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TABLE X
JOB SATISFACTION AND WORKING CONDITIONS AS PERCEIVED BY PROBATION STAFF
(Percentage Distribution *)

QUESTION	Total Staff (N=880)	Juvenile (N=483)	Adult (N=397)	Subsidy Line Workers (N=198)	Non-Subsidy Line Workers (N=522)
Are you basically satisfied with the promotional system in your agency?					
Yes	46	49	42	35	48
No	54	51	59	65	52
Do you have sufficient clerical and stenographic help?					
Yes - more than necessary	8	8	8	18	4
Yes - sufficient	55	62	46	68	52
No	37	29	45	14	44
Is your workload:					
Completely manageable	17	17	18	29	10
More or less manageable	64	69	60	66	66
Unmanageable	18	15	23	5	25
Generally, are your working conditions:					
Good	57	58	56	64	53
Fair	34	34	32	29	36
Poor	9	7	11	7	11
Is your salary:					
Good	53	51	56	48	55
Fair	42	45	38	42	41
Poor	5	5	6	9	4
Estimate how high the morale in your agency is:					
High	30	32	28	26	32
In between	42	43	42	41	40
Low	28	26	30	33	28

* Percentages may not add to 100% because of rounding.

also estimated the level of morale to be lower than was estimated by the non-subsidy probation officers. Thus, while the subsidy program has had some obvious effects in bringing about improvements in working conditions in some areas, it has not resulted in improving conditions in other areas. Low morale continues to be a problem among a significant number of probation officers.

Suggestions for Change

Several changes were suggested which would affect the structure of probation departments and the way they operate. One suggestion would make probation entirely a supervision program by removing the investigative functions it now performs. Another suggestion would further reduce the work of officers supervising cases by having all revocation of probation matters handled in court by the district attorney. A third suggestion, frequently voiced, was to place the appointing power for all chief probation officers in the hands of the boards of supervisors. With regard to this last point, Task Force Staff feels that, once a defendant is placed on probation, the court's role should be limited to insuring that the rights of society and each client are protected. However, the court should not be involved in determining specific correctional strategy in individual cases or in setting policy for probation programs. Because judicial assignments are rotated regularly in many counties, the smooth administration of all phases of probation, including supervision, would be enhanced if judges no longer influenced departmental administrative operations. The following observations, made ten years ago by the Governor's Commission, continue to be valid today:

"The present administrative arrangement produces an unnecessary comingling of judicial and treatment functions without parallel in any other court. In our view, there is no more logic for a juvenile court judge to administer a probation department than for a criminal court judge to be administratively responsible for the district attorney's office, county jails, or honor farms. In the adult field, these functions have been recognized as separate and distinct; the same should apply to the juvenile field.

"The present administrative relationship between juvenile court judges and probation departments is an inappropriate historical vestige, created 50 years ago under totally different social and governmental conditions. The large scale probation departments of today bear little resemblance to their historical counterparts. Nowadays, probation departments have extensive administrative responsibilities, whereas a half century earlier they had only minor administrative responsibilities. Today, probation departments not only have large professional staffs, but also operate clinics, juvenile halls, and camps. Fifty years earlier, their staffs were small and no institutions were administered."²⁷

When judges exert influence in both departmental policies and programs, and when budgetary control for departments is exercised by county chief administrative officers and boards of supervisors, chief probation officers frequently find themselves caught between dictates of the judges and fiscal controls exercised by the county.

Judges should be no more involved in the administration of probation departments, on a de facto basis or otherwise, than they are in respect to any other branch of government. Unfortunately, judges who are not normally trained as administrators sometimes are reluctant not to inject themselves into the administration of the probation department. Of the 15 counties studied, staff perceived situations in at least two counties where the court clearly dominated the administration of the probation department and, in another county, a judge complained about local statutory actions which had reduced the court's ability to dominate the administration of the probation department.

IV. RESOURCES

Community Resources

When asked about the most important resources needed to do an effective job, the most frequently mentioned factors had to do with placement resources, help for drug abusers, employment and educational opportunities, mental and medical health services for clients, and financial aid for probationers in need.

One of the major areas of need outlined by the 1964 study on probation was the development of specialized community correctional facilities to handle juvenile offenders exhibiting different types of problems and needs. There was an acute shortage of foster homes, community treatment centers, and virtually no specialized facilities for taking care of the female delinquent.

The Probation Task Force found that in many instances these shortages continue to exist even though seven years have elapsed since the former study. Many workers expressed the wish to have a variety of living situations available to meet the needs of the homeless offender and those needing placement away from their own homes. Hostels, group homes, and foster homes are needed as well as non-residential day care facilities. Particular concern was expressed about the need of placement resources for female offenders.

One of the needs most frequently identified by staff was the lack of adequate specialized facilities to deal with the drug abuser. While in 1964, drugs were not as much a part of the youth culture as they are today, the staff at that time did express the need, as mentioned above, for more facilities dealing with offenders presenting special problems. In the current study the Task Force found much the same concern expressed by staff. Many probation officers felt unable to cope with the needs and problems of drug offenders, and expressed the desirability of having both residential and daytime community treatment centers. However, the Task Force did find various

new approaches to the supervision of drug abusers now in use. Some departments concentrated drug abusers in specialized caseloads; chemical anti-narcotic testing was used by some departments; others placed probationers in group counseling or intensive supervision caseloads; still others operated drug education programs for offenders and their families. In many instances, however, drug abusers were placed in general caseloads and received the same treatment as non-drug offenders.

However, while it is apparent that drug users often need special types of treatment, the question arises as to whether it is better to supervise caseloads consisting of all drug abusers, or whether they should be distributed in caseloads and programs consisting of other types as well. Traditionally, an attempt often has been made to group these offenders in the same program or caseload. Recently, a number of questions have been raised regarding the wisdom of this approach. For example, in a recent discussion of the California Rehabilitation Center for drug addicts, it was pointed out that:

"...the very existence of CRC as a separate institution for addicts, and the very notion of a group session of addicts, reinforce the idea of the addict as a separate kind of person, thereby creating unanticipated and very undesirable side effects. The (program) emphasizes consciousness of kind because it is a separate structure for addicts. What is more important, the group therapy-sessions have the explicit function of developing a community of men involved in elaborate introspection about themselves as a special and different case. The importance of an identity as an addict is set against the "normal" or nonaddict world.

"...A side effect of the success of this program may be to instill in the ex-addict a sense of his identity as an addict who best belongs among others of the same type--other addicts. It may be that the ex-addict comes to believe that "squares are really different", that there is something about one who takes drugs which does make a qualitative difference. The unanticipated consequence of such a community, whether it is a therapeutic community or a living community, is that the members may come to feel a kinship with each other which supercedes their involvement with those outside the community."²⁸

Another area of need identified by the 1964 Probation Study was in diagnostic and psychiatric services. The study found that, almost without exception, staff in all 17 probation departments falling within its scope indicated a lack of resources for diagnostic workups on defendants being considered for probation.²⁹ Even metropolitan centers, where major resources for psychiatric services were located, felt the existing need. Psychiatric services in rural areas were virtually non-existent.³⁰

In the present study, the Probation Task Force found that staff continued to express concern over the lack of mental as well as medical health services for clients under their supervision. The general feeling was expressed that more persons in need of mental health services are under probation supervision than in the past, and thus there is an increased demand for these services.

Expanded resources in the areas of employment and education were called for, with officers seeing the need for job training and more opportunities for clients to work. The need for special help in schooling was felt most acutely for those who have dropped out of school and for those who do not function in the usual public school program.

A further resource needed is financial aid to provide the basic necessities of life for destitute clients.

It is an accepted maxim that for most offenders the time when guidance and financial assistance are most needed is at the outset of supervision. Walker comments on this point:

"The days or weeks immediately after release, when the ex-prisoner has not yet begun to earn money and has not yet settled down in a home, are said to be the time when he is especially likely to commit another offence...his first wage-pocket may seem so far off that he steals in order to raise ready money."³¹

A number of probationers interviewed by the Task Force spoke of their need for food, housing, clothing, and transportation while they were trying to establish themselves in the community. Many clients felt such assistance, as well as help in finding and maintaining employment, were the critical issues related to success in the community. It will be recalled that, when probationers were asked how helpful a job was in keeping them out of trouble, 69% of 1,296 adults sampled said a job helped "a lot" and an additional 14% said a job helped "some". Many probationers wrote comments at the end of the questionnaire about their need for help in finding employment.

Profile of Staff

The best available data indicate that probation offers one of the most significant prospects for effective programs in corrections.³² State and Federal correctional authorities have recognized its great value as well as economy, and as a result probation has become the dominant correctional alternative for persons convicted of crime. In 1965 slightly more than half of the offenders sentenced to correctional treatment were placed on probation, and according to recent estimates, by 1975 the figure will increase to almost 60%.³³ Hence, the quality of manpower in the field of probation is an extremely important consideration in the overall corrections picture and is closely related to the ultimate success of the field.

Below is a profile of some of the more significant characteristics of probation staff in the 15 counties surveyed by the Task Force.

1. Sex

Nearly 75% of total staff are male.
72% of line workers are male.
Only 18% of supervisors are female.
75% of administrators are male.

2. Age

Nearly 50% of total staff are in the 25-35 range, but only 27% of supervisors are in this range.
33% of total staff are in the 36-50 range, but over 50% of supervisors are in this range.
Only 6% of total staff are below 25; only 12% are over 50, though 43% of administrators (not including department heads) are over 50.

3. Race

Only 16% of total staff are not white (9% black, 2% Latin-American, 3% Oriental, and 2% other).
83% of line workers are white, 87% of supervisors are white.

4. Years Full-Time Experience in Corrections

50% of total staff have 5 years or less experience, but only 9% of supervisors have this amount.
Only 12% of total staff have over 15 years experience, but over 25% of the supervisors have this amount as do over 75% of the administrators.
50% of total staff have 3 - 10 years experience.

5. Time on Current Assignment

Over 70% of total staff have 2 years or less.
80% of supervisors have 5 years or less.
Only 4% of total staff have been on the same assignment over 10 years, though 22% of administrators are in this category.

6. Recommending Corrections As A Career

79% of total staff would, but 16% are not sure; only 5% would not.

7. Future Career Plans of Staff

67% of total staff plan to make a career in corrections, 25% are not sure; only 9% plan to leave.

Training

One of the major concerns in the correctional services has revolved around the question of training for staff. This was a concern in the 1964 Probation Study, as it is in the present Report. The same 15 counties were surveyed in both studies, and the probation officers were asked to specify the level of formal education they had attained. For purposes of comparison, the results from the 1964 study are shown in Table XI along with the results from the present Task Force Survey. It can be seen that striking similarities existed in the educational level of the two groups. In both studies, fully 96% of the probation officers responding to the questionnaires had achieved at least a bachelor's degree. It is to the credit of probation in California that a high level of education has been maintained throughout the years, and it should be noted that this compares very favorably with the educational level achieved by probation officers around the United States.³⁴ Table XI also shows the college major, and it can be seen that in 1964, as today, sociology was the most popular major, followed by the field of psychology.

In addition to the level of education already attained, the Probation Task Force asked the probation officers if they were currently attending school. The results, shown in Table XII, indicate that one-third of the staff were attending school at the time of the survey. Most of them were either taking job-related college courses (beyond the bachelor's), or were working on their master's degree. Thus, it appears that high priority continues to be assigned to formal education even after individuals obtain employment in the field of probation.

Table XII also shows that approximately three-quarters of the staff had taken some job-related courses or specialized training since entering the field of corrections. However, only 56% claimed that their agency encouraged further education by providing stipends, giving employees time off and so on. Over one-quarter (27%) stated that their agency encouraged further education, but only on their own time, and 11% asserted that their agency did not encourage further education.

In short, the formal educational background of the probation officers surveyed is beyond reproach. Almost all of them were graduated from college, many were pursuing advanced degrees, and many were employed in agencies which encouraged further education. The high educational quality, noted in the 1964 Probation Study, has continued to exist.

However, while the probation officers were well-educated formally, at the same time they strongly felt the need for additional training aimed specifically at improving their effectiveness as probation officers. In staff discussions with Task Force interviewers, the need mentioned most frequently was to improve counseling skills. This included individual, group, and family counseling, as well as crisis intervention. There was considerable demand for orientation training for new staff and for some kind of basic uniform training requirements which would lead to a program of certification for deputy probation officers. The details as to whether this could be accomplished best through a State Academy, through regional centers, or in local trainee programs seemed less important to people than

TABLE XI

EDUCATIONAL BACKGROUND OF PROBATION OFFICERS
IN 1964 AND 1970 IN 15 SAMPLE COUNTIES
(Percentage Distribution *)

	1964 ^a Probation Study (N=1,317)	Present Study (N=880)
Education:		
High School	2	1
High School w/some College	1	--
2 years College	1	3
Bachelor's Degree	67	66
Some Graduate Work	19	20
Master's Degree	11	8
Doctorate Degree	--	1
College Major:		
Sociology	23	20
Psychology	16	17
Social Work	10	10
Criminology/Corrections	8	10
Law-Prelaw	2	2
Public Administration	2	5
Social Science	9	10
Police Science-Criminal Justice ¹	--	2
Education ²	--	6
Other	17	17
General Social Science ³	7	--
None ⁴	4	--

* Percentages do not add to 100% because of rounding.

a Source: California Board of Corrections, Probation Study, State of California, (Sacramento, 1965), p. 73.

¹ Was not a category in 1964 Study

² Was not a category in 1964 Study

³ Was not a category in present Study

⁴ Was not a category in present Study

TABLE XII

STAFF PARTICIPATION IN ACADEMIC STUDIES

(Percentage Distribution *)

QUESTION	Total Staff (N=880)	Juvenile (N=483)	Adult (N=397)	Subsidy Line Workers (N=198)	Non-Subsidy Line Workers (N=521)
Are you attending school now:					
Yes - but not job-related	5	4	8	5	7
Yes - working on Bachelors (job-related)	1	1	2	1	2
Yes - working on Masters (job-related)	14	17	9	14	14
Yes - working on Doctorate (job-related)	1	1	2	1	1
Yes - job-related, but not working on degree	12	15	8	19	10
No	67	62	72	61	66
Since you have been employed in corrections, have you taken any job-related courses or specialized training? (Do <u>not</u> include in-service training)					
Yes	73	77	69	82	66
No	27	23	31	18	34
Does your department encourage further education?					
Yes - by stipends, agency time off, or similar aids	56	60	52	45	61
Yes - but only on one's own time, money, etc.	27	25	30	33	23
No	11	10	13	17	10
Don't know	5	5	5	5	6

* Percentages may not add to 100% because of rounding.

obtaining support for the establishment of entry level standards and meaningful in-service training.

A special need for training was noted among first line supervisors, as they often are not included in training programs for other staff. This is in keeping with the findings of the Joint Commission on Correctional Manpower and Training which reported on a study of training in probation departments across the country. The Commission found that less than half the departments serving over 100,000 population provided in-service training for supervisors and that only 16% of the departments in smaller areas did so.³⁵ The void in training for supervisors also was noted by the 1964 Probation Study. In that study, many panelists interviewed strongly suggested improved training for supervisory personnel as a means of improving overall administrative practices.³⁶ Substantial numbers felt that trained middle management and supervisory personnel were the basic ingredient of an effective probation operation.³⁷

The recent California Correctional Training Project reported that few supervisors had received training in the principles and methods of supervision before they were promoted and that opportunities were very limited for obtaining such training while on the job.³⁸ In brief, the need for training of administrative personnel continues to exist notwithstanding the expressed concerns of those working in the field, both in 1964 and again in 1970.

Line workers in subsidy programs had a heavier involvement in training than those in regular supervision, but there appeared to be a spillover effect, partly due to rotation, which resulted in increased training for all staff.

Twenty-nine percent of the staff sampled by the questionnaire said no in-service training existed and 48% said they had no ongoing training program. The percentage of subsidy and non-subsidy line workers reporting that in-service training was not existent or ongoing is shown in Chart II. Fifty percent more non-subsidy than subsidy line workers in juvenile assignments said they were receiving no training, although little difference was reported between workers in adult assignments. The other point to be noted is that no training was reported by a slightly higher percentage of adult subsidy workers than juvenile non-subsidy workers. The most significant finding is that nearly 50% of all staff, except juvenile subsidy workers do not receive ongoing training. This is especially discouraging in light of the fact that the 1964 study of probation found that a program of ongoing training for staff development was deemed to be one of the most critical needs facing probation.³⁹ Only two chief probation officers in the sample counties reported that they considered their in-service training, even for subsidy workers, to be intense. Responses to questions about the amount of time spent in training and how people felt concerning the relevancy and individuality of in-service training, can be seen in more detail in Table XIII.

One of the more interesting training proposals noted by the Task Force was one county's plan to train a small number of officers to work with clients in family planning and family financial problems. This plan resulted from a recognition that a number of clients needed assistance related directly to family management problems and from a concomitant recognition that staff needed special training for this task.

CHART II

TRAINING FOR PROBATION LINE WORKERS

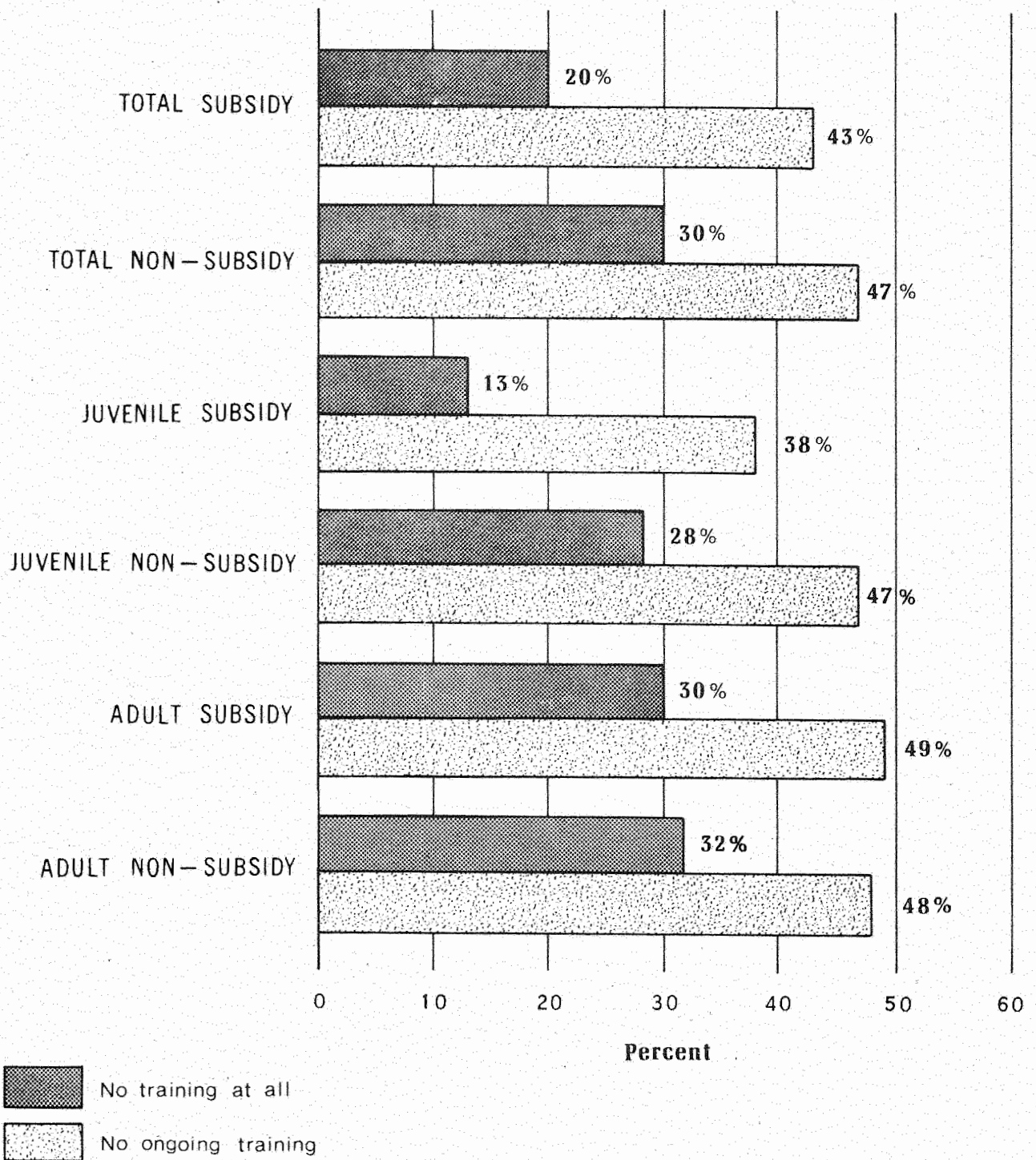


TABLE XIII
STAFF DESCRIPTION OF IN-SERVICE TRAINING
(Percentage Distribution *)

QUESTION	Total Staff (N=880)	Juvenile (N=483)	Adult (N=397)	Subsidy Line Workers (N=198)	Non-Subsidy Line Workers (N=522)
In your agency, is the in-service training for employees of your level (check <u>ALL</u> answers that are applicable):					
Existent:					
Yes	71	75	67	80	70
No	29	25	33	20	30
Relevant:					
Yes	62	66	57	68	60
No	38	34	43	32	40
Individualized:					
Yes	27	30	25	33	26
No	73	71	75	67	74
Ongoing:					
Yes	52	54	49	57	53
No	48	46	51	43	47
If you receive in-service training, how many hours per month?					
1 - 2 hours per month	45	40	50	30	53
3 - 4 hours per month	20	24	15	20	18
5 - 9 hours per month	19	19	20	22	17
10 or more hours per month	16	18	14	28	12

* Percentages may not add to 100% because of rounding.

The question of what roles the State and counties take in the delivery of future training programs was of particular interest to the Task Force, especially since counties overwhelmingly asked for the State to provide an increasingly greater part in the training of all personnel. Over 70% of the presiding superior court judges, chairmen of boards of supervisors, and county administrative officers in the sample counties supported this position.

In summary, it is clear that probation officers feel the need for additional and more relevant training. However, the subject of training is generally approached with a casework orientation, that is, concerned with improving supervision techniques, counseling skills, and so on. There is little, if any, concern expressed for training that would be consistent with the idea of "managing" community services to reintegrate offenders.

Further, there is no uniformity of training efforts around the State. The variation ranges from nothing to highly organized programs that provide something for all staff members. However, the preponderance of existing training is limited to personnel in subsidy assignments. Fortunately, there seems to be some spillover to personnel in regular supervision units and it appears that subsidy has had real impact on some department heads in making them aware of the values and the need of training for all staff. An appalling lack of uniformity exists in services given to probationers as a result of the lack of uniform training programs for staff. This is one of the major areas which needs to be addressed by probation in the immediate future.

Use of Nonprofessionals

The nonprofessional group is comprised primarily of volunteers, student workers, and para-professionals such as "New Careerists" (defined as persons placed in entry positions newly created at a level commensurate with their education and experience and from which they are expected to advance), including ex-offenders. The Task Force found considerable support voiced for the use of nonprofessionals to assist in probation supervision, but despite this verbal support their actual use was quite limited, with some notable exceptions. Even the verbal support was far from unanimous, with some staff vehemently opposing the use of anyone but professionals. Table XIV shows responses to questions about the use of nonprofessionals.

It is clear that any successful use of nonprofessionals necessitates proper planning, selection, training, and supervision. For example, Scheier has warned that not investing adequate time and resources often will lead to failure of a volunteer program. The experience of those departments using nonprofessionals indicated that initially staff costs for managing the program outweighed the return received, but eventually the balance changed as the output of services from the nonprofessionals increased.

The use of nonprofessionals is just beginning to expand in California, but it is an area which already has proven its worth and gained wide acceptance elsewhere. In Great Britain, for example, the use of volunteers is one of the most important segments of the correctional system. A recent British report on voluntary service described these persons thusly:

TABLE XIV
STAFF INTEREST IN USING NONPROFESSIONALS
(Percentage Distribution *)

QUESTION	Total Staff (N=880)	Juvenile (N=483)	Adult (N=397)	Subsidy Line Workers (N=198)	Non-Subsidy Line Workers (N=522)
Could you use volunteers to help you in your normal work?					
Yes	71	78	63	77	69
No	29	22	37	23	31
Could you use "New Careerists" or other para-professionals to help you in your normal work?					
Yes	84	87	80	85	83
No	16	13	20	15	17
If a "New Careerist" or other para- professional was available to assist you, would you want to make use of his services?					
Yes	79	84	74	86	77
No	8	5	11	6	9
Not Sure	13	11	15	8	14
Should "New Careerists" and other para-professionals be allowed and encouraged to work their way up to regular line and supervisory positions in your agency provided they meet the necessary requirements?					
Yes	91	92	89	91	91
No	9	8	11	9	9

* Percentages may not add to 100% because of rounding.

"Volunteers are best viewed as the activist minority within the public at large. They should be seen, not as substitute probation officers trying to fill the role of amateur social case-worker, but as representatives of the public, prepared to offer some part of their time to assisting in the reintegration into society of men and women who its system has condemned...."41

Volunteers tend heavily to be middle class and thus can serve as effective mediators between probation departments and the middle class community. As yet, little experience has been reported of attempts to use volunteers from the lower economic class. In the Los Angeles County VISTO (Volunteers in Service to Offenders) Program, volunteers actively provide services to regular probationers as well as to subsidy units. VISTO offers tutoring, transportation, legal assistance, counseling, and a whole range of other services. The use of community workers or probation aides has become common in some subsidy units and is said to offer much promise in meeting the basic needs of probationers in a treatment sense and of providing a liaison between officers and clients.

There is a growing interest in using ex-offenders as "New Careerists" in the correctional field, and several probation departments have embarked on such programs. The value in following this course of action was pointed out by Empey. He listed four potential payoffs accruing from the use of offenders in correctional positions, stating such use would:

- "1. Seek to use his knowledge as a resource rather than a liability;
2. Involve him actively as a reformer rather than as a perpetual enemy or a persistent dependent;
3. Constitute a rite of passage back from a criminal to a non-criminal status;
4. Provide him with a career which could be a source of personal and social esteem rather than a source of stigma and degradation."42

Among the positive reports received by the Task Force on the use of nonprofessionals, one came from a county that successfully used volunteer addicts as assistant leaders with groups of drug users and their parents. Other reports from both staff and clients favorably mentioned the liaison role played by New Careerists between officers and the neighborhoods where clients reside. A number of clients reported that these para-professionals were able to relate to ex-offenders, and urged that probation departments hire more such persons. In corroboration of this, over half the clients indicated in the questionnaire that they had been helped to stay out of trouble by someone who also had been in difficulty. Another positive result of using ex-offenders and New Careerists comes from the effect they

have on professional staff who get an opportunity to work closely, often for the first time, with an offender and a member of a minority group.

The President's Commission on Law Enforcement and Administration of Justice has strongly endorsed the idea of using nonprofessionals, including ex-offenders and volunteers, in the field of corrections.⁴³ Frequently these persons occupy crucial links between the offender and the community's resources, and can thus be instrumental in facilitating the reintegration process.

It is abundantly clear that a vast source of additional correctional manpower is to be found among volunteers and para-professionals. Probation departments in California cannot afford to overlook this tremendous resource. Increasingly, the professional is being asked to perform administrative tasks and a variety of other responsibilities that leave him with less time to work directly with the offender. Moreover, the offender frequently has needs requiring the services of persons with specialized skills. Many volunteers and para-professionals possess skills in limited areas which could be used effectively and economically by the probation officer. The very high general level of education attained by most probation officers makes them uniquely suited to coordinate and work with the spectrum of individuals, groups, and agencies located in the community. A significant part of this role would be to recruit, coordinate, and direct the activities of volunteers and para-professionals, including ex-offenders.⁴⁴ The Probation Task Force strongly recommends expanding the use of these persons in the field. An effective division of labor between the professional worker and the non-professional is clearly possible and would lead to the dispensing of more adequate correctional services with minimum cost to the community.

State Consultative Services

Responsibility for the major portion of the State's consultative services for the counties lies with the Community Services Division of the Youth Authority. This Division has only 21 staff members available to the 58 counties for consultation and advice. In addition, the Division performs liaison and staff services to organizations that are concerned with serving children and youth, including liaison between probation departments and groups concerned with youth. With the Community Services consultants has rested much of the responsibility for coordinating public and private organizations in order to promote and/or develop community-wide programs for the prevention of delinquency. Programs supported by State delinquency prevention funds are also audited by the consultants.

Consultation and technical assistance consists of assisting communities to integrate and coordinate their criminal justice system. In addition, inspections are conducted in juvenile halls, camps, ranches, and schools and any jails in which juveniles are held. Training is one of the major areas of concern and consultants provide programs for law enforcement, probation and related agencies. Both one-day and residential training sessions are provided.

One of the major responsibilities of the Division is the administration of probation subsidy. Consultants from the Community Services Division advise probation departments, judges, county officials and others about the subsidy program and may assist counties in drawing up plans for participating in the program. The Division must review and approve or disapprove all plans submitted. The Division also is responsible for interpreting standards which have been set for subsidy programs, for ongoing operations of all subsidy programs, and for annual audits of these programs.

Ideally, each consultant in the Division is available with expertise in prevention and treatment programs tailored to particular problem areas within the counties. However, the 13 chief probation officers in the sample counties who responded to a questionnaire from the Task Force indicated that the impact of Youth Authority consultants ranged from extremely helpful to no help at all. Many of the chiefs believed that the consultants were overworked by the various duties required of them, often leaving them little time to spend in the probation departments. Because of this situation, several consultants were not even contacted whenever problems arose in the probation departments. Two counties reported that they had requested help, but none had ever been forthcoming. Eight counties reported their satisfaction with the expertise of the consultants.

The Department of Corrections provides no formal services to probation departments although anti-narcotic testing has been provided on a contractual basis and occasional cooperative training programs are arranged between local parole offices or institutions and probation departments.

The Board of Corrections provides consultative services to counties and cities operating jails through its field representative for jail services. In addition, there is a statutory provision for review of construction plans, standard setting, and inspection of existing jail facilities.

The California Council on Criminal Justice exists for the purpose of reducing the incidence of crime and delinquency by providing financial support to various agencies having criminal justice responsibilities. CCCJ is also established to provide statewide planning and coordination in the criminal justice field. Grants have been made to a large number of public and private agencies in order to assist the Council in its purpose of reducing crime. Council funds come from the Federal government under authorization of the Omnibus Crime Control and Safe Streets Act of 1968.

In summary, local probation departments appeared receptive to and desirous of State consultative services, but indicated that sufficient services are not now available from the State. The one area in which many counties were resistant to State intervention was in setting and enforcing mandatory standards or establishing mandatory regulations---unless these applied to State subsidized programs. Only 9 of the 17 chief probation officers in the study counties favored the State establishing and enforcing standards for non-subsidized programs or facilities, while 15 of the 17 favored this when the State also subsidized the programs or facilities. Similarly, only 37% of the presiding judges of superior courts, chairmen of boards of supervisors, and county administrative officers favored manda-

tory standards by the State, unless there are accompanying State subsidies, in which case, 76% of the same local officials favored such State-imposed mandatory standards.

V. EVALUATION

While wide support generally is given to the concepts of "evaluation" and "research", with a few notable exceptions, little has been done to put them into operation. Similarly, little is understood as to their meaning or the role research and evaluation can play.

Most probation personnel indicated that they believed there was a place for research and evaluation in probation. There was, however, dissent to this position, coming in the main from those who did not wish to get involved in additional responsibilities and those not clear as to what value might accrue from research and evaluation.

Some held high hopes that research and evaluation could enable staff to know which supervision programs worked, as well as their cost-effectiveness. Other staff had expectations that research and evaluation could guide decision-making, evaluate the effectiveness of individual officers, lead toward simplified differential treatment programs, and move toward the use of a base expectancy scale. Many workers asserted that they received little feedback from the research that was being done and thus concluded it must not be relevant to supervision. The Task Force noted a lack of understanding about research and evaluation on the part of workers and administrators, particularly in areas where their contact with research was limited to submitting data to the Bureau of Criminal Statistics.

It is clear that the State should play a major role in conducting research, whether through continuation of the present procedure of compiling statewide statistical reports by the Bureau of Criminal Statistics and conducting State research in the Department of Corrections and the Youth Authority, or whether through joint efforts with counties in special studies.

Systematic evaluation of the subsidy program was initiated by the Youth Authority in September, 1970, by collection of data on a monthly basis indicating caseload movement in the subsidy program. It should be noted, however, that in previous years the Youth Authority made several attempts to secure funds for subsidy evaluation, but was unsuccessful. It was decided in 1970 that the Youth Authority would contract with the Bureau of Criminal Statistics of the Department of Justice. By utilizing the Bureau's reporting system, the Youth Authority will have access to data allowing comparison of subsidy cases with non-subsidy cases. This will permit a wider, more flexible evaluation which will be better equipped to answer questions regarding subsidy's impact on the field of probation. However, it will be some months before enough data are collected for meaningful evaluation.⁴⁵

One suggestion of particular interest to the Task Force was for the State or some private group to establish a "think tank" unit where persons

knowledgeable and interested in the field could gather for concentrated long range planning about supervision and related concerns.

Systematic evaluation of the goals, objectives, and operation of probation supervision is difficult, because these factors often do not lend themselves readily to evaluative measures. However, in the opinion of the Task Force, it is extremely important to establish some means of evaluating probation supervision. Strong support was given this position by criminologists Morris and Hawkins who have indicated that no correctional practice should exist or be introduced without an accompanying program of evaluation. They contended that:

"...half the time of all probation officers is now wasted by the application of their services to those who do not need them (and who should be bound over or on suspended sentence or supervised by other than skilled caseworkers) and to those who will not respond to their efforts (and who need more forceful casework supervision than the average probation officer can provide); and that it would be quite possible in a few years of evaluative research greatly to reduce that wastage, and at the same time better to protect the community."⁴⁶

Wilkins has stated that the key elements of evaluation are: (1) information, (2) decision variety, and (3) pay-off or purpose. In this regard, he has defined one of the goals of evaluation as, "the discovery of that decision which, in the light of the available information, maximizes the probability of obtaining the pay-off desired".⁴⁷

VI. ISSUES OF THE FUTURE

The Future of Probation

As stated previously in this Report, the local community should have primary responsibility in delivering services to the offender. The State should have the overall enabling responsibility. Every effort should be made to retain the offender in the community to maximize his chances for successful reintegration. As the Juvenile Institution Task Force Report, as well as the Reports dealing with county jails and prisons have pointed out, the offender should be incarcerated only as a last resort.

There is little doubt that probation has one of the most important roles to play in the reintegration process, and that many persons now being incarcerated in institutions could be effectively supervised in the community without seriously jeopardizing the safety of the community. Perhaps the best known effort to determine the extent to which probation could be used was a demonstration project conducted in Saginaw, Michigan, over a three-year period.⁴⁸ In that project, the judges agreed to increase the number of persons placed under the supervision of trained probation officers. Prior to beginning the project, the judges had used probation in about 50% of the

cases; with the project's inception, they increased the use of probation to 80%. Despite the 60% increase in the use of probation, there was no increase in the revocation rate over the three-year demonstration period.⁴⁹

There is little reason to believe, therefore, that increasing the use of probation will lead to diminished community safety. In California, between 1961 and 1967, the percent of adults granted probation after a superior court conviction increased by 31%. Yet the probation violation rates remained virtually constant.⁵⁰ This was true for violations involving new crimes, as well as those involving the violation of conditions of probation. The Task Force strongly encourages the increased use of probation as a sentencing disposition.

As the number of clients on probation has increased, the need for a greater variety of services has also increased. As stated earlier in this chapter while the probation officers in California are exceptionally well-educated, they cannot be expected to possess all of the specialized skills required to serve the expanding client population effectively. The probation officer cannot hope to master all of the requisite skills. The field, therefore, should move away from an exclusive casework orientation and move toward a balancing of this traditional role with the newer perspective outlined in this chapter. As indicated earlier, this perspective would define the probation officer's role as a "manager of services" where the focus would be on determining the needs of probationers, locating the required specialized services, coordinating the services, and evaluating their relative effectiveness in the reintegration process.

Consistent with the emphasis stated above, the move of the future is for probation to get out of large office buildings and make use of "store-front" locations, mobile offices, and cars. Use of a community correctional center might be appropriate for consolidating some services for probationers, including in-residence treatment, a 24-hour crisis intervention service, and work with groups.

With regard to groups, support came from a number of probationers for an increase in group work although many cautioned against mixing different types of offenders in the same group, particularly if some were heavy drug abusers. (The possible dysfunctional consequences of too heavy a concentration of the same type should be recalled.) About 75% of those who have been in group counseling reported in the questionnaire that this process helped them. Support for group work is noted in the writings of criminologist Howard Jones who observed that the probation officer cannot do his job well unless he is able to work with groups. He added:

"There are certain opportunities for influencing offenders which exist only in the group situation--in the form of mutual interaction and stimulation within the group, and the exploitation of the influence of the public opinion of the group over its members."⁵¹

From several areas of the State, proposals were made to the Task Force to add to supervision rolls clients who have not been sentenced. It

was suggested that use of informal probation for adults, similar to that used with juvenile offenders under Section 654 Welfare and Institutions Code, be permitted.

The suggestion to remove the officer from the adversary role in juvenile court received a great deal of support, particularly from supervision officers who must appear in court as a part of their job. Several reasons underlie the desire of so many probation officers to get out of the adversary role. Since 1961 there have been significant changes in the California juvenile court scene. These changes have included the frequent appearance of public defenders and private attorneys on behalf of minors, a decline in the formality of the court, and more stringent rules relating to evidence and proof. They have all contributed to making the job of the probation officer in court more difficult. The biggest objection, however, is the difficulty in resolving the conflict of roles which has been imposed on probation officers because of an increase in the adversary nature of juvenile proceedings. Probation officers expressed strong displeasure over having to be a friend and counselor in supervision and a prosecutor in court.

One of the most widely supported hopes for the future of probation line workers lies in horizontal promotions. Over 90% of 884 staff expressed their support for such lateral pay increases for line workers. Supporters of such a program state it would improve case supervision because of increased stability of staff, continuity of service to the client, and, most significantly, because highly competent caseworkers can be promoted without leaving the jobs at which they are most skilled.

Another area where an improvement in supervision is expected to result is through better public relations. The inadequacy of public education on behalf of corrections, especially probation, is well-documented. A survey of California correctional public relations, conducted in 1962, concluded:

"....it appears that public information is a much needed, but neglected aspect of the correctional field.

"....While the public relations vacuum in corrections has frequently been the topic of discussion within the profession, very little material of a constructive, concrete nature has developed."⁵²

The sad plight of public education on behalf of corrections was again noted by the Louis Harris and Associates public opinion survey organization, which, in November, 1967, reported:

"....the American public does not know as much about corrections as it should. Public attitudes towards corrections are being formed within a factual vacuum."⁵³

The questionnaire results clearly illustrate the gap which staff correctly perceive between corrections and public understanding or support. Eighty-four percent of all staff felt the public did not know "what corrections is all about" and 57% believed the public does not support corrections. Data

collected by staff revealed that, of California's 60 probation departments, only one has a public information officer.

Probation as Viewed by Clients

Although some clients saw probation as trying to help them, many looked on it as a punitive and impersonal service. Some preferred being interviewed at home by the officer and complained about being required to travel to the office, particularly when, upon arrival at the probation department, they found that their officer was not available to see them. Clients looked favorably on having an officer who is available to them, who is fair, and who helps them deal with the causes of their problems. Frequently, the difference in viewpoints expressed by clients about probation stemmed from the kind of supervision service they had received, with positive feelings being expressed more often by those under subsidy supervision.

Many probationers did not adequately understand the conditions of probation imposed on them, and thus were at a disadvantage in fulfilling them. Sometimes clients were given printed conditions with no explanation, and at times even the special conditions were not clarified. Clients frequently saw the conditions of their probation as vague, ambiguous, irrelevant, or inappropriate to them as individuals. A number of probationers noted the inconsistency of enforcement, and commented how this leads to disrespect for the conditions and for probation itself. Clients complained of conditions imposed on them that were unrelated to their problems. Cited as examples were restrictions on movements, such as not leaving the county without permission, not entering a place where alcohol is served, early curfew, and requirements for reporting to the office on specified dates to be "checked off". A written statement of rights and responsibilities would help clarify the conditions and also could provide guidelines for the client who needs to obtain assistance from an officer outside of office hours.

The Task Force believes that it is important to minimize the number of conditions of probation as much as possible and to impose only those that are appropriate to the individual offender so as to help bring about an improved attitude toward probation on the part of its clients.

FOOTNOTES

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²Report of the Assembly Interim Committee on Criminal Procedure, "Juvenile Court Process", State of California (Sacramento, 1970).

³Elaine B. Duxbury, Youth Service Bureaus, A Progress Report, Department of Youth Authority, State of California (Sacramento, January, 1971), p. 60.

⁴California Penal Code, Section 1203.

⁵Bureau of Criminal Statistics, Adult Probation, 1969, State of California (Sacramento, 1970), p. 13.

⁶Ibid., p. 17.

⁷California Legislature, Preliminary Report on the Costs and Effects of the California Criminal Justice System and Recommendations for Legislation to Increase Support of Local Police and Corrections Programs, State of California (Sacramento, 1969), p. 190.

⁸Ibid., p. 97.

⁹President's Commission on Law Enforcement and Administration of Justice, Task Force Report: Corrections (Washington: U.S. Government Printing Office, 1967), p. 34.

¹⁰Board of Corrections, Probation Study, State of California (Sacramento, 1965), pp. 140-141.

¹¹Ibid., pp. 33-40.

¹²President's Commission on Law Enforcement and Administration of Justice, op. cit., p. 29.

¹³Clyde Sullivan, Marquerite Q. Grant, J. Douglas Grant, "The Development of Interpersonal Maturity: Applications to Delinquency", Psychiatry, 20 (November, 1957). Other classification systems were also mentioned by the probation staff. Some of the more commonly mentioned were: "FIRO-B", the maximum-medium-minimum system, base expectancy and lesser known systems. Additionally, one large county has developed a system known as "workload determined by plan", whereby the officer and his supervisor designate the amount of time needed for each case assigned. When the amount of time needed on a particular caseload equals 40 hours a week, the caseload is considered to be full and no more cases are added. Records must be kept on the time devoted to the various needs of each case and a quarterly review is held to re-assess the amount of time needed by each client.

Footnotes

¹⁴Marquerite Q. Grant, Interpersonal Maturity Classification: Juvenile, Department of the Youth Authority, State of California (Sacramento, 1961).

¹⁵For a general critique of I-levels, see Don C. Gibbons, "Differential Treatment of Delinquents and Interpersonal Maturity Levels Theory: A Critique," The Social Service Review, 44 (March, 1970), p. 22-33.

¹⁶Clayton A. Hartjen and Don C. Gibbons, "An Empirical Investigation of a Criminal Typology," Sociology and Social Research, 54 (October, 1969), p. 56-62.

¹⁷J. D. Lohman, A. Wahl, R. M. Carter, and A. E. Elliott, "An After-view of Supervision," Research Report No. 10, The San Francisco Project: A Study of Federal Probation and Parole (Berkeley: University of California, School of Criminology, 1966).

¹⁸Herbert R. Sigurdson, "Expanding the Role of the Nonprofessional," in Paul Lerman (editor), Delinquency and Social Policy (New York: Praeger Publishers, 1970), pp. 343, 345.

¹⁹President's Commission on Law Enforcement and Administration of Justice, op. cit., pp. 20-22.

²⁰Peter G. Garabedian, "Research and Practice in Planning Correctional Change," Crime and Delinquency, 17 (January, 1971), pp. 41-56.

²¹President's Commission on Law Enforcement and Administration of Justice, op. cit., p. 18.

²²Department of Youth Authority, The Status of Current Research in the California Youth Authority, State of California (Sacramento, July 1970), p. 5.

²³Board of Corrections, op. cit., p. 34.

²⁴Ibid.

²⁵Ibid., pp. 22-23.

²⁶Ibid., pp. 33, 185.

²⁷Report of the Governor's Special Study Commission on Juvenile Justice, Part I, State of California (Sacramento, 1960), pp. 39-40.

²⁸Troy Duster, The Legislation of Morality: Laws, Drugs, and Moral Judgment (New York: The Free Press, 1970), pp. 149-150.

²⁹Board of Corrections, op. cit., p. 40.

Footnotes

³⁰Ibid., p. 41.

³¹Nigel Walker, Crime and Punishment in Britain (Edinburgh: Edinburgh University Press, 1968), p. 161.

³²President's Commission on Law Enforcement and Administration of Criminal Justice, op. cit., p. 27.

³³Ibid.

³⁴Joint Commission on Correctional Manpower and Training, A Time to Act (Washington: U. S. Government Printing Office, 1969), p. 21.

³⁵Ibid., p. 51.

³⁶Board of Corrections, op. cit. pp. 22-40.

³⁷Ibid., p. 33.

³⁸Department of Youth Authority, Training for Tomorrow, State of California (Sacramento, 1970), p. 48.

³⁹Board of Corrections, op. cit., p. 30.

⁴⁰Ivan H. Scheier, Using Volunteers in Court Settings, Department of Health Education and Welfare (Washington: U.S. Government Printing Office, 1969), p. 2.

⁴¹Home Office, The Place of Voluntary Service in After-Care, Second Report of the Working Party (London: Her Majesty's Stationery Office, 1967), p. 1.

⁴²Joint Commission on Correctional Manpower and Training, Offenders as a Correctional Manpower Resource (Washington: U.S. Government Printing Office, 1968), pp. 11-12.

⁴³President's Commission on Law Enforcement and Administration of Criminal Justice, op. cit., pp. 102-104.

⁴⁴Ibid., p. 102.

⁴⁵Department of Youth Authority, Probation Subsidy Evaluation Progress Report No. 1, State of California (Sacramento, December 1970), p. 1.

⁴⁶Norval Morris and Gordon Hawkins, The Honest Politician's Guide to Crime Control (Chicago: The University of Chicago Press, 1970), p. 252.

⁴⁷Leslie T. Wilkins, Evaluation of Penal Measures (New York: Random House, 1969), p. 135.

Footnotes

⁴⁸Cited in the President's Commission on Law Enforcement and Administration of Criminal Justice, op. cit., p. 28.

⁴⁹Ibid.

⁵⁰California Legislature, Preliminary Report on the Costs and Effects of the California Criminal Justice System and Recommendations for Legislation to Increase Support of Local Police and Corrections Programs., op. cit., p. 80.

⁵¹Howard Jones, Crime and the Penal System (London: University Tutorial Press, 1965), p. 265.

⁵²Western Interstate Commission for Higher Education, Corrections, The Public, and You (Boulder, June 1968), p. 17.

⁵³Joint Commission on Correctional Manpower and Training, The Public Looks at Crime and Corrections (Washington: U.S. Government Printing Office, 1968), p. 24.

CHAPTER V

PROBATION SUBSIDY

I. OVERVIEW

Probation subsidy in California is a system whereby the State pays participating counties for each juvenile or adult who is retained in the community instead of being committed to the Youth Authority or the Department of Corrections. This system, which became operative on July 1, 1966, has been an unprecedented success in reducing the rate of commitments to State institutions, and has had far reaching effects and implications, not only in probation departments, but throughout the entire correctional field. A modified version of the California probation subsidy law has been enacted by the State of Washington and information collected by the Task Force indicated that other states are also giving consideration to variations of the California model.¹

The intent of the California Legislature in enacting the probation subsidy program was to increase the protection of the citizens, to permit a more even administration of justice, to rehabilitate offenders, and to reduce the necessity for commitment of persons to State correctional institutions. The hope was to rehabilitate offenders locally, by strengthening and improving the supervision of persons placed on probation by the juvenile and superior courts of the State, thereby reducing the necessity for commitment to State institutions.²

The program, unlike other subvention efforts, is based upon a "performance" principle wherein the State pays the counties for results achieved. Probation departments are encouraged to reduce their rates of commitment to State correctional facilities in return for payment based upon the average cost to the Youth Authority of a new commitment with one institutional stay followed by a successful parole experience. This is referred to as the "career cost" of the offender and is calculated by combining the institutional cost-per-bed, a pro-rated sum of construction costs based on a 30 year institution life expectancy, average length of stay in institutions, annual parole costs, and average time on parole for a first commitment. Thus, the funds to pay for improved probation services come from savings made by reducing the number of offenders entering the more expensive State system. Probation departments were expected to work with five or six clients for the same financial investment the State would expend on one. Probation subsidy was intended not only to reduce commitments, but to bring about improvements in supervision and treatment services provided by county probation departments. The main vehicle for this purpose was the requirement that the departments establish "special supervision" caseloads with "substantially below the maximum workload of 50 valid active supervision cases" per deputy.³

In summary, the probation subsidy concept involved the tying together of a powerful economic incentive to a particular type of correctional approach, that of a community-based probation system, rather than State institutionalization. It can be said, without qualification, that the subsidy picture

represents the most innovative approach to correctional field services in California history. Though the number of persons on probation being served under this system is only slightly more than 11% of the State's total probation population,⁴ there has been a strong impact upon all of probation. By creating a requirement to provide intensive supervision to those persons in special subsidy caseloads, subsidy has proved to be a powerful stimulus to professional creativity in methods of treating or supervising those who might otherwise be committed to a correctional institution. As a result, in both subsidy and regular supervision units, there has developed an awareness that supervision of probationers can be more meaningful by using special strategies such as reduced caseloads, more frequent contacts, more supportive treatment of the client in his own environment, and additional training of the probation officers in casework methods, group therapy and family group counseling.

II. STATISTICAL DATA

The formula for determining subsidy requires several calculations related to the rate of commitment of offenders to the State. The average rate of commitment per 100,000 population is called the "base commitment" rate, and is determined on the average of past performance in the five-year period 1959-1963, or the two years 1962-1963, whichever was higher. The base commitment rate is the permanent standard against which increases or reductions in commitments are measured. The expected number of commitments for the current year is established by the State for each county, based on past performance and current population. Subsidy is granted if the county commits fewer cases than the number expected. The amount paid by the State varies from \$2,080 to \$4,000 per case, depending on the percent of decrease between the base commitment rate and the current commitment rate, with almost all participating counties currently receiving the maximum rate.

Probation subsidy is a voluntary program, in which 46 counties participated during the fiscal year 1969-70. Of the 46 counties, 44 had earnings totaling \$14,200,160, and their average decrease in commitment rate was 30% for that year. The number of expected commitments to State institutions from 1966-67 to 1969-70 was 41,668, but the actual number was 30,862--a reduction of 10,806. In the same years, county earnings were \$43,443,510.⁵

Table XV shows the performance of 14 sample counties in expected and actual commitments, amount of subsidy earned, and the percent decrease in commitment rate for each year from 1966 through 1970. The peak years for earnings by most sample counties were 1967-1969. At the same time, there was a drop in earnings by a number of counties for 1969-70.

Recent estimates by the California Youth Authority show total savings to the State in institutional costs for juveniles and adults, as a result of probation subsidy as follows:

TABLE XV

REPORT ON PERFORMANCE OF COUNTIES PARTICIPATING IN THE PROBATION SUBSIDY PROGRAM

	Estimated Population	County Base Commitment Rate	Expected Commitments	Actual Commitments	Commitment Reduction Number	Actual Commitment Rate	Percent Decrease In Rate	Subsidy
<u>ALAMEDA COUNTY</u>								
1966-67	1,047,500	64.5	676	440	-236	42.0	34.9	\$ 944,000
1967-68	1,065,500	64.5	687	372	-315	34.9	45.9	1,260,000
1968-69	1,069,900	64.5	690	381	-309	35.6	44.8	1,236,000
1969-70	1,051,100	64.5	678	422	-256	40.1	37.8	1,024,000*
*Special consideration as provided by Section 1825(g) W & I Code was given to Alameda County. The sum of \$1,190,504 given in lieu of earnings.								
<u>DEL NORTE COUNTY</u>								
1966-67	18,100	117.8	21	9	- 12	49.7	57.8	48,000
1967-68	18,000	117.8	21	11	- 10	61.1	48.1	40,000
1968-69	16,700	117.8	20	11	- 9	65.9	44.1	36,000
1969-70	16,600	117.8	20	5	- 15	30.1	74.4	60,000
<u>FRESNO COUNTY</u>								
1966-67	415,600	70.6	293	209	- 84	50.3	28.8	336,000
1967-68	420,700	70.6	297	238	- 59	56.6	19.8	236,000
1968-69	417,300	70.6	295	228	- 67	54.6	22.7	268,000
1969-70	417,500	70.6	295	206	- 89	49.3	30.2	356,000
<u>HUMBOLDT COUNTY</u>								
1966-67	106,000	56.1	59	52	- 7	49.1	12.5	28,000
1967-68	105,900	56.1	59	27	- 32	25.5	54.5	128,000
1968-69	101,500	56.1	57	32	- 25	31.5	43.9	100,000
1969-70	101,000	56.1	57	40	- 17	39.6	29.4	68,000

TABLE XV (continued)

	Estimated Population	County Base Commitment Rate	Expected Commitments	Actual Commitments	Commitment Reduction Number	Actual Commitment Rate	Percent Decrease In Rate	Subsidy
<u>LOS ANGELES COUNTY</u>								
1966-67	6,957,200	63.5	4,418	4,369	- 49	62.8	1.1	\$ 104,615
1967-68	7,032,400	63.5	4,466	3,841	-625	54.6	14.0	2,415,625
1968-69	7,101,400	63.5	4,509	3,244	-1,265	45.7	23.0	5,060,000
1969-70	7,000,800	63.5	4,446	3,150	-1,296	45.0	29.1	5,184,000
<u>SACRAMENTO COUNTY</u>								
1966-67	623,000	62.0	387	437	--	70.0	--	
1967-68	631,700	62.0	392	451	--	71.4	--	
1968-69	631,100	62.0	391	509	--	80.7	--	
1969-70	636,600	62.0	392	331	- 61	52.3	15.6	244,000
<u>SAN BERNARDINO COUNTY</u>								
1966-67	657,400	70.3	462	382	- 80	58.1	17.4	303,200
1967-68	667,700	70.3	469	371	- 98	55.6	20.9	392,000
1968-69	683,900	70.3	481	370	-111	54.1	23.0	444,000
1969-70	687,500	70.3	483	413	- 70	60.1	14.5	246,960*
*Special consideration as provided by Section 1825(g) W & I Code was given to San Bernardino County. The sum of \$393,774 given in lieu of earnings.								
<u>SAN FRANCISCO COUNTY</u>								
1967-68	747,500	67.9	508	408	-100	54.6	19.6	400,000
1968-69	748,700	67.9	508	355	-153	47.4	30.2	612,000
1969-70	706,900	67.9	480	451	- 29	63.8	6.0	81,200*
*Special consideration as provided by Section 1825(g) W & I Code was given to San Francisco County. The sum of \$264,581 was given in lieu of earnings.								

TABLE XV (continued)

	Estimated Population	County Base Commitment Rate	Expected Commitments	Actual Commitments	Commitment Reduction Number	Actual Commitment Rate	Percent Decrease In Rate	Subsidy
<u>SAN JOAQUIN COUNTY</u>								
1966-67	278,800	93.7	261	168	- 93	60.3	35.6	\$ 372,000
1967-68	284,400	93.7	266	136	-130	47.8	49.0	520,000
1968-69	288,100	93.7	270	129	-141	44.8	52.2	564,000
1969-70	293,900	93.7	275	143	-132	48.7	48.0	528,000
<u>SANTA BARBARA COUNTY</u>								
1966-67	247,400	59.5	147	96	- 51	38.8	34.8	204,000
1967-68	249,800	59.5	149	95	- 54	38.0	36.1	216,000
1968-69	254,900	59.5	152	103	- 49	40.4	32.1	196,000
1969-70	260,900	59.5	155	106	- 49	40.6	31.7	196,000
<u>SANTA CLARA COUNTY</u>								
1966-67	927,300	38.2	354	212	-142	22.9	40.1	568,000
1967-68	966,800	38.2	369	256	-113	26.5	30.6	452,000
1968-69	1,011,900	38.2	387	259	-128	25.6	33.0	512,000
1969-70	1,032,600	38.2	394	307	- 87	29.7	22.3	348,000
<u>SUTTER COUNTY</u>								
1968-69	40,900	57.1	23	11	- 12	26.9	52.9	48,000
1969-70	42,400	57.1	24	14	- 10	33.0	42.2	40,000

TABLE XV (continued)

	Estimated Population	County Base Commitment Rate	Expected Commitments	Actual Commitments	Commitment Reduction Number	Actual Commitment Rate	Percent Decrease In Rate	Subsidy
<u>TEHAMA COUNTY</u>								
1966-67	28,300	102.5	29	13	- 16	45.9	55.2	\$ 64,000
1967-68	28,500	102.5	29	10	- 19	35.1	65.8	76,000
1968-69	29,100	102.5	30	9	- 21	30.9	69.9	84,000
1969-70	29,800	102.5	31	10	- 21	33.6	67.2	84,000
<u>TULARE COUNTY</u>								
1966-67	191,300	65.0	124	60	- 64	31.4	51.7	256,000
1967-68	192,800	65.0	125	62	- 63	32.2	50.5	252,000
1968-69	192,400	65.0	125	60	- 65	31.2	52.0	260,000
1969-70	194,000	65.0	126	70	- 56	36.1	44.5	224,000

TOTAL SAVINGS 1966-72
(including estimates for 1970-71 and 1971-72)

	Annual Cost	Accumulative Cost to 1971-72
Support		
Cancelled Construction	\$22,090,000	\$67,590,000
Closed Institutions	5,302,820	9,012,000
New Institutions Not Opened	4,700,000	13,800,000
Construction		95,576,000
	<hr/>	<hr/>
TOTALS	\$32,092,820	\$185,970,820
 TOTAL EXPENDITURE FOR SUBSIDY		 - 59,925,705
		<hr/>
TOTAL ESTIMATED SAVINGS TO STATE		\$126,045,115

III. KEY PROBLEMS AND ISSUES

In spite of the apparent successes with probation subsidy, a number of increasingly difficult problems and focal issues have developed.

1. A growing county disenchantment with the State over its failure to keep pace with rising costs is evident throughout the State. No change from the original payment table of 1966 has been made, although Section 1825 of the Welfare and Institutions Code provides that the Director of the Youth Authority, with approval by the Director of Finance, annually may adjust the dollar amounts to reflect changes in cost to the State of maintaining persons in its correctional institutions. On two occasions, in 1970 and again in 1971, legislation was introduced to increase the State's payment rate. The 1970 Bill failed passage, and, as of this writing, the 1971 Bill is pending.
2. Counties have only one year to use subsidy earnings. Actually, they can use earnings of the previous year while planning for the following year, but, under this arrangement, counties must operate with uncertainty since there is no guarantee that the current year earnings will, next year, support the developing programs. Therefore, a substantial amount (over three million dollars) in subsidy

earnings have gone unused since 1966 and have become lost to the counties.

3. The probation subsidy system, as it now exists, is inequitable in two notable ways: (1) the commitment rate in some counties was low during the base years; and (2) commitment rates fluctuate and are dependent many times on circumstances outside the control of the probation department. These circumstances include "lenient" or "harsh" judges, the trend in recent years toward more serious crimes of violence, and the voluminous increase in drug users, many of whom require incarceration for their own protection. Consequently, a sizeable number of counties are experiencing difficulties in either reducing commitments even further or in maintaining their program level from year to year.
4. Results of a questionnaire sent to the 46 participating counties by the Human Relations Agency Task Force on Probation Subsidy indicated that only 57% (25) of 44 respondents planned to carry out their 1970-71 probation subsidy programs at the level submitted to the Youth Authority. Thirty-nine percent (17) said they did not plan to do so (of these 17 counties, 14 said they were going to reduce the size of their programs), and 2 counties did not indicate a definite decision. Other results from the same questionnaire indicated that only 25% (11) would use county funds to partially or fully support their special service programs; 70% (31) said they would not use county funds.⁶
5. Possibly because of the time restriction on the use of earnings, there has been relatively small use of the funds for the development of services extending beyond special supervision. There has been little development of support programs, such as special group homes or services for the probationer which would assist in manipulation of his environment (employment, loans, etc.)
6. The most recent report on probation subsidy, completed in October, 1970, recommends a 14% increase in payments to counties based on the Consumer Price Index rise between 1966-67 and 1969-70. This amounts to \$560 above the \$4,000 per case reduction.⁷ This Index takes into account only the value of the dollar. It does not relate to the cost of governmental services on any level. It also does not even reflect the decrease in the dollar value from 1963-64, the year on which the \$4,000 California Youth Authority "career cost" was based (this would have shown a Price Index rise of 21.4%, equal to \$856).⁸ In any event, by using the Consumer Price Index, the issue of meeting the full increase in cost of operating subsidy programs in the counties is avoided. Also avoided are the related problems of increased burdens on county departments due to increasing numbers and types of referrals, plus the fluctuations in judicial decisions.
7. A large portion of the counties agreed that they could reduce commitments even further if they were able to:

- a. Increase skills and capabilities in the diagnosis and classification of cases in order to develop successful treatment approaches.
- b. Develop more useful and specific kinds of staff training to promote skills and abilities to work with clients.
- c. Initiate or enlarge programs such as foster and group homes, residential facilities for wards, programs for female clients, and support services in the special programs.
- d. Expand subsidy type programs to a larger portion of overall caseload.⁹

IV. SUMMARY

Since 1966, the State has committed itself to a probation subsidy program which today presents a paradox. On the one hand, the program has drastically reduced commitments to State institutions and has saved the State an estimated \$126,000,000 over and above the cost of subsidy; it has also significantly bolstered local probation services, and has been used advantageously by 46 of the State's counties.

On the other hand, there has been no revision in the State's reimbursement rate to counties since 1966, despite the fact that the cost of providing local correctional services has steadily increased (conservative estimates made by some counties to Task Force staff were 30% to 40%). In addition, there is a strong feeling that the current plan imposes a hardship upon counties which had a low commitment rate prior to 1966; in effect, counties are "punished" for having done a good job before the subsidy program was implemented. Further, since the reimbursement is directly related to commitment rates, the earnings (or losses) are often determined by factors over which the probation department has little or no control. As a result, counties are often unable to maintain a developed program from year to year.

It is now unmistakably clear that a new approach must be taken, not only in respect to subvention for probation services, but for other segments of the local correctional continuum as well. It is therefore suggested that a series of priorities be established for subsidization of all local correctional efforts, and that such subsidies require conformity with any standard which may be established by the State, in cooperation with counties. The Task Force's recommended plan will be outlined in the final chapter.

FOOTNOTES

¹Based on interviews with correctional administrators in Minnesota, Wisconsin and Illinois.

²Welfare and Institutions Code, Section 1820, Article 7, Legislative Intent, State of California.

³Department of Youth Authority, Rules, Regulations, and Standards of Performance for Special Supervision Programs, State of California (Sacramento, revised October 1969), p. 9.

⁴Department of Youth Authority, Probation Subsidy Evaluation Progress Report No. 1, State of California (Sacramento, December 1970), p. 7.

⁵Department of Youth Authority, State Aid for Probation Services, State of California (Sacramento, October 1970), pp. 11-12.

⁶Ibid., pp. 30-31.

⁷Ibid., Appendix L-1.

⁸Ibid.

⁹Ibid., pp. 33-34.

CHAPTER VI

PROGRAM HIGHLIGHTS

In counties around the State a number of programs worthy of special note were brought to the attention of the Task Force. A few will be reported here with the understanding that this is not an effort to be all-inclusive, but merely to present a sample of good and progressive programs, which may be worthy of consideration by other jurisdictions. An effort also has been made to select programs from various sections of the State, as well as from both populous and non-populous counties.

I. USE OF OFFENDERS AND EX-OFFENDERS

Humboldt County recently inaugurated a counseling program for selected juvenile probationers which was unique in that the counseling groups were led by Department of Corrections inmates from north coast conservation camps. Teams of two inmates conducted each of three groups in a series of six weekly sessions. The leaders used an approach of complete openness about their own histories, avoided telling the probationers how to live, refrained from "scare tactics", and attempted to establish a relationship of understanding with each group member.

Reaction of the juveniles was seen as positive by the Humboldt County Probation Department, and it was reported that the probationers seemed to relate well to the inmates in talking over their mutual experiences and problems in life. The response by the adult inmates was reported to be enthusiastic.

This program was possible because of an amendment to the Penal Code several years ago permitting honor camp inmates to participate in community betterment programs.

The Santa Clara County Juvenile Probation Department has established a program wherein offenders and ex-offenders serve as group leaders in psychodrama sessions. The Department, assisted by outside experts in psychodrama, has provided leadership training for selected offenders and ex-offenders. In turn, these youth have led ongoing psychodrama groups for juvenile probationers and also have provided workshop training for correctional professionals in Northern California.

II. WORK EXPERIENCE PROGRAM

The Probation Department in the County of Santa Cruz operates a program which provides work experience for selected emotionally and mentally handicapped juvenile offenders, and additionally gives them remedial academic training and intensive casework service. Unique in this program is the cooperative involvement of county government (probation department), the local school district, and a private agency (Goodwill Industries).

Wards are given a half-day of instruction and work experience by Goodwill Industries and a half-day of remedial classwork by school personnel. Special casework supervision is provided by probation officers. The program is reported to have effected substantial progress with the most difficult of cases.

III. CRISIS INTERVENTION

A concentrated weekend program has been established in Los Angeles County for male juveniles served by the Foothill District Probation Office. The Probation Department provides a structured weekend program held in an open, secluded camp setting where staff can provide an effective alternative to out of home placement for a young person facing a family crisis situation. The program is set up to provide an opportunity for the probation officer to intervene decisively in the life of a ward without serious disruption of that life pattern.

Weekend activities at the camp include group and individual therapy, including encounter groups led by probation officers and volunteer post-graduate students. Recreation and work also are included in the flexible program, which can be varied according to differential treatment needs. Parental approval is required before the court orders a boy into the program and parents must also indicate their willingness to participate in such treatment conferences or group therapy sessions as the probation officer might determine.

IV. DRUG ABUSE TREATMENT

A variety of drug abuse programs are to be found throughout the State. The "drug school" program in Alameda County is one which appears to be receiving positive response from the participants and the community. Juveniles, along with at least one parent, are referred to the "school" by their probation officers. The program consists of six weekly sessions lasting one to two hours each. Lectures are given and question and answer periods are led by attorneys, district attorneys, probation officers, and policemen. However, the core of the program is found in small discussion groups composed of young people and parents, with parents and their children always in different groups. Barriers to communication are broken in these groups and the youth learn to talk with adults and vice-versa. This is a first step in opening lines of communication and acceptance between parents and their children and in providing a basis for building a resistance to further drug abuse.

V. DIFFERENTIAL TREATMENT

The special supervision unit of the Yuba County Probation Department is illustrative of programs making good use of differential treatment techniques

in the supervision of adult and juvenile probationers. Caseloads, not exceeding 30 cases, are classified according to the I-level system. After each case is assigned to the unit a treatment plan is developed in accordance with the I-level classification and outlining specific treatment techniques, goals, and evaluation procedures. Differential treatment methods appropriate to each case are employed, e.g. group counseling is usually used with I₃ types. Staff is well trained in I-level and other specialized treatment techniques and maintains a high level of training activity. In addition to the direct treatment effected by the probation officer there are a number of supportive services which have been developed. These include tutorial services from Yuba College students and VISTA volunteers, foster homes, and group homes. New cases are evaluated at the end of the first two months and subsequently every three months.

VI. USE OF VOLUNTEERS

A number of probation departments are making extensive use of volunteers. Two of the most noteworthy are those in San Diego and Los Angeles Counties.

In less than two years, the San Diego County Probation Department has developed a highly skilled and active pool of volunteers to provide a wide range of services to adult and juvenile probationers.

The San Diego program, set up as a non-profit organization entitled Volunteers In Probation, has grown rapidly, obtaining in 1970 some 20,550 hours of service from 320 volunteers. Careful screening is made of volunteers and all must participate in an orientation training program. Once accepted, the volunteers are classed as unpaid county employees and are thus covered by workmen's compensation and liability insurance. One probation officer acts as a full-time coordinator and supervises a number of district advisors, each of whom supervises volunteer advisors who work with five to twenty volunteers. Regular meetings of volunteers are held with probation officers in attendance.

Most volunteers have a direct relationship with the probation clients to whom they are assigned and serve as supportive companions. Others tutor, give job counseling, teach homemaking skills, counsel alcoholics, visit children in institutions, lead group activities such as recreation, drama, and driving lessons, and perform many other activities.

Thus far, the volunteers are seen as providing many highly individualized services which the county could not otherwise afford. In addition, they are increasing public awareness about problems faced in the control of crime and delinquency. This program is entirely consistent with the "services manager" role of the probation officer outlined in a previous chapter.

The Volunteers In Service To Offenders (VISTO) Program operated by the Los Angeles County Probation Department began in March, 1968, as a pilot project in two of the Department's offices. Today it is an integral part

of the probation operation in 15 area offices. Originally funded by the Office of Economic Opportunity, the VISTO Program was funded by the State probation subsidy on January 1, 1969.

The range of services provided to clients by volunteers is extensive, although the main areas of focus are providing transportation, companionship, counseling, and tutoring. Volunteers work with both juvenile and adult clients. The overall VISTO Program is directed from the Department's central office, but each of the 15 area offices has a VISTO co-ordinator, who maintains extensive contact with the volunteers.

The volunteers are carefully screened prior to acceptance into the program; thereafter they are provided with orientation and training and are assigned to work with clients. The amount of time donated by volunteers varies, although one area office reports that the average amount of volunteer time is 13 hours per month.

Each area office is encouraged to develop its own type of volunteer program; this approach leads to innovation and, in some area offices, an expansion of volunteer roles beyond those identified above. For example, in one area office visited by study staff, the traditional volunteer functions were expanded to include such items as collection of materials for use by probationers and provision of individual casework services. This particular office extends considerable recognition to the volunteers, to the point of issuing "probation office identification cards" to volunteers, and awarding plaques at recognition banquets.

At present, Los Angeles County enjoys the volunteer services of several hundred persons, who, in turn, allow the Department to provide greatly enriched services to the clientele at little cost to the County.

As in San Diego County, the use of volunteers in Los Angeles County is viewed as a distinct asset, not only because of the direct services provided, but also because, through the volunteers, the communities are gaining first hand knowledge about correctional problems.

VII. CONTINUUM OF TREATMENT

One of the most notable illustrations of a treatment program which begins in the institution and continues into field supervision is operated by the Probation Department in Tulare County.

A rehabilitation center was established several years ago to serve youthful male offenders between the ages of 18 and 21. Following arrest and during the court process, youths who appear to be fit subjects for the program are often certified to the juvenile court which, if it makes a finding of fact, may commit them to the center. The program is housed in a road camp where the population averages about 25. Approximately 300 offenders are in the camp yearly, with lengths of commitment varying from one to eight months.

Program elements include work furlough for those who obtain employment in the community, and a public school program for those who can benefit from remedial education. Evening classes also are available at the camp. Testing and counseling is provided by the county mental health services; individual and group counseling is provided by the probation officer. The program is designed to be flexible enough to meet the individual needs of each youth committed. Upon completion of the program, the youths are continued on probation supervision in the community.

The program appears advantageous in two ways. First, it serves an age group that frequently gets little service. Second, it provides the beginning of a treatment program which continues after the youths are returned to the community.

VIII. USE OF PARA-PROFESSIONALS

Probation, like the fields of medicine and education, has, in several California counties, begun to make valuable use of para-professionals. Los Angeles County, for example, operates three "New Careers" programs, which serve both to increase the Probation Department's manpower resources and to improve understanding between the Department and its clients. The "New Careerists" work with probationers and at the same time serve the Department as cultural interpreters in understanding the needs of the poverty community.

In yet another program operated by the Los Angeles Department, the County makes valuable use of indigenous probation aides. These persons, residents of high crime areas, serve with regular probation officers as members of the overall treatment team. Such a team normally consists of a probation officer and two indigenous community workers, who supervise caseloads of 30 juveniles per team. The particular goal of this program, known as RODEO (Reduction of Delinquency Through Expansion of Opportunity), is to "open up" the community's opportunity structure to youth who are often precluded from such opportunities.

Along with the use of volunteers, the use of para-professionals represents one of the greatest potential assets for enriching probation services, at comparatively low cost to the county.

CHAPTER VII

PREVAILING ISSUES AND RECOMMENDATIONS

This final chapter contains a discussion of the key issues prevailing in probation supervision and the recommendations of the Task Force concerning those issues. The reader will find the basis for these recommendations in the chapters on the model and the current system. In fact, additional recommendations or implications for action may be stated or readily inferred by the reader's perusal of the principles and problems discussed in those chapters.

The issues addressed in this chapter are those believed most likely to have significant impact on the overall probation system. Some of these issues may have already been resolved by specific departments; however, they are presented because of their importance to the total system.

Two issues in particular, which are more fully discussed in the System Task Force Report, stand out: the need for redefined State and county roles in the field of corrections and the need for a more equitable and effective subsidy program. Briefly, the Correctional System Study contends that the primary responsibility for the delivery of correctional services should rest at the local level (normally the counties) whereas the primary enabling and supportive responsibility should lie with the State. Thus, it is argued that the State needs to play less and less of a role in directly handling clients but more and more of a role in providing the "means" to effectively protect society and rehabilitate/reintegrate offenders. This necessitates a wide range of assistance programs for probation supervision such as training, certification and standard setting, research, planning, and general consultation. It particularly must include an increased subsidization of those programs which meet State standards, the cost of which will largely, if not entirely, be offset by a further reduction in commitments to the State, as well as less recidivism at the local level. These two issues are so critical and so vital that, without them, there is no reason to believe that probation or other correctional services will offer any more effective services in the years ahead.

Appropriate recommendations for specific action are placed at the end of the discussion on each major issue. While it is not a formal recommendation of this Task Force, because it was outside the scope of the current study, the first suggestion actually is that an additional study be conducted in the immediate future on the entire pre-adjudication intake process. It is readily apparent that changes in the intake phase of criminal justice have implications which are at least as vital to corrections as the post-adjudicatory apparatus.

I. GOALS AND OBJECTIVES

Basic to many of the problems facing probation today, as it attempts to provide improved services to growing numbers of offenders, is the lack of articulated goals and objectives. In the absence of statements delineating

the direction in which probation is attempting to move, a notable degree of confusion, as seen in Chapter IV, has arisen among both staff and clients.

All departments, not having goals and objectives in writing, should immediately make an effort to formulate such a statement. In developing these formal goals and objectives, participation should be sought from staff at all levels and from probationers, with outside advisory assistance from judges, prosecutors, public defenders, law enforcement, juvenile justice commissions and interested citizens.

The mission of probation should be indicated as the reduction of further illegal behavior on the part of probationers; more detailed goals and objectives adopted should lead to this end. Because it is both compatible with and essential to this mission that offenders be effectively integrated or reintegrated into the community, any statement of goals should stress the importance of reintegrating offenders socially, economically, and culturally. Finally, stated objectives should be measurable so that progress toward accomplishing them can be evaluated.

Once formulated, the statement should not remain static but should be reviewed periodically and revised as needed. It is imperative that such a document remain alive and that it accurately state the goals and objectives the department will pursue. The need for a statement of goals and objectives was shown clearly in this study by the strong expression of desire on the part of many staff for a clarification of the direction they should be moving in and by the lack of understanding expressed on the part of clients, as well as staff, as to what it is that probation is attempting to accomplish.

Recommendation 1.

Written statements of goals and objectives should be formulated by each probation department in keeping with the mission of corrections (the reduction of further illegal behavior on the part of offenders), and should include an emphasis on reintegrating the offender into the community.

II. FUNCTIONS

Intake

Elimination of non-criminals from supervision. Although the intake function is not a part of this study, it is believed that certain cases do not belong under supervision of the probation officer and their removal would allow probation supervision to concentrate on its area of greatest competence, viz. working with those persons who have caused social harm.

Section 576.5 Welfare and Institutions Code provides that a board of supervisors may delegate to the welfare department the supervision of

dependent children and this has been done already in a number of counties. Many "pre-delinquent" minors coming to the attention of probation because of Section 601 W. & I. Code are now being diverted from the criminal justice system through referral to other agencies for service. More of this needs to be done. It is critical for probation departments to lend their weight to the demands for additional resources to serve this group and to participate in the development of such resources. However, until such alternative resources are available, probation must continue to supervise delinquent-prone youth needing the attention of the court.

It is possible that future changes in the law will repeal Section 601 W. & I. Code; if so, it will be necessary to use Section 600 W. & I. Code whenever court action is needed for such cases. Changes in the law may also make it necessary to preclude persons being placed under formal supervision merely for the purpose of collecting money from them. Legal or administrative changes should provide for such collections to be done by another agency of the county or by agreement with a private agency. Similarly, probable law changes will remove those persons now entering the justice system solely because of their excessive use of alcohol and will provide for them to be handled as public health cases.

Recommendation 2. As quickly as adequate alternative community resources can be developed, probation departments no longer should supervise dependent children and those called "pre-delinquent" (Sections 600 and 601 of the Welfare and Institutions Code, respectively). Departments should not supervise persons placed on probation merely for the purpose of collecting money nor supervise those persons whose sole offense is public drunkenness.

Removal of prohibitions against probation. It is the contention of this Report that probation's greatest competence is the supervision of offenders in the community. Therefore, no restrictions should limit the courts in granting probation to those who are appropriate candidates for field supervision. In particular, the granting of probation should not be prohibited because of some prior offense for which the defendant has "paid his penalty". Such restrictions mock attempts to speak of an ex-offender as having paid his debt to society upon the completion of his term. The problem inherent in all legislation restricting probation is the inability to take cognizance of every possible extenuating circumstance around an offense. The President's Commission on Law Enforcement and Administration of Justice notes that the key to providing differential treatment for probationers lies with the judge's ability to base his decision on a review of all pertinent data about the offender and the types of programs available for him. The report goes on to say that, "Inflexible restrictions based on narrow criteria defeat the goals of differential treatment by restricting the options from which a judge may choose."¹ Even a cursory study of probation grants makes it apparent that decision-making varies widely from court to court. Hence, even if restrictions on granting probation are removed, there is still a need for judicial guide-lines and standards for decision-making.

Recommendation 3. Section 1203 of the Penal Code should be amended to remove restrictions on granting probation because of an offender's prior convictions, and to reduce other restrictions on granting probation.

Keeping conditions of probation relevant. The reduction to a minimum in the number of standard conditions of probation can be accomplished by limiting conditions to: (1) a prohibition of any law violations; (2) requirements for maintaining contact with the officer in the way prescribed by the officer; and (3) keeping the officer informed of residence or whereabouts. Imposition of special conditions should be restricted to factors relevant to the individual offender. In all cases, the conditions imposed should be capable of being enforced, but considerable discretion in their enforcement should be given to the probation officer.

Probationers verified the value of having conditions of probation imposed, but it was also clear in data collected during the study that conditions which are capricious in nature, unenforceable, or just ignored by the officers tend to breed disrespect and contempt for the justice system on the part of the clients.

Recommendation 4. Standard conditions of probation should be at a minimum and should be relevant to each individual client in terms of his needs, abilities, personality, offense, and the protection of society. Conditions imposed should be realistic and therefore enforceable by probation officers. Although special conditions may be appropriate in individual cases, standard conditions should be limited to (1) a prohibition of any law violations; (2) requirements for maintaining contact with the officer in the way prescribed by the officer; and (3) keeping the officer informed of residence or whereabouts.

Reports and Recommendations

In order to have the best professional recommendations, it is incumbent upon probation department heads to obtain the most competent line workers and supervisors possible and to keep them well trained and free from undue outside influences. The Task Force found some indications that recommendations were being influenced by courts and by other sources outside the departments. This is totally inappropriate as pressuring workers to "slant" their reports can become highly threatening to professional integrity. In such situations, it may be necessary to clarify the role of probation, i.e. the objective presentation of information, discussing factors on all sides of a case, and the offering of objective recommendations based on sound professional judgment.

Recommendation 5. Recommendations to courts by officers and their supervisors on supervision cases should be based on an evaluation of all pertinent data and should be made without influence from "special interest" or other sources outside the department.

Classification

Study results showed that, with a few noteworthy exceptions, probation supervision programs exhibit little sophisticated development or use of classification systems which are relevant to treatment. Classification employed as a management tool unrelated to treatment (e.g. "minimum" or "maximum" supervision) is concerned with production and efficiency and often focuses on quantity control. Classification related to treatment is concerned with effectively protecting society and rehabilitating the individual offender and focuses on quality control. A system of classification with specific treatment implications is necessary in order both to manage workloads in an efficient manner and to apply the most appropriate intervention strategy to each case in relation to the needs of both society and the individual offender.

As stressed in Chapter IV, classification and treatment must be linked together in a manner that offers differential approaches to working with the offender population. All offenders do not need "treatment" in the therapeutic sense (in fact, there is reason to believe that "over-treatment" is harmful to some individuals²). However, probation staff should plan and implement specific differential strategies which provide a course of correctional action for all clients.

Because of the complexity of developing sophisticated classification systems, relevant to differential treatment, and because of the need to train staff in the use of such systems, the State needs to play an active role in helping the counties achieve these objectives.

Recommendation 6. Each department should make use of a classification system, with specific differential treatment implications. To the degree necessary, the State should assist the counties in accomplishing this.

Treatment

Care and concern for probationers. Data gathered in the study show that the clients having the most positive attitudes about probation are those whose officers exhibit a personal concern for them. The existence of this concern was shown by 45% of the clients who indicated in the Task Force questionnaire that their officers had a great deal of concern for them. Although not appropriate with all cases, this kind of a relationship can have a positive impact on a significant number; however, in order to determine which cases to work with in this manner, a classification system is required. Also, it is necessary for probation managers to provide the time, transportation, and flexibility of hours, as well as the encouragement and incentive for officers to work closely with the clients they supervise.

Recommendation 7. Probation supervisors and administrators should provide a working environment which will encourage staff to develop caring relationships with probationers under their supervision.

Client participation in planning his own program. Participation on the part of the client in the planning of his program should begin at the first contact with the probation officer. Although some probationers will reject the request to participate, many will welcome the opportunity. In order to elicit participation, the officer will need to clarify his own role and that of the client in an atmosphere of open and honest communication. The value in this approach lies in developing objectives which will meet the needs of both the client and society and which can be expected to gain the maximum amount of cooperation from the probationer.

Recommendation 8. Clients should be involved in the planning of their probation programs, beginning at the earliest possible time and continuing on through the term of probation.

The probation officer as "services manager". As discussed in Chapter IV, one of the major goals of probation is the reintegration of the offender into the community. Since this process may involve training and education, employment, health and welfare services, legal services, housing, and so on, it is quite clear that the individual probation officer must develop the capability to obtain these services whenever they are needed. Such action on the part of the probation officer places him in the role of a services manager. It is likely that the time expended in this role will bring greater return in meeting the needs of probationers than any other approach used. Evidence gathered by the Probation Task Force indicated that a substantial number of clients felt the need of support and assistance in these areas which would lead to their reintegration rather than in those areas of counseling or therapy related to their personal adjustment.

Recommendation 9. Probation departments should begin expanding the roles and capabilities of their staffs as "services managers".

Supervision with offenders' families. The importance of providing supervision to family units is supported by data gathered in the study which indicate the large amount of influence family members have on probationers, either positively or negatively. This is corroborated by virtually all the social-psychological literature on child-raising and family impact. In order to assist the integration of clients in the community, the probation officer needs to strengthen familial ties by working with family members whose problems affect the clients and whose strengths can be developed to assist them.

Recommendation 10. Whenever appropriate, probation supervision should be involved with offenders' family units, not just with offenders alone, in order to further the reintegration process.

Termination of supervision after two years. Supervision, when performed in a perfunctory manner for large numbers of clients over a period of several years or more, inhibits staff from concentrating their efforts during the two year period of greatest probation risk.

In a study of adult probation violators, Davis found that two-thirds of the probation revocations took place within two years of the time probation was granted and that the six-month period in which the greatest number of revocations occurred was between 7 to 12 months.³ Thus, in relation to concentrating probation efforts to reduce further illegal behavior on the part of the probationer, it is believed that administrative policies monitoring the length of probation should be instituted.

As a general rule, it is advantageous to move a client through the correctional system as quickly as possible since the tendency is to retain an offender in the system once he enters. As a number of authorities have pointed out,⁴ corrections tends to perpetuate itself and sometimes adds to the deviant attitudes and behavior of its clients. This tendency could be minimized by providing a maximum time at which clients automatically would be considered for termination of probation unless compelling reasons cause the court to extend the period of supervision. As an example, the Parole Task Force Report indicates that Section 2943 of the Penal Code requires consideration of discharge for adult parolees who have been on parole continuously for two years.

Recommendation 11. Probation departments should adopt an administrative policy requiring the return of supervision cases to the court with a recommendation for termination of nonvoluntary supervision at a time not exceeding two years, unless there is evidence that the protection of the community will be substantially decreased by so doing. If there are compelling reasons for the continuance of supervision, these reasons should be brought to the attention of the court at a hearing in the presence of the probationer and his counsel.

III. RESOURCES

The Need for Community Resources

Mental health diagnostic and treatment programs. Many communities are almost totally lacking in mental health services; most others have insufficient services to meet the needs. Only the largest probation departments have their own mental health facilities, and even these are rather limited. The State has provided diagnostic services in its reception centers for some years, but the need which remains unmet is for mental health treatment services for probationers. This is an area in which the State must move in order to attain the model system which calls on the State to provide expanded consultative services and subsidization, and on the counties to increase services provided directly to the offender. On the other hand,

local probation departments need to become more resourceful in developing or contracting for available local services and resources.

Recommendation 12. Probation departments, assisted as necessary by the State, should make available greatly expanded mental health services for probationers.

Group living facilities for offenders. A recurring need seen by probation officers everywhere is for additional placement resources for both juvenile and adult cases. Needed are foster homes, group homes of various types, hostels for homeless offenders, residential treatment facilities, emergency placement situations and others. Over 20% of the probationers indicated their support for such resources by stating in the questionnaire that placement in a halfway house or group home would be helpful if they were in need of a place to live. In order to increase the availability of placement resources in the community, probation departments need increased subsidy assistance from the State.

Recommendation 13. Probation departments, assisted as necessary by the State, should make available adequate placement resources in the community.

Drug abuse programs. The skyrocketing drug arrests over the past few years, including the appearance of large numbers of middle class drug offenders, and the corresponding increase of such persons in probation case-loads has forced many officers to seek new sources of assistance. Throughout the State, probation officers made clear their desire for help in working with drug abusers under their supervision; many officers indicating that they felt inadequate to cope with such offenders. Although Perry Birchard reports in her statewide survey that about 900 private and public programs for drug abuse exist in California,⁵ they are not being used by many probationers. In those areas where probation departments have inadequate resources to serve these offenders, the State should subsidize such staff training and special programs as are needed to meet the problem.

Recommendation 14. Probation departments, assisted as necessary by the State, should develop and make use of existing drug abuse programs to meet vastly increased needs for such resources.

Emergency financial assistance. The concerns of many probationers are related to such basic needs as food, shelter, clothing, transportation, and jobs. These items are seen as paramount in the lives of a number of clients, but few departments allot funds for such assistance. Probation departments should make budgetary provision for such aid and the State should make subsidy available to the counties to aid them in giving such service.

Recommendation 15. Probation departments, assisted as necessary by the State, should provide emergency financial aid to clients in need as a regular part of departmental programs.

Public information programs. The Joint Commission on Correctional Manpower and Training summarized a 1967 national Harris Poll survey on corrections by concluding that:

"...the public feels the corrections system is currently inadequate. At the same time, the public is not eager to help bring about change if it means more money would have to be spent."⁶

California's probation officers were well aware of this situation. Over 85% of supervision staff indicated on the questionnaire that they felt the public had little or no understanding of corrections; 59% estimated public support of corrections to be little or none at all.

The need for a vastly increased program of public information and education is obvious. The Youth Authority's Standards for the Performance of Probation Duties highlights this as one of the key obligations of probation departments:

"Development of an effective public interpretation program is a responsibility of the probation officer. Frequent reports setting forth the aims, methods, and accomplishments of probation will help in attaining public understanding as well as adequate support for probation services of high quality."⁷

In brief, if probation departments wish to engender greater public support, they must first make themselves visible and, secondly, involve the community in their actual operation. In order to promote an effective and widespread program of public education about probation supervision (and corrections in general), it is also crucial that both the counties and the State increase and coordinate their efforts.

Recommendation 16. Probation departments should develop public information programs that will assist in both enlightening the community and involving it in the role probation supervision plays in the justice system. The State should provide consultation services to assist the counties in developing such programs.

Training

Inadequate training has been a recurrent criticism of probation throughout its history. The 1964 Probation Study identified training as one of the major needs of probation and summarized the key problem in this area as follows:

"Few departments have effective continuous staff development programs. As a result, working personnel cannot keep abreast of the latest developments in the field, even assuming they had time for staff development--which they do not. As a result, probation staff often have limited knowledge about treatment, their own capability for treatment, or the treatment resources of the community in which they work. Also, they often have erroneous conceptions about the services that State institutions can provide.

"Staff development programs for first-line supervisors and middle management personnel are inadequate, and in most departments non-existent. Most supervisors move into their positions from treatment assignments. They have no preparation for supervision and learn by doing. Often what they learn is wrong, and what they do fails to make the most effective use of the available manpower. In turn, supervisors are promoted to middle management positions without training and without preparation. The mistakes that they were able to make as supervisors are now compounded by the new position of authority and responsibility they command."⁸

With one major exception--probation subsidy, there has been little change in this situation. Yet, even in subsidized programs, only 57% of line workers indicated that there was an ongoing in-service training program for employees of their level. Hence, the problems of adequate training for all levels of staff, from meaningful orientation of new employees to instruction in modern managerial techniques for supervisors and administrators, still persist in most probation programs.

The solutions are not simple. However, they would appear to lie in being able to develop four general types of programs: in-service training, specialized training, coordination of statewide training resources, and a certification program. The major point is that it is now the time to act rather than to merely restudy the same issues.

In-service training. As pointed out in Training for Tomorrow, a 1970 study of training in California corrections, larger departments are "becoming deeply committed to training their probationary and journeymen employees within their own 'shop'".⁹ This is viewed as a progressive stance since the individual agency is in the best position to assess both the training needs and training resources appropriate to its own staff. To be consistent with the increasing movement of direct services to the local level, it is imperative that both the individual counties and the State, in its enabling and supportive role, channel their resources in a manner that will maximize the planning and implementation of effective in-service programs at the county level. Needless to say, this necessitates a wide range of training programs and efforts directed at providing relevant, individualized, and ongoing training for as many workers as possible. In this regard, it is

obviously highly appropriate to either develop joint programs with neighboring counties or to bring outside trainers into the department; at least the latter is done routinely by a number of departments. However, while outside trainers are a valuable added resource, it needs to be stressed that each department should assign training specialists and should clearly place the primary responsibility for training on the immediate supervisor, notably first-line supervisors. As Training for Tomorrow stresses:

"It is the exclusive function of the line supervisor to stimulate and oversee the process of conversion of information into skilled practice."¹⁰

The major implication here is that supervisors must receive very high training priority so that they may most effectively carry out their role of training subordinates.

Recommendation 17. Each probation department should develop its own in-service training programs, aided as necessary by the State, geared to provide relevant, individualized, and ongoing training for all levels of staff. Primary attention should be given to developing trainers within the department, particularly first line supervisors.

Specialized training. Every probation department has training needs which it cannot adequately handle itself. Some of the smaller departments may need outside trainers, such as State personnel, to conduct virtually all of their basic training. All departments need to make use of training resources available in the community, whether academic or experiential. A glaring example of lack of agency commitment in this area is the rarity with which they provide active assistance, such as stipends or time off, to encourage staff to pursue graduate training or other relevant programs of professional development. In fact, some agencies penalize staff who attempt to make use of such resources, e.g. by refusing academic leave or by demoting staff if they take academic leave.

Probation departments particularly need to make use of external trainers for specialized programs, such as training and managerial techniques or complex classification and treatment systems. This can, and is, being done by contractual arrangements in a number of departments. As suggested by the President's Commission on Law Enforcement and Administration of Justice¹¹ and the Joint Commission on Correctional Manpower and Training,¹² this is where the State should carry out its enabling role. The Youth Authority has traditionally conducted some training programs for probation personnel but is grossly understaffed and under-budgeted to meet more than a fraction of the need. Additionally, the State needs to develop or contract for trainers who are expert in specialized training areas before it can provide the range of training programs required by the counties.

Recommendation 18. Probation departments should strive to make better use of available training and professional development programs in the community.

e.g. by contracting for services and by encouraging and enabling their staff to participate in such programs.

Recommendation 19. The State should greatly increase its role in providing training needed by the counties, particularly specialized training programs.

Coordination of statewide training resources. The central concern about correctional training focused on in Training for Tomorrow is the lack of efficient coordination of training resources in California's "diverse, far-flung, and complex correctional conglomerate".¹³ Particularly since these resources are at a premium, coordination and integration are essential. The final recommendation of the above report was for a centralized unit known as CO-ACT (Coordinating Organization for Advancing Correctional Training) at the State level, whose task would be to develop a network of trainers and training resources from various parts of the correctional system who would form a partnership of mutual aid in promoting statewide training. The Probation Task Force strongly endorses the central core of the CO-ACT concept and suggests that, unless it is implemented in some form, California will continue to duplicate, waste, and simply be unaware of existing training resources and efforts.

Recommendation 20. The State should immediately implement the CO-ACT concept of a central unit to coordinate statewide training and develop a network of trainers and training resources from all appropriate sources.

Certification. The Probation Task Force joins with the 1964 Probation Study in urging that the State "assume the major responsibility and cost for training and certification of personnel working in probation".¹⁴ Widespread support exists for the establishment by the State of a program to certify deputy probation officers who meet prescribed standards. Advocates of this proposal argue that it would raise minimum entry standards at least in some counties, assure departments of minimum qualifications of staff who have been certified (e.g. in transferring between agencies), result in higher and more uniform quality of performance by staff, provide the basis for certain changes in personnel practice highly desired by staff (notably, being able to transfer between agencies without loss of rank or benefits), and aid in moving toward the recognition and professionalization of probation work.

The first step in implementing a certification procedure is to determine who should control it and what should be the standards or requirements. The Task Force proposes that the State operate and control the procedure, with advice from the counties (perhaps in the form of an advisory commission). Similarly, the State, in cooperation with the counties, should decide on the requirements. It is suggested that the normal minimum academic requirements be a bachelor's degree, preferably in the behavioral sciences, and the completion of at least one year "internship" of on-the-job experience and training

during which time the candidate must satisfy his superiors that he has the ability to relate to and effect behavioral changes in probationers. Provisional certification for persons not meeting the academic standard might be granted if such persons otherwise demonstrate special competence or if certificated staff are unavailable.

Recommendation 21. The State, in cooperation with the counties, should develop a certification program for all probation officers.

Staff Hiring and Promotions

The two major personnel concerns which stand out boldly are related to the establishment of an advanced caseworker position and the ability to transfer between correctional agencies.

Less than half of all probation officers were satisfied with the promotional system in their agency. Ninety-one percent favored the creation of "a separate series of rank and pay increases, parallel to at least the first line supervisor level, for line workers (e.g. so an outstanding worker can remain in his job without having to become an administrator to be promoted)". The benefits of such a system are two-fold. On the one hand, it would permit highly competent workers, who have developed their skills through several years of experience and training, to remain in the vital job of working directly with clients and still receive the status and salary they deserve. The creation of such positions would also tend to boost staff morale and retain workers who perceive themselves basically as "caseworkers". On the other hand, it would assist departments by not forcing them to place persons who may be good caseworkers but poor administrators in supervisory positions where they may resemble "fish out of water".

The second concern is more complex. It is a common observation that a person can normally enter the field of probation at two levels--the very bottom or the very top. Individuals who meet all the relevant requirements and who may be equally or far more qualified than persons within a specific department cannot normally compete for advanced line worker or supervisory positions in an agency of which they are not already employees. In short, probation is a "closed" system. Task Force staff strongly supports the overwhelming view of correctional practitioners and administrators throughout the State that this situation is unnecessarily restrictive and poses severe handicaps not only to individual workers but to probation as a whole.

From the individual employee's point of view, the current closed system is personally and professionally stifling, particularly for the more competent workers. An "open" system, allowing workers to transfer to and compete for promotional openings in other agencies, not only would permit greater flexibility but would provide employees with enriched experience in their career patterns. Such is the case with education, medicine, and many other professions. If an experienced worker wishes to move to another part of the State or to gain experience in another agency, particularly on a promotional basis, he should be able to do so. Such a system not only would

improve morale and minimize the loss of competent staff, but also would offer stronger career incentives for potential correctional employees.

From the system's point of view, a closed promotional structure which is limited solely to departmental employees and which places more value on "departmental loyalty" and seniority than on other qualifications, tends to breed a limited base of experience and ideas commonly known as "correctional provincialism". Removing these barriers would enable each department to hire the most competent persons available, to retain many top caliber personnel seeking promotional opportunities outside of corrections, and to profit from a cross-fertilization of ideas from staff who have worked in different agencies and areas of the State.

The system should be open not only to current probation officers but also to correctional workers at the county, State, or Federal level, in addition to qualified persons employed in the private sector.

The certification program, recommended in the previous section, should provide a sound base for hiring and promotional opportunities in corrections by assuring employers that a prospective candidate has at least met certain minimal standards.

Finally, for such a program to work effectively, it is necessary to coordinate retirement earnings and other similar benefits, so that an employee does not lose them when he transfers from one agency to another.

Recommendation 22. Probation departments should create a case-carrying position equivalent to the first level supervisor in salary and other benefits.

23. Certified probation officers should be able to transfer to in-grade positions or compete for promotional opportunities in other probation departments or other similar parts of the correctional system, provided they meet the necessary requirements.

24. The State and counties should coordinate their retirement systems so that a worker can combine his benefits when transferring between agencies.

Use of Nonprofessionals

Probation departments must carefully study ways in which nonprofessionals, notably volunteers and para-professionals, can be used, and should call on the State for consultation service in this matter. Such programs as are developed must be adequately staffed in order to provide for proper recruitment, training, and supervision. It is important to note that evidence presented to the Task Force indicated that most programs that fail do so because of recruiting which is nonselective, training which is incomplete, and supervision which is inadequate. It is also extremely important to make nonprofessionals feel that they are part of a team, i.e. that they have an

important job to fulfill and that they are accepted by and work along with the professional staff. The motivation to use nonprofessionals arises out of the necessity to provide expanded services to clients and the need to involve the community in the correctional process through the use of volunteers. Also, local government has a responsibility to give employment opportunities to persons in the community such as ex-offenders and residents of economically depressed areas who qualify as para-professional workers. It is abundantly clear that nonprofessionals will play an increasingly important role in the future of probation supervision. In fact, as indicated in Chapter IV, some authorities contend that the role of probation officers may well change in the near future from one of delivering most services directly to clients to one of managing or overseeing the delivery of services by a staff of nonprofessionals. In any event, probation administrators and staff should begin planning seriously for the more efficient and effective use of this largely untapped correctional resource.

Recommendation 25. Departments should greatly expand their use of nonprofessional workers, including volunteers, para-professionals, ex-offenders, and students, to assist in probation supervision. They should, at the same time, plan carefully how to recruit, train, and supervise these workers.

Appointment of the Chief Probation Officer

In nearly all counties, the chief probation officer is appointed by the juvenile court judge or a majority of the superior court judges. This is consistent with the traditional view of probation as an "arm of the court" and with the fact that probationers are still under the jurisdiction of the court. However, as probation departments have increased their professionalism and special expertise in planning and carrying out correctional strategies for offenders, more and more support has arisen for making them an independent agency in local government, as the police, prosecutor, and public defender. The basic reasons for this are two-fold.

On the one hand, the probation officer's expertise or area of most competence is in objective evaluation of offenders and in implementing programs of rehabilitation and reintegration. Yet, there have been instances of the courts exercising undue pressure on "their" probation departments, sometimes to such a degree that probation officers have been handicapped in making truly independent and objective decisions about the operations of their departments. This is seen most notably in the area of what program is most appropriate for individual offenders. In fact, there have been, and in the opinion of the Probation Task Force, still are, instances in which judges are the de facto administrators of the probation department. Similarly and far more commonly, courts intentionally or unintentionally influence the reports and recommendations submitted by the probation officer. The responsibility for this does not lie with the courts alone as some probation officers deliberately "color" or "slant" their reports, e.g. by selective reporting, in order to manipulate the judge to make a desired decision. However, the net effect is that where courts dominate probation departments, the latter are kept from obtaining full professional stature and tend to be hidden behind the skirts of the court.

On the other hand, the court's training and acknowledged expertise are clearly in the legal arenas of protecting individual rights and determining guilt or innocence. Judges rarely have received much training in the areas of modifying criminal or delinquent behavior or in correctional management. As a result, they must make highly complex decisions which weigh the protection of the community against concerns with rehabilitation and reintegration--decisions for which they simply have not been trained. Hence, no matter how sincere and well-intentioned, they are forced to decide on the life and freedom of individuals with little relevant background and training.

At the core of this issue is the question of whether or not the courts should be involved at all in correctional decision-making. The fact of the matter is that there is a rapidly growing opinion among correctional workers and many others within the correctional and criminal justice process that, once a person is found guilty, he should be turned over to a correctional body or agency to determine what program would be most appropriate for him. However, because this issue is clearly outside the scope of the present study, no formal position is taken by the Probation Task Force. Needless to say, it is a concern that should be addressed by the needed study of intake recommended by the Correctional System Study staff.

A final problem with the present law is that over 50% of all probationers are adults, yet probation officers are normally appointed by and serve at the pleasure of the juvenile court judge.

To return to the issue at hand, the most logical body to appoint the chief probation officer is the county board of supervisors. It is the supervisors who determine budget and set many personnel and other policies for the county departments. It is also the supervisors who normally appoint non-elected county officials.

Recommendation 26. The chief probation officer should be appointed by and be responsible to the board of supervisors; Sections 575 and 576 of the Welfare and Institutions Code and Section 1203.6 of the Penal Code should be amended accordingly.

Subsidy

Chapter V presented the inherent and operational problems of the current probation subsidy program. While this program was a monumental step forward in California corrections, the Probation Task Force feels that its handicaps and inequities, which have now become apparent, demand a bold new move on the part of the State.

In brief, the State of California today is unmistakably at a crucial crossroad in respect to probation subsidy. The State can continue the program as it is presently structured. If taken, this course of action will result in the increasing disenchantment of county probation departments and may be followed by the counties' gradual withdrawal from the program. If

the State elects this course of action, it must stand prepared to witness a fatal deterioration of probation services, and concomitantly, an overwhelming increase in commitments to State institutions, and the need to spend vast sums of monies to build and operate new State facilities.

The other option available to the State, and, in the opinion of this study, the far superior alternative, is to recognize the value of probation services, to acknowledge the savings which accrue to the State as a result of probation subsidy, and to enact an entirely new probation subsidy program. As part of the new probation subsidy effort, there should be effective, mandatory standards, worked out in cooperation with the counties, and thereafter administered by the State. The new subsidy program should be reviewed annually, to consider cost fluctuations, and the State should provide increased consultation in respect to the planning, operation, and evaluation of subsidized programs.

Since it is the view of this study that the best, most effective correctional services are field services, provided at the local level, and since probation, more than any other component of corrections, can and does provide this type of service, it is felt that probation should have the highest priority in any new overall correctional subsidy program. A more complete statement of the philosophy, priorities, and operational details of the entire subsidy plan recommended by the Correctional System Study may be found in the System Task Force Report.

Recommendations 27. The State of California should subsidize county-operated probation services in accord with the overall subsidy program specified in the System Task Force Report. Essentially, that Report recommends subsidy as follows:

- a. 75/25 -- probation supervision and investigation, including day care centers and other juvenile non-residential programs. This means that the State would pay 75% of the actual costs and the counties 25%.
- b. 60/40 -- "open" institutions (e.g. group homes or facilities which send youth to school in the community; also jail work furlough programs).
- c. 40/60 -- "closed" but short-term and community-based institutions (i.e. facilities to which persons can not be committed more than six months and which are both adjacent to and have a high degree of interaction with the community).
- d. 25/75 -- other institutions (e.g. juvenile institutions which are not short-term and not community-based; adult jails, including branch jails and honor camps, minus separate work furlough facilities).

28. Assuming that the above recommendation is operationalized, counties should pay the State 75% of the "career costs" (as defined in the System Task Report) for any youths or adults committed to the State.

29. *The probation subsidy program, as part of the overall correctional subsidy program, should be reviewed annually, to consider cost fluctuations and to effect necessary adjustments.*

30. *The State should provide increased consultation to the counties in respect to county-operated probation subsidy programs.*

31. *The State, in cooperation with the counties, should develop a set of minimal standards for all probation services that are subsidized. Thereafter, the State should enforce the standards, i.e. no subsidy should be granted to a program which does not meet State standards.*

IV. RESEARCH AND EVALUATION

Departments must allot sufficient resources for research and evaluation. The amount of time and money needs to be expanded greatly beyond the small part of one percent of total correctional expenditures reportedly being spent now for research and evaluation.¹⁵ State assistance, consultation and funding should be available to assist counties in this effort, but counties also need to enlist the aid of universities, colleges and private organizations to do research and program evaluation. However, none of this is likely to occur until correctional agencies begin to become truly concerned about and committed to evaluating what they are doing; only then will research become more than a novelty.

One area critically in need of evaluation is the complete field of decision-making. A large number of decisions made outside the court are subject to few of the procedures and constraints present at the time of court action. Some of the factors needing an evaluation of their decision-components are violations of probation and accompanying detention, change of placement, and recommendations for termination of probation.

It is imperative that new approaches to reducing crime on the part of offenders on probation continue to be tried, but new approaches, as well as current programs, need evaluation. However, this can occur only if probation managers first determine their objectives in measurable terms and then commit themselves to objective evaluation. Even then, such efforts become no more than routine "busywork" unless departments are committed to following through on the results of research by modifying or eliminating programs when so indicated.

Recommendation 32.

Probation departments, assisted as necessary by the State, should conduct programs in research and evaluation designed to improve the quality of probation operations.

V. ISSUES OF THE FUTURE

Contracts Between the State and Counties for Supervision of Offenders

Interviews with officials in the sample counties revealed support in some communities, principally smaller ones, for probation supervision operated by the State under contracts with the counties. Interviews conducted by the Task Force showed 24% of the chief probation officers and 13% of other county officials (presiding judges, chairmen of boards of supervisors and chief administrative officers) favorable to such an arrangement.

On the other hand, there was fairly strong support for the counties to provide parole supervision for the State on a contractual basis. Fifty-nine percent of the chief probation officers and 76% of other county officials favored this kind of a permissive agreement. It is believed such contracts should be permitted where they will best serve local correctional needs.

Recommendation 33. Departments should be able to contract with the State to provide probation supervision as well as accept contracts from the State to provide parole services. Permissive legislation which would enable the State and counties to enter into such contracts should be enacted.

Contracts Between Counties for Supervision

There is considerable precedent for contracts among California counties. For some years, counties have contracted with each other for the provision of such specific services as the operation of a juvenile institution to serve more than one county or for detention facilities for juveniles from more than one county. In the adult field, as indicated in the Jail Task Force Report, counties have arranged with each other to provide jail services and some counties have contracts with cities to provide police services. Additionally, counties have an informal "courtesy supervision" arrangement with one another for probation services. However, some counties do not do this or, if they do, provide only minimal services because they are not reimbursed for costs. This might be remedied to the satisfaction of individual departments and in a manner which provides the best services to the client and protection to the community by establishing formal contractual arrangements, as exist between some institutions.

Recommendation 34. Where better services can be provided at lower cost, counties should consider contractual agreements with neighbor departments (or possibly consider consolidation of services) for probation supervision. Enabling legislation should be enacted to provide for such agreements.

The New Clients: Environmental Pollution and Consumer Fraud Violators

In the past year, a number of corporations have been placed on probation supervision in one county because of pollution violations. Special conditions of probation have been ordered by the court which require corrective anti-pollution measures to be taken. Among the issues raised by this action is the need for technical consultation services to help the probation officer see that the corporations comply with the conditions ordered by the court.

This program is looked on favorably by the criminal justice system of the community where it is in operation, and in view of the growing public demand nationally for more environmentally protective controls, a distinct possibility exists that such a supervision program could be adopted elsewhere.

Because of the rapidly expanding public concern for protection of the consumer, much new legislation has resulted. It is very possible that this combination of public concern and legislative activity will result in an influx of violators whom the courts will deem in need of supervision.

Probation managers need to be aware of these trends and should plan accordingly to meet the technical requirements of supervising such offenders.

Recommendation 35. Departments should engage in long range planning about the implications of supervising large numbers of environmental pollution violators and consumer fraud violators, both individuals and corporations.

FOOTNOTES

¹President's Commission on Law Enforcement and Administration of Justice, Task Force Report: Corrections (Washington: U.S. Government Printing Office, 1967), p. 34.

²Don Gibbons, Delinquent Behavior (Englewood Cliffs: Prentice-Hall, 1970), pp. 255-256.

³George F. Davis, "A Study of Adult Probation Violation Rates by Means of The Cohort Approach," The Journal of Criminal Law, Criminology and Police Science, Vol. 55, No. 1, March, 1964, p. 13.

⁴Gibbons, op. cit. pp. 221-261, 269.

⁵Office of Narcotic and Drug Abuse Coordination, Drug Abuse: A Directory of Community Services in California, State of California (Sacramento, July 1971).

⁶Joint Commission on Correctional Manpower and Training, The Public Looks at Crime and Corrections (Washington: U.S. Government Printing Office, 1968), p. 1.

⁷Department of Youth Authority, Standards for the Performance of Probation Duties, State of California (Sacramento, February 1970), p. 22.

⁸Board of Corrections, Probation Study, State of California (Sacramento, 1965), p. 153.

⁹Department of Youth Authority, Training for Tomorrow, State of California (Sacramento, 1970), p. 1.

¹⁰Ibid., p. 60.

¹¹President's Commission on Law Enforcement and Administration of Justice, op. cit. pp. 101, 206.

¹²Joint Commission on Correctional Manpower and Training, A Time to Act (Washington: U.S. Government Printing Office, 1969).

¹³Department of Youth Authority, op. cit., letter of transmittal, p. 2.

¹⁴Board of Corrections, op. cit., p. 153.

¹⁵Joint Commission on Correctional Manpower and Training, op. cit., p. 36.