all community service site liaison activities should be limited, if possible, to one individual in order to develop and maintain excellent relationships with sites over time; these activities include: site development, participant placement, monitoring and evaluation.

ATTACHMENTS

ATTACHMENT A

COMMUNITY SERVICE SENTENCING PROJECT
Offender Participation and Procedural Flow Chart

Arrest
Arraignment
Indictment/Information
(Pre-Trial Diversion-Deferred Prosecution)
Trial
Conviction
--Probation Pre-Sentence Report--
Recommending Community Service
--Court Imposed Community Service Sentence--
(Condition of Probation)
--Probation Liaison Orientation--
Interview with Offender
Referral to The Osborne Association, Inc.



ATTACHMENT B

Parole Guidelines Table for Adult Inmates
Customary Time to be Served Before Release, by Severity of
Offense for and Likelihood of Recidivism

		<u>PAROLE PROGNOSIS (Salient Factors)</u>		
	<u>Severity of Offense (examples)</u>	<u>Very Good (11-9)</u>	<u>Good (8-6)</u>	<u>Fair (5-4)</u>
Low	Immigration law violations Minor theft (under \$1,000)	6-10 months	8-12 months	10-14 months
Low Moderate	Alcohol law violations Marijuana Possession (under \$1,000) Forgery, Fraud (under \$1,000) Income Tax Evasion (under \$3,000) Theft from mail (under \$1,000)	8-12 months	12-16 months	16-20 months
Moderate	Bribery of public official Possession of hard drugs by user (under \$500) Possession of marijuana (under \$5,000) Embezzlement (under \$2,000) Mailing threatening communications Receiving stolen property to resell (under \$20,000) Motor vehicle theft	12-16 months	16-20 months	20-24 months

ATTACHMENT B
(continued)

		<u>PAROLE PROGNOSIS (Salient Factors)</u>		
<u>Severity of Offense (examples)</u>		<u>Very Good (11-9)</u>	<u>Good (8-6)</u>	<u>Fair (5-4)</u>
High	Burglary or larceny from bank or post office Sale of hard drugs to support habit Sale of marijuana (over \$5,000) Possession of soft drugs (over \$5,000) Embezzlement (\$20,000-\$100,000) Organized vehicle theft Receiving stolen property (\$20,000-\$100,000) Robbery (no weapon or injury) Theft, forgery, fraud (\$20,000-\$100,000)	16-20 months	20-26 months	26-32 months
Very High	Robbery (weapon) Possession of hard drugs by non-drug dependent user Sale of hard drugs for profit (no prior conviction for selling hard drugs) Sale of soft drugs (over \$5,000) Extortion Mann Act (force) Sexual act (force)	26-36 months	36-45 months	45-55 months

ATTACHMENT B
(continued)

		<u>PAROLE PROGNOSIS (Salient Factors)</u>		
<u>Severity of Offense (examples)</u>		<u>Very Good (11-9)</u>	<u>Good (8-6)</u>	<u>Fair (5-4)</u>
Great-est	Aggravated felony (weapon fired or serious injury) Aircraft hijacking Sale of hard drugs for profit (prior conviction for same) Espionage Explosives (detonation) Kidnapping Willful homicide	Greater than above. However, specific ranges are not given due to the limited number of cases the the extreme variations in severity possible within the category.		

Source: Peter B. Hoffman and Lucille K. DeGostin, "Parole Decision-Making: Structuring Discretion," Federal Probation, December, 1974. p. 12.

ATTACHMENT C

SUMMARY

Alternative Decision Results (n=129*)

<u>Alternative Status</u>	<u>Avg. Severity of Offense Rating**</u>	<u>(Range) & Median # of Probation Months</u>	<u>(Range) & Median # of Com. Serv. Hours</u>	<u>Percentage & (Number)</u>
Certain	2.1 (Very High)	(12 - 60) 24	(150-6000) 252.5	14% (18)
Probable	2.9 (High)	(12 - 60) 37	(100-2,000) 324.0	34% (44)
Not	4.1 (Moderate)	(0 - 60) 24	(48-1,000) 199.5	<u>52% (67)</u>
Total.....				100%--129

*Since 129 probationers are included in the regression Tables in Part II which has Alternative to Incarceration as an independent variable, we decided to limit this summary to 129 as well. Of the 142 Osborne supervised probationers, 10 were excluded because of their late sentencing to the project; one was given special supervision due to a language problem and could not be included; and 2 Asians were excluded because of a research decision to limit the racial/ethnic independent variable to black, white and Hispanic.

**Severity of Offense Rating Scale:

1. Greatest
2. Very High
3. High
4. Moderate
5. Low Moderate
6. Low

END