



Managing Probation with Scarce Resources: Obstacles and Opportunities

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FOREWORD

This document consists of five papers written by highly experienced and seasoned probation executives. Here, they share their thoughts and experiences on managing during times of fiscal constraint.

The term cutback management has almost become a ‘buzz word’ in local and state governments, and executives have found themselves in the position of having to do more with less. This has created problems and major dilemmas at times, but these executives have shown ways to “roll up their sleeves,” meet the challenge, and accomplish, in some cases, remarkable results. In this document, they present examples of problems and solutions to assist others who have responsibility for policy development and financial management of their agencies.

The document does not attempt to solve all problems, but does take the reader through a variety of issues and approaches to deal with government financial cutbacks.



M. Wayne Huggins, Director
National Institute of Corrections
January 1992

HOW DID WE GET IN THIS MESS?

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Introduction

The fiscal plight seems to be worse than at any time during my memory. I think you would have to go back to the Great Depression to find similar anguish, in terms of the number of states that are facing an unprecedented cutback in service or significant increase in taxes.

**- Henry Aaron
Brookings Institution (1990)**

When their fiscal year ended on June 30, a few states didn't close their books -- they closed their governments instead.

**- Time Magazine
July 15, 1991**

As this monograph on probation management under conditions of scarcity was being completed, many states -- particularly those in the Northeast -- were entering a stage of seeming financial meltdown. By mid-year in 1991, Connecticut and other states were proposing massive state worker furloughs, Rhode Island was entertaining shutting down all but essential services for a period of time, and New York's Governor Cuomo, saying, "We're broke to the marrow of our bones," was discussing the prospect of laying off 18,000 state employees. The situation was grim.

The crisis was by no means limited to one geographic area. By April 1991, according to the National Conference of State Legislatures, 32 states were reporting likely deficits for the current fiscal year. For example, California faced a \$14.3 billion deficit, reputedly the largest state shortfall in U.S. history. Drastic measures had been undertaken by many other states, including cuts in programs, laying off or furloughing employees, exhausting financial reserves, and raising taxes.

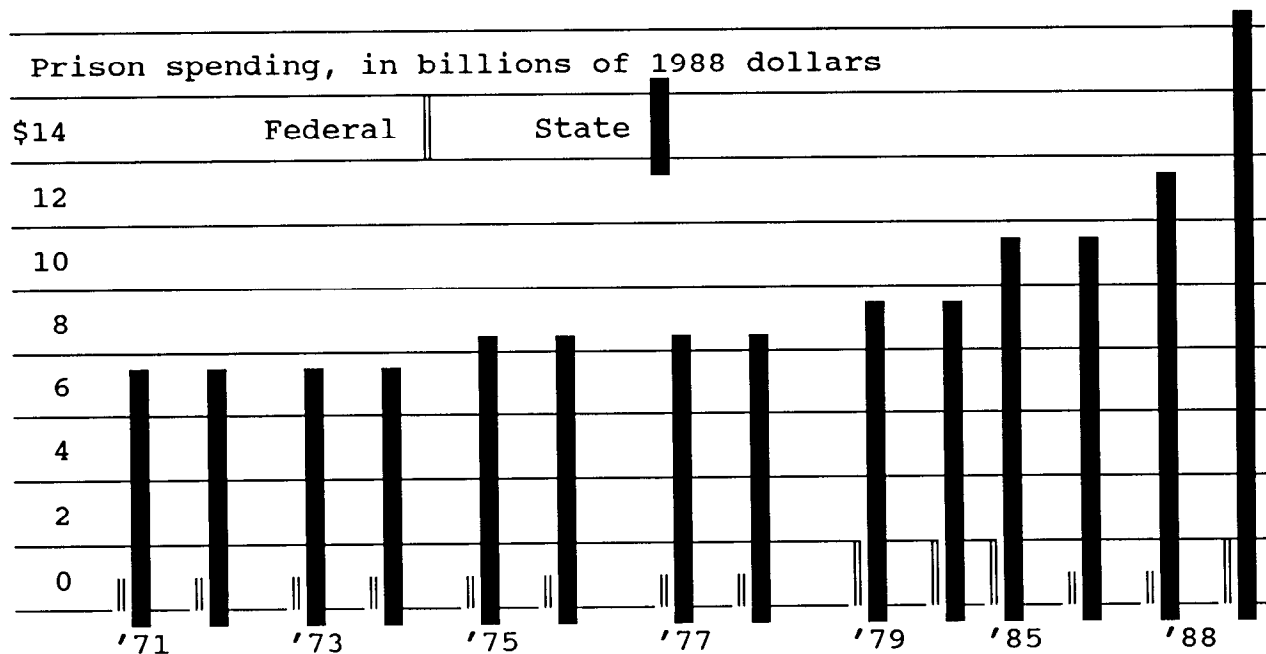
How is it that so many states came to such fiscal grief? The answer lay in the economic history of the 1980s. The last major recessionary period came to a close in the early part of the decade. From 1982 onward, many states experienced almost continuous expansion on the coattails of the electronic revolution, the explosion of financial markets, and a consumer-spending spree led by the baby-boom generation.

Most economic analysts agree that the foundation for the current crisis was slowly built throughout the decade, constructed of some of the following elements:

- A transfer of responsibility for a host of budget items from the federal to the state governments. The New **York Times** of December 30, 1990 estimated that, over a 10-year period beginning in the late 1970s, the federal share of state government costs dropped from 25% to 17%. (From 1984 to 1988, the strong national economy had been able to raise the money to continue programs from which federal subsidies had been pulled back.)
- A rapid drop in defense spending, fueled by the end of the Cold War.
- A sharp decline in consumer spending and confidence.
- Normal slowing of the economy after a high-growth period.
- A general conservative drift in citizen attitudes toward government, manifested in the call for shrinking bureaucracies and reducing taxes.

Fiscal Trends in Corrections

Specifically in corrections, despite tax revolts, there has been dual pressure for expansion, driven by “get tough” philosophies as well as federal court mandates to expand prison capacity to meet constitutional standards. The following chart illustrates the dimensions of the spending growth.



Source: U.S. Justice Department.

Spending on corrections nearly doubled during the 1980s, according to a New **York Times** December 30, 1990, report, with almost all of this cost being borne by state and local governments. Since 1986, correctional costs have grown at an average annual rate of 13%, absorbing much of the growth in the revenues of many states.

The building boom in corrections reflects the conservative swing in public attitudes toward crime more than it does a crime boom, per se. Less tolerance for rehabilitative interventions and greater interest in incapacitation, along with an increase in the use of mandatory sentences, have driven the expansion in many states. By late 1990, the nation's prisons and jails held over 1 million inmates, with increases running at the rate of 2,650 per week and costs of incarceration running up to \$25,000 a year.

In summary, the financial picture facing corrections as it entered the 1990s was bleak, a combined product of decreasing revenues and rapidly increasing costs. "How quick bright things come to confusion," as Shakespeare lamented. Or, as New York assembly leader Clarence Rappleyea put it, "The days of wine and roses have turned into the days of bread and water."

The Special Vulnerability of Probation

While all public agencies are at risk in times of cutback, there is reason to believe that probation is especially vulnerable. First, there simply is not -- at least yet -- the constituency for probation that exists for prisons. The "bricks-and-mortar" approach to corrections is much more marketable than one that concentrates on community-based interventions, particularly in a time when conservative attitudes toward crime seem to predominate.

Secondly, there are none of the constitutional restrictions on the practice of probation that have been imposed on prison operations. Federal courts have, in many states, set constraints on the size and operations of prisons and, by doing so, have compelled certain spending levels. While prison overcrowding has often become a problem of constitutional dimensions, probation "overcrowding" has not yet risen to that level. Consequently, correctional executives can starve probation programs with immunity in an effort to shore up their prison operations.

In other words, when corrections catches a cold, probation gets pneumonia! Evidence that probation takes a disproportionate share of spending cuts can be found in a 1990 survey of 35 California Chief Probation Officers (CPOs) conducted by their professional state association. Despite developments involving the legislative creation of new crimes along with new or stiffened penalties, the CPOs reported that their offices received the lowest budget priority, receiving only roughly half of what they needed to operate in light of newly created obligations.

"It's Deja Vu All Over Again."

- Yogi Berra

For probation executives of more than ten years experience, all of these developments will seem familiar. In fact, the last strong recessionary cycle in the United States brought with it much of the same sense of crisis that currently besets probation. In the cutback period of the late 1970s and early 1980s, the National Institute of Corrections published two volumes that have come to be seen as seminal works in the area of cutback management: ***Probation in an Era of Diminishing Resources*** by Timothy Fitzharris and ***Management Strategies for Probation in an Era of Limits*** by Nora Harlow and E. Kim Nelson. This monograph seeks to build upon those earlier works.

While the nature of the problem facing probation executives is similar in kind to that experienced a decade or so ago, it is important to stress that the context and environment has changed in fundamental ways since then. If it is true, as the Chinese proverb suggests, that all crises are opportunities in disguise, then it may be that this crisis can result in probation leveraging its position in the criminal justice system.

Two related developments during the 1980s have focused unprecedented attention on probation, perhaps in the manner of making a virtue of necessity. First, the bill for the “get tough” policy came due and it was stiff. While prison is often the public’s treatment of choice, particularly in conservative times, many states realized that they would go bankrupt feeding what Todd Clear has referred to as their “addiction” to punishment. For reasons much more practical than ideological in nature, the search for less expensive alternatives began.

Probation became the logical place to go. To assuage the get tough crowd, however, it became critical to wrap the alternatives in a hair shirt, ensuring that the appearance at least would be one of punitive sanctions. In this context, the concept of intermediate sanctions -- of dispositions falling between traditional probation and prison -- was born.

A second catalyst for the development of intermediate sanctions was more philosophical in nature. As developed most thoroughly by Morris and Tonry in their 1990 book entitled ***Between Probation and Prison: Intermediate Punishments in a Rational Sentencing System***, this argument suggested that sentencing practices had lost a sense of symmetry with the offender population, resulting in sentences that were either inexcusably lenient or unnecessarily harsh. It was thought that the establishment of intermediate sanctions would bring sentencing back into proportion with the range of offenders coming through the courts.

Experimentation with intermediate sanctions spread rapidly across the nation and the corresponding grants, research, and publications also grew exponentially. Included among the more popular manifestations are:

- Intensive Probation Supervision, whereby high-risk offenders are supervised closely by probation officers with small, limited caseloads, allowing for frequent personal contacts, routine surveillance, and such other elements as urine screening.
- Home Confinement, whereby offenders are restricted to their residences except during times of approved leave. This often involves the use of electronic monitoring equipment.

- Day Reporting Centers, a multi-purpose facility in the community, where offenders are obliged to report daily and are required to spend their time on such activities as remedial education, job preparedness, drug counseling, etc.
- Boot Camps, where offenders are required to undergo an outdoor experience that partakes of equal parts basic training and the conservation corps, aimed at instilling a new-found sense of self-discipline and responsibility.

The virtue of these new options is twofold: they operate at a considerably lesser cost when compared to incarceration, while simultaneously bearing all the accoutrements of punitiveness. In a sense, they might appear to be the miracle cure that impoverished correctional systems require.

A Policy Triumvirate

In the discussion that laid the groundwork for this monograph, three key issues emerged that seem to pervade all areas and constitute overarching themes central to decisionmaking for probation executives: Dollars, Politics, and Philosophy.

Dollars: According to one well-known political principle, “NO matter what they’re talking about, they’re talking about money.” And so it is for executives. Mastering the “dollars” becomes important in at least two major ways. First, in times of cutback and retrenchment, understanding to a fine degree of detail the current level of expenditures -- how much money is going to which specific functions -- facilitates the identification of areas where the requisite levels of savings might be made. It is not uncommon to hear of agency heads who do not have a “handle” on where current monies are being spent. Mastering the budget is a prerequisite for successful engineering of fiscal restructuring.

Second, dollars underlie policy. Policy decisions (whether this is acknowledged or not) are always driven by powerful financial imperatives. Particularly in times of scarcity, any reform proposals or attempts to innovate will have to “make the numbers work.” That is, the executive will have to be able to demonstrate that any change makes sound financial sense, that expenditures in new areas will be more than offset by savings in other areas. In this respect, all executives will be compelled to become cost accountants of a sort, with an eye toward the financial impact of all of their initiatives.

Politics: The relevance of politics to the role of the probation executive can be neither denied nor ignored. It is in the air that the executive breathes: it constitutes the coin of the realm. The term “politics” has a double meaning. There is an “inside” game of politics that involves understanding the rules of the game and the key players. Cultivating key decisionmakers in an executive’s authorizing environment and understanding the nature of their work and the pressures that impinge on them are crucial for influencing legislation of importance to probation. If all politics are local, as former Massachusetts Congressman Tip O’Neill suggested, then they are also always personal. It becomes important to know the personalities and the process -- to master what has been referred to as the “dance of legislation.”

In a second sense, politics becomes important as it manifests itself in constituency-building in the larger community. All too often, very little is known about probation and what little is known is negative. Yet, in a time when alternatives to an overreliance on incarceration are needed, probation can fit the bill, if marketed correctly. The public is cost-conscious and its rhetoric is conservative. Yet surveys have repeatedly revealed that people are more tolerant of rehabilitative interventions than is generally imagined. Probation is both comparatively low-cost and aimed at offender improvement while also appropriately punitive. These elements can be packaged into an effective public relations strategy, constituting an “outside” game that can complement the more strictly political approach. Thus, probation executives must add the role of lobbyist to that of accountant.

Philosophy: This issue also has a twofold implication. First, the philosophy of an agency is usually embodied in its mission statement, which is a declaration of its goals and purposes. In a time when agencies are increasingly called to defend their existence, the absence of a clearly articulated philosophy will leave them vulnerable, unable to offer a compelling vision of their contribution to the common good in a manner that justifies continued support. When tough decisions must be made regarding a scaling back of operations, a strong operating philosophy helps to clarify the distinction between core functions that ought to be preserved and those functions that, while valuable, may have to be discarded. An agency that cannot offer a clear and convincing statement of its reason for being will not survive the rough and tumble of competition for shrinking tax dollars.

Philosophy is important in a second sense. Shifting attitudes toward the correctional enterprise form a kind of public philosophy, or climate of opinion, to which successful executives must be attuned. Being mindful of the public’s view is not tantamount to capitulating to it. However, packaging new initiatives in ways that appeal to the public’s legitimate expectations is not pandering if it is done in a manner that preserves the essential features of the agency’s governing philosophy. Probation executives should not be slaves to fashion by responding to every single change in public attitudes. Nevertheless, fundamental shifts in public philosophy are ignored at great peril. The competent executive will find a way to satisfy the citizenry, who are arguably the customers, without doing violence to essential values. In order to do so, the executive may have to add the role of public relations/marketing specialist to that of accountant and lobbyist.

Goal of the Monograph

The publications developed during the last major cycle of fiscal cutbacks provide a wealth of useful advice to the probation executive facing retrenchment and downsizing. Much of what was relevant ten years ago has currency still. Nonetheless, much has changed since then, particularly in terms of probation’s role in the criminal justice system and the prevailing philosophy and purposes of community corrections.

It seems appropriate to take a fresh look at the task of managing under conditions of scarcity, as that challenge presents itself in a new decade. The landscape has changed in important ways, and strategies once viable under different circumstances may need to be both updated and supplemented. In part, that is the assumption underlying this monograph.

“Speak the language of the company you are in; and speak it purely, and unlarded with any other.”

- Lord Chesterfield to his son

Four of the five contributors to this monograph are active probation executives, who collectively have decades of experience running probation agencies. The fifth has held management positions in probation for the last ten years. All are members of the National Association of Probation Executives (NAPE).

Readers will notice that the style of writing is often informal and conversational, an intentional feature. In many instances, conversations are re-created, actual meetings are summarized, and a parable-like style is used to lend reality to the discussion. The goal was to make this monograph as user-friendly as possible. The contributors agreed to write as if they were personally consulting with a probation executive seeking advice and direction on managing with scarce resources. The authors were asked to imagine the types of questions and concerns that might be preoccupying our fictional executive, drawing on their own experiences in facing similar crises (both in the past and present). Accordingly, case examples from the authors’ experiences are incorporated as illustrative of a point wherever they seem to be appropriate. It is hoped that this results in a document that is practical, accessible, and -- at least occasionally -- wise.

One additional advantage accrues to a more personal, spontaneous approach. Theorists of management practice have sometimes observed that skillful managers know much more than they realize they know and much more than they can easily and concretely describe. In part, this is because management is only part science along with some considerable art. The artistic dimension is one often not consciously articulated but factors into much decisionmaking. It is the kind of skill that resides in what has been called the “tacit” dimension, not easily called forth in discussion but made manifest in action all the time.

By keeping the exercise embedded in the real world and oriented toward the kind of guidance that one manager might provide in private to another, we have deliberately increased the chances of eliciting some of this practitioner wisdom.

A Few Caveats

It perhaps goes without saying that there is no one answer or approach to managing with scarce resources, nor is there a collection of remedies that will apply everywhere. The contexts for probation agencies are varied and so are the problems they face. Variations in structure, mission, political support, and organizational history frustrate the hope of there being any one, true way out of the crisis that currently besets so many agencies.

In using multiple contributors, we have not tried to homogenize our views. The contributors represent the diversity that exists throughout probation. We don’t all agree on all issues. Our knowledge and experience base leads us, in some cases, to take divergent perspectives and reach varied conclusions. We would have it no other way. We all hope that those

probation executives who read this monograph will find much that they can put into practice in managing scarcity.

Nonetheless, while the specific strategies must be tailored to local conditions, the universe of factors that merit consideration in formulating a strategy is in many respects common and identifiable. Consequently, probation executives may find much that will be useful to them in framing the problem and approaching the task of strategy building. In other words, this monograph most of all aims to help probation executives ask the right questions, understanding that in doing so the most useful answers will often suggest themselves.

Outline of the Monograph

The monograph includes five chapters:

1) Classification/Information Systems

This chapter discusses the important role that classification schemes can play in making decisions on priorities for supervision or implementing a “triage” approach to service. Emphasis is placed on the vital role of management information in allocating scarce resources.

2) External Relations

This chapter discusses the role that building an external constituency for probation can play in responding to impending cutbacks, as well as strategies for pooling resources with related agencies to maximize service.

3) Human Resource Management

This chapter discusses the impact of downsizing on personnel in terms of morale and career stagnation, as well as innovative strategies that can be applied to ease the effect of cuts, such as job sharing and early retirement.

4) Revenue Enhancement

This chapter explores particular methods for generating alternative or additional revenue streams, through such means as fee structures, confiscation, and grantsmanship, as an offset against budget reductions.

5) Implications and Summary

This chapter identifies a number of action steps that the probation executive facing scarce resources should undertake and draws on the dominant themes throughout the monograph.

CLASSIFICATION/INFORMATION SYSTEMS

Donald Cochran
Commissioner of Probation
Commonwealth of Massachusetts

Introduction

The last time the field of probation faced widespread fiscal problems was during the late 1970s and early 1980s. Proposition 13 had become law in California, and copycat tax revolt legislation swept the country. With the resource reductions brought on by the introduction of tax cap legislation, the field of probation took a beating. Managers protested, but when funding sources asked, "How many offenders are on probation?", "What programs do you have that make a difference?", and "What is the profile of the people on probation?", most probation managers could not answer those most basic questions.

An example that comes to mind was part of a conversation I had with a newly appointed Chief Probation Officer in the early 1980s. The probation department in question was facing tough fiscal times and the CPO testified before his funding source that each line officer had 150 cases. He had no way of differentiating the cases, and his department simply couldn't get the work done properly. The funding source said it did not have any extra money. In addition, since, by the CPO's own admission, his staff couldn't supervise 150 offenders adequately, why not cut back further and change the base line of supervision to 175 cases per officer?

Along with the above CPO, most probation managers have come to realize that access to reliable, effective, and timely information has become the lifeblood of their organization as fiscal, personnel, and other operational resources have gotten tighter. For a probation agency dealing with reduction of resources, the information gathered through an offender classification system becomes a critical measure of the agency's overall health and viability.

A major question for today's probation manager is: How do I get a grip on what is going on day-to-day in the agency without being buried in the minutiae? The offender classification system gets to the core functions of a probation agency. It is the best measure and/or the best tool to determine whether the fiscal and human resources of the organization are being properly used to reduce law-violating behavior by the offender in the community.

As probation agencies deal with the present-day challenges of changing probation philosophies, the loss of fiscal resources, and an increasingly volatile political environment, human intelligence is needed more than ever before. Classification systems become essential and powerful tools in guiding managers toward intelligent decisions.

Although more than 30 states are caught in the double bind of dealing with both budget deficits and overcrowded prisons, not all probation agencies are dealing with the same types of challenges and problems associated with cutback management. Therefore, it is important

to give some general background regarding the establishment of probation offender classification/information systems during the past decade.

Risk Prediction

By the early to mid-1980s, most probation agencies came to grips with the fact that any decision made with respect to future events, behaviors, or activities of offenders is a predictive one. It became apparent that, with the goal of “promoting law-abiding behavior by the offender while in the community,” policymakers in probation required more reliable predictive procedures in order to maximize the utilization of resources by probation agencies in supervising offender behavior.

In the past, prediction about offenders had always been implicit in the decisions made by probation officers, but rarely has this fact been explicitly acknowledged. But the 1980s became a period in which the ubiquity of prediction in a number of criminal justice arenas (i.e., sentencing, bail review) was becoming more specific and subject to evaluation. It was only natural that probation decisions and resource allocation be subject to the same scrutiny and clarity. There was general recognition that decisionmaking guidelines were needed. Of central importance in implementing and evaluating these guidelines was that they be visible, rational, equitable, and effective.

At this time, most probation agencies opted to introduce or improve on a risk/need classification system in an effort to establish a reliable decisionmaking tool that would be fair and equitable and would also measure the outcome of the offender supervision process. These risk/need systems led to the most ambitious record-keeping initiatives ever undertaken by most probation agencies. Indeed, the risk/need system is predicated on the systematic and careful collection and analysis of specific offender information by probation officers.

This practice of offender classification has allowed for the development of offender population profiles, differentiated recidivism rates, and more effective allocation of probation resources. In addition to aiding managers in developing demographic profiles of the offender population, the need characteristics are used by probation officers and managers to evaluate the potential service and/or treatment needs of probationers. Risk characteristics are used by probation officers and managers to evaluate the risk of recidivism and the supervision level required by offenders. These risk/need systems vary slightly from one jurisdiction to another, but in general collect the following information.

Offender Demographic Characteristics

Gender of Offender

Age of Offender

Need/Strength Characteristics

Education

Employment

Marital/Family

Social

Alcohol

Other Drugs

Counseling

Financial Management

Motivation/Ability

Risk Characteristics

- Prior Record
- Prior Periods of Probation Supervision
- Prior Periods of Incarceration
- Age at First Offense
- Family Structure
- Number of Residence Changes in Last 12 Months
- Employment (Adults)/Education (Juveniles) History
- Substance Abuse
- Attitude of Offender

Changing Population

The importance of a reliable offender classification system cannot be overestimated. Because of the panic around crime and corrections, many of today's probation programs and policies are being established based on expectations driven by the latest media headline. Rarely is the agency's capacity to implement new programs or adjust to new policies even raised as a consideration.

With the expanded use of mandatory sentences and the resulting prison overcrowding, probation is dealing with a different and more troubled population than at the start of the 1980s. An example of the changing offender population is illustrated in the following chart, which describes the type of adult offender cases placed under risk/need supervision in Massachusetts.

ADULTS UNDER RISK/NEED SUPERVISION - CRIME TYPE BY YEAR				
	AGAINST PERSON	AGAINST PROPERTY	DRUGS	OTHER
1980	16%	24%	8%	52%
1981	15	26	9	50
1984	21	35	15	29
1987/1988	26	33	25	16
1989	26	31	26	17
1990	28	31	24	17

Despite the changes found in the offender population and all the resource problems found in probation today, the groundwork laid during the past decade in the area of offender classification leaves today's probation agencies generally in a stronger position than they were in ten years ago. Probation agencies are now able, more than any other time in history, to cope with political, financial, and philosophical change, as well as with challenges brought on by organizational resource cutbacks.

Workload Management

Consistent with a probation policy of promoting law-abiding behavior through risk control and risk reduction, good supervision must be maintained without placing unfair and unrealistic expectations on the probation staff. The first practical application of this is when probation agencies differentiate the offenders by risk levels. Managers can use the risk/need system to balance the assignment of supervision cases to probation officers based on general time requirements.

Probation departments without a reliable classification system will probably have an imbalance in the assignment of probation officer workload. This is inherently unfair to both line officers and offenders. In addition, there will be considerable role confusion, resulting in substantial stress among probation workers. For instance, an officer working with a lack of resources ends up being rewarded for successfully working with a dangerous offender by being assigned more dangerous offenders. Experience has also taught us that if the caseload size is too large and the workload is out of balance, the line probation officer becomes frustrated and ends up spinning his/her wheels in the process of supervising the offender.

For those agencies lacking at least minimal levels of automation, probation officers will be additionally frustrated by an overflow of paperwork. Ultimately, this has further negative impact upon the attitude and behavior of the probation officers toward their work. The excess paperwork eventually brings the probation officers to the point where they quit or resign themselves to superficial involvement, which keeps paper moving but does nothing to protect the community or resolve the offender's problems.

Case classification systems carry specific implications for cutback management. If a probation agency has been evaluating the reliability of its offender classification system, it should be in a position to identify those offender groups that pose reduced risk to the community. For instance, it is clearly established that a person's prior criminal record, prior periods of probation supervision and/or incarceration, substance abuse, and employment history are generally the best predictors of recidivism. Persons who do not have prior problems in the above areas are going to be classified at a minimum supervision level. The probability of these offenders recidivating is low. Therefore, these offenders could go unsupervised until they demonstrate a future problem.

In those cases where an offender has been classified as moderate or high risk and the offender fulfills the conditions of probation for six months to a year, the level of supervision could be dropped one level automatically. Resources can be saved by improving life survival

skills for offenders by making use of groups aimed at educating offenders about drugs, AIDS, job search skills, violence prevention, and violence reduction.

Student interns and other volunteers can be used to monitor low-risk offenders. Support staff can be used to monitor all financial penalty cases. In addition, pressure can be alleviated by making community service and/or restitution the only standard condition of probation for minimum risk cases. Active supervision of these minimum cases could be terminated when the community service and/or restitution obligation is completed.

In those agencies that allocate a significant number of probation personnel to m-e-sentence investigations, the investigation format could focus on and be limited to the categories of prior record, prior probation, prior incarceration, substance abuse, and employment history. Investigation beyond these categories should be done only when requested by the judge. Pre-sentence reports could be eliminated in cases where the court accepts a plea bargain and/or in reduced charge cases, unless specifically required by law. The above strategies are not only effective practices and consistent with risk control and risk reduction, but they will save resources and prove to be fairer and more effective ways of assigning workload to probation officers.

From a management/administrator point of view, the classification system is an invaluable tool during a period of resource cutbacks. During good times and bad times, a probation manager is expected to be a negotiator, disturbance handler, resource allocator, monitor, disseminator of information, organizational figurehead, leader, and spokesperson. During the best of times, the role of the manager is tough to fulfill; during bad times, it is nearly impossible.

Managing a complex system that requires policies and programs aimed at changing the behavior patterns of a large number of sometimes unmotivated offenders is a difficult assignment. Despite the belief that a public agency can be managed the same as a private sector business, promoting law-abiding behavior by offenders is considerably more complex than making a product that eliminates “ring around the collar” or moving “widgets” through a manufacturing plant. The stress of managing during a period of resource reduction is enormous. A viable, measurable, fair, and equitable system of offender classification is an invaluable tool for a manager in a probation agency.

Information Management

Because of the multiple roles a probation manager must play, reliable and timely information is an essential resource. With a changing political climate, fiscal resource reductions, and shifting philosophies of probation, the public still maintains an unrealistic expectation that community sanctions should deliver absolute safety. It is important for the manager of a probation agency to recognize and be able to deal with the fact that no predictive system is “fail safe.” Nevertheless, a probation manager must use the information available to him/her in order to maximize public safety by differentially allocating probation resources to offenders based on the level of risk of recidivating. There is just no substitute for a reliable management information system.

One of the major mistakes many probation agencies make during tight fiscal times is reducing or eliminating research. In fact, the information generated by agency-specific research becomes even more important during tight fiscal times. For instance, it is critical to know what types of supervision interventions are beating the averages in reducing recidivism. In addition, a reliable and effective risk/need system allows the probation manager to deal with the public on a rational level by pointing out the demands being placed on the probation agency by offenders for services.

The other equally important, but often ignored, side of the information puzzle is the need to identify the availability or shortage of resources needed to enhance the promotion of law-abiding behavior by offenders. Agencies also need to maintain and, in some cases, expand training programs during a period of resource cutbacks. As we expect more from staff during these lean times, staff development programs need to be expanded, not reduced.

In addition, probation managers must develop the required knowledge and skill to manage information in such a way as to demonstrate not only the demands being placed on the probation agency, but, in some cases, to create acceptance of the need for an increase in some resources. In other words, we need to put into operation a philosophy of “supply side probation.”

Management Leadership

During this period of resource cutbacks, it is important that management determine an agency’s critical success factors. Attention must be paid to the limited number of areas in which results, if they are satisfactory, will lead to successful agency performance. The necessary/critical functions in the agency need to be measured on a constant basis, and the results of the performance measures need to be made available to both line workers and management. It is important that, during a cutback period, management work with all parties within and outside the agency to develop a realistic vision of how reliable, responsive, quality service can be delivered in an accountable, cost-effective manner. Whatever is determined to be the organizational vision, all of the people within the organization need to support the vision. Strategies also need to be developed in order to support the vision and create a sense of balance between the probation agency’s capacity to meet its critical goals and the public’s expectation of the agency.

Another reality management must deal with during cutbacks is that win-win alliances, both within and outside of the agency, must be developed and nurtured. Managers need to avoid the temptation of withdrawing into traditional bureaucratic strategies of isolation, low trust, and controlled communications that result in creating a destructive win-lose environment. Strategies geared toward effective networking are crucial because all correctional and human service agencies are dealing with the dilemma of high public expectations and organizationally low resource capacity. It is essential that all of the parties involved in dealing with offenders use their limited resources in the most cost-effective and accountable manner possible. Offender classification is the best way to determine how probation can most effectively deal with an individual offender.

At the same time, inexpensive micro-computers can and should be used to ensure that management is bringing about the best planning, oversight, evaluation, and levels of accountability. With the lack of resources available to probation today, a basic management information system is one of the most fundamental and important tools needed by probation managers.

Role of Information Technology

Lacking access to reliable information, probation managers typically have been limited to supporting existing administrative and philosophical policies without knowing if the policies and practices of their organization are effective. With the availability of a variety of emerging information technologies, probation has the potential of allowing managers to serve their increasing clientele more effectively.

The term information technology (IT) refers to those computer software, hardware, and telecommunication developments that are transforming our ability to manage, analyze, and disseminate information. In the area of software, these developments include decision support systems (DSS) that allow the agency to computerize routine repetitive activities. The system could be programmed to let line staff and managers know when something out of the ordinary is occurring in the agency's routine work. The DSS can be used to issue automatic dunning letters when restitution, probation fees, or other financial obligations are overdue. They can be set up to monitor the standard conditions of probation, especially for low-risk cases. By adding voice mail software, an agency could have low-risk offenders call into the office and answer pre-recorded questions relating to arrest, employment, and residential status. In other words, DSS can be used for the routine low-risk, low-skill functions normally carried out by a probation officer or clerical worker.

The more familiar management information systems (MIS) can be set up to allow managers access to all of the organization's data bases. An effectively designed MIS is a man of all of the major activities of the organization and relies heavily on human decisionmaking processes. Software can be used to format the data through graphs, charts, and various types of comparative and summary reports, thus allowing the manager to effectively and efficiently scan the activities of the agency. In other words, MIS can help to maximize the power of human decisionmaking without burying the manager in organizational minutiae.

The area of hardware and telecommunications developments can include cellular telephones, electronic monitoring, powerful low-cost powerful microcomputers, improved graphics hardware, greater mass storage capacity, and greatly enhanced output and printing capabilities. The creative and effective application of information technologies to probation management and policymaking will become the new measure of organizational excellence in probation.

With the pressures created through resource cutbacks, intelligent, effective, and efficient use of information technology will be a key ingredient in the dynamic process of balancing policy expectations and organizational capacity building in probation. The strategic goals of information technology are consistent with a good alternative sanctions program, namely, to

move from experience-based guesswork toward better service and individual case outcomes through increased reliance on user-friendly computer systems, workload accounting, and research-validated offender classification systems.

The structure of the organization will be enhanced along with the operational management process by improved managerial planning, oversight, evaluation, and accountability. One of the major reasons that probation has been subject to every harebrained idea imaginable, always under the guise of innovation, is that many probation agency managers have not advanced along the path of using computer technology applications. Because public agencies such as probation are facing a decade of continually shrinking resources and increased public expectation of community safety, we can no longer afford either deliberate or accidental ignorance in probation. The practice of developing policy and programs based on anecdotes rather than information and knowledge must be relegated to the past.

Probation agencies need to be structured in such a way that they routinely make use of computerized criminal offender records that are complete, timely, and accurate. On-line risk information is essential to avoid the ever-present danger of using probation as a net-widening program instead of a risk management program. Organizations need computerized workload staffing systems to ensure that limited personnel resources in the organization are being used in such a way that all of the organization's activities complement one another.

The policy-to-practice problems in probation are at a macro level, but we need to use management information and decision support systems to ensure that we develop practices and solve problems on a micro level -- one jurisdiction, one problem, one program, one officer, and one offender at a time.

Information as a Strategic Resource

Probation managers wrestling with cutbacks would do well to heed the words of Peter Drucker, who points out that effective people and organizations are not problem-minded; they are opportunity-minded. Whether a probation department is dealing with cutbacks or not, all probation agencies are involved in responding to enormous social changes within our society. As the nation's population changes, as we become more diverse, and as offenders become older, probation agencies must adapt with confidence and continuity.

The opportunity-minded probation manager is able to make strategic use of management information systems and decision support systems that change the whole process of individual and organizational accountability.

Combined with good communication systems, information technology will widen the manager's span of control: flattening organizational hierarchies by making information more readily available to all levels of the organization, reducing delays in implementing new programs, and helping to reduce cost, while still retaining managerial oversight and control. Managers will be clued in to key indicators and exception reports measuring what is actually going on in the agency at both a quality and quantity level.

Key indicators and exception reports help focus everyone's attention on the desired organizational practices by encouraging more frequent and accurate review of the actual effects of various probation supervision strategies. Information technology makes it possible to introduce more sophisticated operational research methodologies, such as survival analysis. Within a very short period of time, probation managers will be able to know whether a new program and/or practice is attaining the outcome desired. Probation managers will be able to review older programs to determine whether they are still appropriate for the organization to be using. Managers should not lose sight of the fact that reduction in resources offers a great opportunity to dump "white elephant" policies and programs.

Over a short period, with the structural development of on-line data bases, probation researchers using tools such as survival analysis will be able to evaluate the organization's success at accomplishing its "critical success goals" and make the monitored program outcome results available to managers through automated executive support systems. This structural emphasis on measurable outcome -- the public sector's version of the bottom line -- will allow for real innovation (not the usual fads) and experimentation about how even more effective outcomes can be achieved through improved practices. This can be accomplished despite reduced resources.

The distribution of timely, accurate, and meaningful information to those front-line workers who are in the middle of the action will increase the organization's flexibility to respond to crisis situations in a timely and intelligent manner. Information technology can be used to enrich the job of probation officers by effectively matching up the knowledge and skills of long-term officers with offender risk and needs, as well as by identifying the knowledge and skills new officers need to bring to the job today.

By making expanded and improved information and knowledge available to front-line workers, the weakest of them will be less threatened by changes brought about through evolving sanctions strategies; the best of them will translate the knowledge into improved offender and organizational outcomes. All will feel more in control of their work environment.

Information is a strategic organizational resource. Unlike every other resource, information does not get used up. The opposite is actually true; the more you use information, the more it is enriched and augmented. This is a crucial point for today's probation manager. Accurate, timely, and meaningful information has the potential of putting probation managers in a position of power they have never before experienced. As long as the battles continue over the use of limited resources, probation managers will have to be able to use information intelligently as they argue for their personnel, programs, and budgets.

Probation managers will need the ability to use information to accurately determine what work needs to be done, the outcomes the agency will produce if resources are added, or likely program outcomes and organizational practices if resources continue to be reduced.

Probation agencies historically have lacked political clout because, among other reasons, their budgets generally lack capital outlay requirements, they lack computer information systems, and they work with clientele about whom not many care. Therefore, the agencies generally lacked any kind of power base when it came to budget negotiations.

There is no question that, as long as jails and prisons remain overcrowded and expensive to build and operate, those probation agencies that develop reliable information systems will become essential participants in solving criminal justice problems. Information- and knowledge-driven probation programs can and will be funded. This will happen regardless of whether jails and prisons continue to be overcrowded. Preliminary results of extensive research in California, South Carolina, New Jersey, Georgia, and Massachusetts probation are showing that when probation programs contain a balance between risk control and risk reduction, they prove to be more effective. Past public perception problems encountered by probation agencies can be addressed by a balanced risk management program through more flexible and effective use of limited resources. The cost savings, humaneness, and success of probation programs that prove to be effective will make them politically palatable and structurally sound.

Despite the reality of reduced resources and the public's present mistrust of government, probation agencies that make effective use of offender classification systems, management information systems, information technology, decision support systems, and executive support systems will be able to develop programs and practices that improve relationships between the agency and the general public. Present attitudes notwithstanding, people want to believe in and support effective governmental agencies. By developing practices that are information driven, structurally sound, employee sensitive and politically palatable, probation agencies will be able to strengthen their ability to represent the best interests of all parties involved.

EXTERNAL RELATIONS

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Starting with Reality

Midway through the 1980s, members of a large probation department -- assigned to develop a new mission statement -- were debating the direction their department should take. Some advocated traditional concepts of rehabilitation and service to clients. Others called for sanctions and community protection. A few seemed to want probation to convert to police work as soon as it could.

The arguments went on and on and seemed headed toward no clear conclusion. Finally, when tempers were short and voices loud, one member of the group asked, in exasperation, how it could be so difficult to decide on the mission of an organization whose purpose they thought they had known and whose work they had done for years. "It just can't be this hard," she said.

"It isn't," another said. "In fact, it's simple. The most basic mission of this organization, like any other, is to survive and prosper."

The group thought this was a joke and laughed. The speaker did not. "Rehabilitation, sanction, protection, service are important things," the speaker said, "but if this department does not survive, none of them will get done. And if we do not prosper when the budget battles begin, these tasks will get done, if at all, in shoddy fashion. The primary focus of this group must be to develop a mission statement that assures that our organization will survive and prosper."

"A typical, narrow, bureaucratic, self-serving point of view," one especially idealistic member of the group said.

"Simple, basic reality," the speaker replied. "Let's start with reality before we begin arguing our individual preferences of philosophies and programs."

The group agreed. The mission statement was produced. Survival was assured. Prosperity followed.

Wishes and Hopes

For decades probation practitioners complained that, except perhaps in the court system, their work was not well known and not much valued. They wished that probation had a more positive image in the community and enjoyed more influence and power in the justice system. They discussed ways to "market" probation through increased public information,

and proposed methods to build supportive constituencies. But for one reason or another the complaints, wishes, discussions, and proposals never became action. A program of truly effective external relations -- that's what was wanted -- was never more than just a hope for probation.

First Steps Toward Real External Relations

A dozen years ago probation was on the ropes, fighting for its survival. Some, including many of its own practitioners, were predicting its quick demise. Today, that has been reversed. Probation is not only surviving but -- in many parts of the country -- is faring as well as any agency can in tough fiscal times. How did this happen?

This remarkable reversal happened through the aggressive use of external relations. Probation transformed itself from the shy and introspective junior member of the justice system to the assertive exponent of interagency cooperation and problem solving. This did not happen all at once.

Soon after the initial shock of massive budget cuts, staff reductions, and service curtailments subsided, probation administrators began a search for longer term strategies to manage in the cutback climate. Early on, they recognized the need for "external strategies" that could help them stretch scarce resources to cover growing workloads.

The first such strategies were largely reactive. They focused on things like mobilization of community volunteers to help save services, joint interagency identification of cost-cutting opportunities, and dissemination of information to explain probation's function and lobby for its continued funding.

Limited as they were, these first reactive efforts helped move probation through the initial crisis. They held out hope for survival in a climate of defeatism. And they pointed the way toward later proactive forms of external relations.

In the dozen years since the cutback management era began, probation departments everywhere have developed innovative strategies to deal with sinking budgets and soaring workloads. Some, in addition, have developed external relations strategies that have won them greater support and recognition than ever and have moved them to new levels of confidence and accomplishment.

The Positive Side of Cutback Management

Cutback management, despite its negative sound, can and should be a positive, proactive endeavor. As proven again and again by probation's most successful cutback managers around the country, the fiscal disaster of the late 1970s was a prelude to prosperity for those who knew how to manage it.

We draw a few negative lessons -- what not to do -- from a brief look at probation's past. Mostly, though, positive suggestions are offered -- based on actual experience rather than

abstract theory -- on how to develop and use external relations as an essential element of a cutback management effort.

Believe That External Relations is Essential

Probation managers must believe unquestioningly that effective external relations is essential to the success of their organizations today. By applying all the other techniques described in this monograph, managers can be very confident of assuring the survival of their organizations. But if they ignore external relations, they cannot expect the organization to prosper. Remember, survival is not enough. Organizational prosperity has to be the goal of every manager in a cutback climate.

Know What External Relations Means

For probation managers, external relations used to mean information sharing supplemented by occasional speeches, public appearances, and ceremonial meetings. That's not enough any more.

As developed by successful cutback managers, external relations today means proactive, high-performance involvement and interdependence between probation and all its publics and peer agencies to: (1) define a sense of mission that is relevant to community expectations; (2) create a clear and compelling organizational identity and public image; and (3) implement crime control strategies and programs beneficial to all.

This definition packs a lot of meaning into a few words and obviously needs some explaining. The rest of the discussion is basically an extended explanation of this one preceding paragraph. At this point, though, it's important only to note the definition's stress on action, involvement, interdependence, and outreach and to understand that this concept of external relations means a major departure from some aspects of probation's past.

Learn From the Past

Throughout most of its history, probation did not need and therefore did not use external relations. The community and the courts believed in rehabilitation and they valued probation as the newest, most humane and enlightened form of corrections. Funding was always comfortable, if never as generous as probation practitioners thought it should be.

With its organizational prosperity assured at modest levels, probation enjoyed a comfortable, largely uninvolved existence as a quasi-member of the justice system: never quite at home in the company of judges, attorneys, and police; always ready to accept, without effective challenge, a position of "low agency on the totem pole."

Probation made little effort at outreach. It was decidedly selective in choosing the publics and peer agencies with which it would be proactively involved. Probation's heaviest involvement was with its clients and those agencies in the community most supportive of

client interests and needs. By practice, if not by policy, probation was essentially a client-centered organization. It had little real involvement with its other publics (e.g., victim advocates, concerned citizens) and even less involvement -- except as legal mandate dictated -- with peer agencies such as the courts, the district attorney, and sheriff. Some probation practitioners even developed attitudes that verged on adversarial toward such publics and peer agencies which, as it would soon become clear, were also adverse to probation's own interests.

By the early 1970s, probation's validity was coming under challenge from these very publics and peer agencies. By the middle of the decade, funding began to be cut from probation and diverted to other parts of the justice system. By 1980, probation's survival was in serious question. All this was the price, it can now be argued, for ignoring external relations.

Based on the recent, highly favorable funding experience of probation departments that have developed a real proficiency in external relations, it is clear that effective external relations would have helped mitigate the severity of the 1970s budget crisis for probation. It would have softened the crushing blow to probation's self-esteem caused by the wiping out of services, long thought to be valued, without any significant community outcry. At a minimum, external relations back then would have alerted probation that it was losing touch with the expectations of its publics and peer agencies and was failing to provide the kind of services and products they wanted. For want of external relations, probation had no intelligence capability to assess constituents' expectations. In fact, when the budget ax fell, probation had no constituency to rely on for support.

External Relations Begins with Internal Credibility

When embarking on a program of external relations, a probation department is tempted to rush outside and try to get involved with all the publics and peer agencies it can find. This will occur, but first several important things need to happen inside to ensure that probation will have credibility with its publics and peer agencies when it goes outside with its external relations effort.

- A Confident Sense of Worth. Nobody else will believe in us if we do not believe in ourselves. Any lingering perception among its practitioners that probation is still the low agency on the justice system totem pole has to change. If the cutback era has taught anything, it is probation's value to the justice system. Probation is central to everything in the system and holds the key to solving -- or at least alleviating -- the system's many problems. Probation is now so essential to the functioning of the whole justice system and each of its parts that it has become the coequal and indispensable partner of all. Probation practitioners need to know this and act with a commensurate sense of worth.
- A Clear Sense of Mission. Probation practitioners must know and believe that their mission is to protect the community. They must communicate this sense of mission everywhere. It seems a truism to say this. But probation has not always communicated its mission clearly. It needs to tell its publics and peer agencies that its role is to remove from the community the criminality of those it supervises. Probation will first try to do

this by motivating probationers to abandon their criminal behavior. But if probationers can't or won't do so, then probation will work to remove them from the community. Either way, probation will have accomplished its mission of community protection with equal success.

- A Correct Sense of Position and Purpose. Depending on the mood of the times, probation has swung like a pendulum between social work and criminal justice, never quite making up its mind where it belongs and what it should be doing. Probation needs to place itself squarely in the context of criminal justice. It really has no other choice because, by definition, probation is a form of criminal sanction. Criminal sanctions can take many forms -- from an intervention as benign as counseling to a punishment as stem as incarceration. It can have many goals -- ranging from rehabilitation to incapacitation -- but whatever the form and the goal, criminal sanction is a coercive intervention intended to enforce compliance with the law and, in the case of probationers, the orders of the court. This is where probation stands and what it is all about.
- A Pragmatic Sense of Service and Product. Change seems to come hard to probation. Once past the progressiveness of its beginnings, probation somehow slipped into a kind of institutionalized traditionalism that made it difficult for practitioners to let go of old ways. Certainly this happened in the case of probation's holding on to the rehabilitation orientation long after it had fallen into disrepute both in the community and in the justice system. For external credibility, probation needs the ability to change easily and quickly in response to community and system needs. It has to be willing to discard what is no longer useful and create new programs as they are needed. (Paradoxically, probation never seems to have any difficulty creating innovative new programs virtually on demand. Having once created them, though, it seems hard pressed to set them aside when their usefulness is passed.)

In a cutback management climate, the ability to make difficult, pragmatic decisions to modify or even eliminate long-cherished programs is essential for the effective manager. Equally essential is the ability to communicate the need for such changes to staff who have difficulty understanding the changes.

When these things are done on the inside, a department will be just about ready to take its external relations effort outside. Only a few more things need to be done.

Needs Assessment

In a cutback era, probation has gained most when it has given most. Quick and appropriate response to community and justice system needs has proven to be probation's best external relations strategy. Problems that need probation's response are easy to spot. A needs assessment can be done quickly and easily just by looking around the community and justice system and identifying the most obvious problems. In the community, there will be problems of crime in the schools, absence of juvenile prevention programs, and lack of community coordination skills. In the justice system, there will be problems of jail overcrowding and

court backlog. An external relations strategy must include a needs assessment component that assures probation is aware of community and justice system problems.

Awareness by itself is not enough, however. It must be followed by two things: (1) a willingness to cooperate with the community and the justice system to work toward solutions, and (2) a clear and firm offer to do so, resources permitting. Nothing gains probation greater acceptance and credibility than this.

The Mission Statement

Just before initiating proactive, high-performance involvement with all its publics and peer groups, probation needs to equip itself with a clear, concise mission statement that: (1) projects its current sense of itself and its mission, and (2) acknowledges the expectations held by the publics and peer groups for probation.

A mission statement does not say everything about probation, nor catalog everything it does. Rather it captures, in as few words as possible, the essence of what is unique to probation. Every department should develop its own mission statement, with input from staff at all levels. "Canned" mission statements should never be borrowed from elsewhere and imposed on staff. Involvement of staff in the development effort is essential if they are to buy into the statement and use it effectively in the department's external relations effort.

Move On In

With internal credibility established, needs assessment accomplished, and mission statement in hand, the probation manager is ready to move into proactive, high-performance involvement with all of probation's publics and peer agencies with confidence, a sense of coequality with other players on the scene, and the knowledge that probation holds the solutions to many -- maybe most -- of the problems facing the community and the justice system today.

On the organizational level, the probation manager needs to meet with political leaders, community leaders, judges, and the heads of all major justice system agencies to: (1) explain probation's mission and plans, (2) elicit concerns and needs, and (3) pledge cooperation and involvement with the peer agencies.

On the organizational level, the probation manager should join at least the most important community and justice system committees and become a highly active participant. It is absolutely essential that the manager belong to the local criminal justice coordinating committee if the jurisdiction has one. The benefits of this kind of committee cannot be overestimated.

In many jurisdictions, such committees are formed to address problems of crime, gang violence, court congestion, and jail and juvenile facility overcrowding. The problems and possible solutions are complex and cut across departmental lines. The committee is usually a top-level, multi-jurisdictional advisory body formed to improve the justice system through

greater cooperation and coordination. Membership includes heads of all local criminal justice agencies, judges, and chiefs of police, along with school officials, elected county and city officials, and local heads of federal agencies. The chairperson of the jurisdiction's Board of Supervisors or another important political leader is usually committee chair.

The committee benefits the system by providing a forum for discussing issues and sharing information, fostering cooperative efforts toward solution of mutual problems, and increasing mutual respect and cooperation at policymaking levels through personal contact. Systemwide strategies are developed and implemented faster and more effectively because they are a result of mutually agreed upon departmental decisions. This leads to the committee, rather than the probation department alone, seeking funding for probation programs. If no such committee exists in a jurisdiction, the probation manager should work with other justice system heads to start one as quickly as possible.

Actions Speak Louder Than Words

For external relations, the rubber hits the road when **talking** about high-performance involvement stops and **action** begins in the form of new probation services and programs. Probation has prospered most where it has provided programs that help its publics and Deer agencies cope with their problems. Without a "product line" of innovative and effective programs, probation's external relations effort will just be a lot of empty talk. Some "product line" programs are highlighted here to give an idea of what can be done.

Programs

Some of the most innovative and effective programs in operation around the country follow:

- Accelerated Court Report Preparation. To help alleviate both court backlogs and jail overcrowding, probation has accelerated its preparation of presentencing reports, cutting the time between adjudication and sentencing by as much as half in some jurisdictions. The cost of additional staff to accomplish this has been offset by custody savings.
- Adult Work Service. Work service programs for adults offer an alternative to incarceration, particularly for misdemeanants who need or deserve a heavier sanction such as jail but cannot be incarcerated because of overcrowding. Probationers in such programs do manual labor daily at public projects under probation's supervision. In many jurisdictions with overcrowded jails, the sheriff has no sanction at all to impose on large numbers of criminals who previously would have gone to jail.
- Citizen Advisory Committees. Creating an advisory group to probation of high-profile citizen activists, defense and prosecution attorneys, law enforcement officials, academics, business leaders, and others can foster support, if not funding sources, for new programs.
- Community Reclamation Project. One jurisdiction, with grant funding, developed and demonstrated a comprehensive strategy to reclaim communities from gang control. Administered by the local probation department, the project was a joint developmental

effort with the local police, sheriff, and district attorney. Project goals were to help a selected community raise citizen interest and develop methods to deal effectively with its problems on a long-term basis. The final goal of the project was to design a plan of community action, based on the experience gathered, that could be replicated in other communities.

- Day Reporting Centers. Some jurisdictions are examining this new intensive supervision approach. The day reporting center concept requires probationers to make multiple contacts each day with their probation officers, who are stationed at easily accessible locations in the community. This intensive approach can be used in lieu of incarceration for appropriate probationers, alleviating jail overcrowding in the process.
- Early Arraignment. In jurisdictions that permit the use of “pre-plea” sentencing reports, the entire criminal court process is being substantially expedited through probation’s agreement to begin presentencing report preparation at arraignment.
- Electronic Surveillance. As an adjunct to intensive supervision and other special programs, electronic house arrest is one of the most effective ways to maintain control of offenders while alleviating prison and jail overcrowding.
- Gang Alternatives and Prevention. Programs that focus on reducing the incidence of drug and gang involvement for marginally involved elementary and junior high school students are especially well-received. Such programs stress early intervention, education, and intensive supervision. They feature substantial interaction with schools, families, and local agencies and help develop needed community programs, including parenting classes. Probation officers work with youth, their families, and the schools. They also network with community groups engaged in gang and drug prevention efforts.
- Gang Tracking Cooperation. Computerized information on known gang members is exchanged among police, sheriffs, and probation departments for rapid identification of gang members and review of their court status, including conditions of probation.
- Intensive Surveillance Program. This has been an element of probation for a long time, but its latest form is very different from what it used to be. “Intrusive supervision” might be a better term to describe the kind of close, near-constant surveillance of probationer activities that jurisdictions around the country are establishing to keep those under supervision crime-free and in compliance with the conditions of their release.
- Narcotics and Drug Deterrence Programs. Probation has already developed testing programs to detect and deter drug use among probationers. These programs have made it possible for thousands of drug-abusing offenders to be supervised effectively in the community instead of in jail. Now probation is assessing the need to focus even more attention on alternative sanctions for drug abusers, including development of local residential drug deterrence and treatment centers, which can afford large-scale jail crowding relief.

- Prevention. The best form of crime control is prevention. So, even while probation has been toughening its stance toward adult offenders, it has been emphasizing early intervention and deterrence for predelinquent youngsters, especially the “wannabe’s” attracted to gang activity at an early age.
- Probation/Police Cooperative Action. In this kind of program, probation officers work closely with local law enforcement, sharing information about offenders under supervision in the community. Police are advised of the probation conditions imposed on all probationers on their beat. In effect, these probationers are under the surveillance of two agencies, and both patrol officers and probation officers enforce the courts’ orders. At the first sign of violation, quick, joint action is taken to get recidivists off the streets and into jail. This kind of no-nonsense program may initially add to jail populations as it returns violators to custody. In the long run, though, the program is a deterrent for offenders because of the intensive, near-constant scrutiny by both the police and probation or parole officers.
- Probation/Prosecution Cooperative Action. Probation departments and local prosecutors are beginning to work more closely together to get dangerous offenders immediately into prison if they violate the law again. Instead of going through long court hearings and trials, prosecutors and probation officers are cooperating to have felons who violate their probation sent immediately to prison for the violation instead of being prosecuted again. This program gets repeat offenders out of the community fast and alleviates crowding in local jails by expediting their commitment to state prison.
- Probationer Violation and Restitution Residential Centers. Offenders who violate probation conditions and serve time in custody add significantly to crowding. Probation can reduce this added burden on local jails by creating residential centers -- operated entirely by probation, or contracted for with the private sector -- to house these violators. Centers can also house probationers who are sentenced to pay restitution and are working to meet that obligation.
- Regimented Inmate Diversion Program (Boot Camp). The Los Angeles County boot camp is unique, but offers a model that can benefit many jurisdictions. Its development and operation have required unprecedented close cooperation among the sheriff, the district attorney, and the probation department. It puts the sheriff and probation department into a kind of partnership in sharing responsibility for operation of the boot camp. Most important, the probation department’s participation in the program has been funded -- because of county budget shortfalls -- by the sheriff at a cost to his department of about \$3 million over two years. Probation’s role in selection and aftercare supervision of program participants has made this program very effective.
- Reserve Deputy Probation Officer Program. Several probation departments are starting reserve deputy programs patterned after police or sheriff reserve programs, with the goal of supplementing the work force at no additional cost. Reserve deputies can provide a wide range of services to both juvenile and adult probationers and strong support to probation officers, particularly as departments face cutbacks.

- Resource Sharing. A structured program to make planning, research, training, and similar probation resources available to the community can develop important coalitions with groups such as MADD, domestic violence prevention programs, child abuse councils, and other agencies that can generate support for probation.
- Work Furlough Expansion. This concept, in which employed inmates work their regular jobs by day and return to jail at night, is well established in many jurisdictions. Expansion and modification of this program offer a great opportunity to alleviate jail overcrowding. This is being done through creation of work furlough residential centers for sentenced inmates who do not require the full security of a jail. Such centers can relieve jail authorities of the burden of housing large numbers of productive, low-risk inmates.

Anyone reviewing these programs must be struck by how different they are from the kinds of programs that functioned under probation auspices 10 or 15 years ago. Then, programs tended to be client oriented. Now, they address a range of concerns that include not only the probationer's compliance, but the justice system's functioning and the community's well-being.

Conclusion

What happened during the last decade to account for probation's change of character? The answer is simple. Probation came to terms with reality. It aggressively involved itself with all of its publics and peer agencies. It embraced external relations as the only sure way to gain constituents, support, and funding for itself.

Where probation did this, its budget prospered. It became valued once again by the community and earned the gratitude of the justice system. And it began to be held up to others as a model of involvement and cooperation.

Not long ago the sheriff of a large jurisdiction wrote: "These programs of the probation department reflect the kind of cooperative spirit that must be shared by each and every component of our criminal justice system if we are to succeed in solving the custody crisis."

There is no better testimony than this that probation is learning, and applying well, the art of external relations.

HUMAN RESOURCES MANAGEMENT

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Change -- The Effects on Line Staff

The newly appointed probation officer in 1975 eagerly awaited his first caseload. He'd been educated, trained, and oriented. He was clear on what was expected from him by his agency. He was to supervise 75 adult probationers, assisting them in modifying their behaviors. His probationers had been given a second chance by the court.

As he met his cases, he explained what he expected them to do and what he would do. He'd see them at least twice a month, would visit their homes, check with their employers, and insist upon compliance with all conditions of their probation. The probation officer had no apprehensions about visiting neighborhoods. He felt secure in his agency, which was steadily growing, and was satisfied with his chosen career. He'd always enjoyed working with people and had a talent for easily developing a rapport with a wide range of individuals.

The probation officer also had a vision of his future. If he worked hard and was dedicated, he would be rewarded with greater responsibility and opportunities for advancement. Someday he'd like to be an administrator. Why not!

When he was asked about his work by friends and relatives, he briefly explained his role with pride, evoking responses of admiration. He became accustomed to statements such as, "My, that must be interesting work," or "You must have a lot of patience to work with those people."

All was well for the new probation officer. In a few short years, he was a seasoned veteran helping new staff to see that probation services were important, vital, helpful, and effective. They, too, would have the same opportunities and satisfaction in their profession that he had experienced.

In the 1990s, all this has changed. In this era of cutbacks, as many probation agencies shrink, workloads grow, cases become more serious, and community resources dry up, the role, attitude, and satisfaction level of line staff have been profoundly affected. Probation executives and administrators need to recognize these impacts of change on line staff and how the role of probation has changed. They must address the needs of staff early and effectively or they will surely experience organizational erosion.

The role of probation is changing, our future is murky and sometimes in doubt, and we seemingly have few advocates. Getting through this era of evolutionary change and preparing for the next decade will test the mettle of the most skilled managers. Executives are preoccupied with budget cuts; fending off outside detractors; and coping with changing mandates, rising costs, a technological revolution, and a growing need for interdisciplinary

collaboration. It is easy to overlook the extraordinary need to apply sound personnel management techniques and practices in these times when they are needed most.

The line-level probation officer of the 1990s is less certain of his or her role. Caseloads have reached unmanageable proportions and consist of more complex, more serious, and less hopeful offenders. Officers feel that the agency is asking them to do more and more with less and less. They sense that their efforts to rehabilitate are less valued and that they are expected to mainly enforce court orders, monitor cases, collect monies owed, and “push the paperwork.”

They see few opportunities for promotion because their agency is not growing. Budget cuts, threats of cuts, hiring freezes, and loss of support and resource services seem chronic. They have seen cuts in probation for several years that are disproportionate to funding for law enforcement, the courts, jails, and prisons. The community vision of probation is undeserved leniency. Researchers and scholars report that probation does not work and question even the expenditure of limited tax dollars for an ineffective service. Communities have become dangerous to the point that visits to probationers’ homes may necessitate wearing body armor. Many probation officers are armed for their own safety or, if not, they wish they were. The role a probation officer occupies in the justice system is unclear and markedly different from what it was a few years ago. Experienced officers cling to the old values, but find little support from above.

It should come as no surprise that probation officers feel ambivalent in their role and devalued by their communities, legislative bodies, and their administrators. Conversations among staff tend toward topics of budget cuts, job security, safety, and retirement rather than the excitement and challenge of new techniques and programs.

If this describes the situation in your agency, it should be seriously viewed as a warning of an organizational malady that needs immediate and intensive care. Without attention by executives, the malaise will fester and major morale problems will further debilitate the agency’s ability to carry out its mission. Line staff will search in their minds for causes and faults in the system and the agency. Negative views will spread like a wildfire, flamed by apparent inaction by probation leaders. Private conversations will soon become public outcries: “They don’t understand what’s happening on the line.” “They’re in their ivory towers suggesting we just work harder when we’re buried down here.” “They’re rolling over to pressures to abandon the traditional role of probation,” and “They really don’t care, they don’t lead, and they don’t work very hard or we wouldn’t be in this mess.”

The “they” referred to will not be elected bodies who cut budgets. “They” will be the executives and administrators of probation agencies. The first step an administrator must take to avoid debilitating negativism is to recognize the symptoms of cutbacks shown by staff and to understand that negative morale must be seriously addressed early.

Poor Morale -- A Symptom of a Decade of Fiscal Constraint

There are not many “happy campers” in probation agencies these days. A decade of budget cuts, uncertain futures, and unequal treatment have fostered a sense of feeling “unloved,” unappreciated, and devalued. The gloom-and-doom atmosphere is pervasive: “Will we be cut again?” “Vacancies are frozen.” “Will we ever get the tools we need to do the job?” “We cannot simply absorb more and more cases.” Poor morale is the obvious result, but what can the probation executive do?

At first there is a tendency to tighten the belt, economize, trim the fat, and abandon the extras not critical to the mission. Then the executive seeks ways to improve efficiency and productivity by applications of automation, technology, management information systems, and case classification. Managers seek means to increase or create new revenue sources. These strategies are not inappropriate, but they do not address line staff concerns that result in poor morale. Some of these efforts may have the opposite effect if they place additional demands on line staff.

Cutback strategies should not be employed without attention to their effect on line staff. Managers should involve staff in selection and implementation of cutback strategies. As cuts continue annually, over time these strategies along with an implied expectation of doing more with less will fail and morale will plummet. There is a critical point when administrators must face the reality that only less can be done with less. This will entail abandonment of certain services or levels of service once thought immune from cuts. Probation agencies obviously cannot do everything and, in this era, the mission and objectives need to reflect this reality and be tempered by the availability of human resources. This pragmatic admission in non-apologetic terms by probation leaders will go far in offsetting poor morale at the line level.

Morale in an organization is a fragile commodity. It is symptomatic of conditions and changes that occur over time. Organizational pressures on line staff build like a fault line until it gives way and cracks. A morale “quake” may erupt without warning and often as the result of a single incident or concern not worthy alone of the response it evokes. The triggering event is not as important as the long-term situation that preceded it. In the case of probation, the breakdown of morale comes from a combination of frustration, change, loss of pride, and a feeling of being devalued.

When a morale problem surfaces, the classical symptoms will become manifest:

- Line staff feel left out of critical decisionmaking.
- Organizational communication is seen as poor and a cause of problems.
- Administrators are seen as uncaring, aloof, out of touch, and ineffective.
- Organizations are described as “top heavy” by line staff.

Countering poor morale under these circumstances is a complex and challenging endeavor for probation administrators. It requires application of the most effective leadership and management skills one can employ. There are no quick fixes or certain solutions to the problem. The same skills, efforts, and art of sound management that are effective in good times need to be applied in hard times, but with increased vigor, energy, and attention. Charismatic leadership style will not suffice. In this era, effective leaders must be:

- 1) Prepared and capable of being effective change advocates.
- 2) Able to write and effectively communicate changes in mission, goals, and objectives that can be accepted and supported by line staff.
- 3) Able to develop new coalitions and supportive relationships within and outside their agency.
- 4) Able to find and use new sources of revenue and resources beyond their jurisdiction and agency.
- 5) Able to measure effectiveness and respond accordingly.
- 6) Able to permit experimentation and an entrepreneurial environment within the organization, drawing upon the skills and abilities of line staff.
- 7) Able to motivate in ways that encourage, not threaten, and reward, not punish.

Reversing poor morale might come from the application of the following management principles:

- Being action oriented, dealing with problems quickly and cutting through organizational barriers and bureaucratic red tape while not taking careless risks or acting without a plan and involvement of all affected levels of staff.
- Maintaining a closeness to “communities” served by developing linkages with citizens, funding bodies, and other justice agencies that result in support for probation without abandonment of our unique and vital role.
- Having autonomy and being open to new service-delivery methods that create pride, challenges, and entrepreneurial experimentation with which line staff can identify yet do not waste valuable resources or create unreasonable demands.
- Having an employee orientation that recognizes the need for a participative role by those who deliver the services and fosters a sense that the administrator’s role is to support line staff, not control them. This maximizes communications in all directions and endeavors to keep the work satisfying to those performing the tasks.

- Placing a high priority on agency values that are based on sound interpersonal relationship principles and a focus on excellence within the constraints of reduced resources.
- Having clarity of mission, which builds a sense of purpose unique from other agencies and which can be accepted as valid by all staff. It is critical that the mission be stated and interpreted repeatedly at every opportunity and that it be re-examined frequently in a changing environment.
- Maintaining a lean organization by ridding it of unnecessary bureaucratic procedures or levels of checks and balances, flattening organizational structures, and promoting improved communication and delegated decisionmaking.
- Being sensitive to political relationships in the external environment as well as within the organization. In this era, working closely with employee organizations or unions is a necessary element of management.

Personnel Management in Times of Downsizing

The reality of coping with fiscal cutbacks calls for using managerial techniques not practiced or needed in an earlier era of growth and expansion. Some of the buzz words now heard include freeze, demotion, layoff, employee counseling, and early retirement. Administrators must be able to apply new techniques to effectively cope with symptoms of downsizing.

A freeze on hiring to replace staff lost through attrition is seen as a harbinger of impending budget cuts. The moment a freeze is imposed, staff become uneasy. Their attention shifts from day-to-day tasks to job security, doing someone else's tasks, seniority, speculation, and rumor. An information vacuum at this point can be debilitating. The administrator needs to explain, interpret, and prepare for the effects of a freeze in a timely manner. How long will it last? How will the vacancy be covered? By whom? Will the work be equitably absorbed? These questions will be asked and must be answered.

If the freeze leads to loss of positions, a "downsizing plan" is needed and should be shared with affected staff. Will certain service or role expectations be changed, curtailed temporarily, or eliminated? Answers to these critical questions will be sought by staff. Coping with a brief freeze may be tolerable, but long-term or chronic freezes need to be addressed by changing the expectations of remaining staff.

Once a fiscal decision is made that will result in downsizing, an earlier freeze may be welcome if it minimizes or eliminates the need to demote or lay off staff. In most agencies, demotions or layoffs are regulated by seniority. The principle of "last hired, first fired" kicks in and accuracy of seniority status becomes a critical concern.

While this principle may not be avoidable, administrators should consider options that might mitigate the traumatic effects of demotion and layoff. One technique is to offer options for part-time work or job sharing. Not only will a valued employee be retained, but many might

prefer the option of working less than full time. Another option might be offering early retirement. Some jurisdictions and retirement systems allow agencies to purchase additional service years for designated employee classifications. If positions are to be eliminated and retirement can be made more attractive, bumping and layoff might be avoided.

A word of caution is advised. Purchase of retirement service years can be very expensive and, unless the number of positions being eliminated approximates the number of those who will retire, offering early retirement might result in costs necessitating even greater cuts to the operational budget. Careful analysis of costs and projection of potential retirees need to be done before an irreversible decision is made. It is also advisable to have information accessible for staff who may be interested. They'll need to accurately calculate their early retirement income and benefits before making their decision.

The administrator must also recognize and consider the negative side of these strategies. The seniority rule results in bumping and displacing staff from jobs and colleagues they might not want to leave or from convenient work locations. The trickle-down effect from one lost higher-level job could displace several other staff until the least senior employee in a lower-ranking job is laid off. The number of staff affected by the loss of positions is typically far greater than the number of actual layoffs. A negative result of the seniority rule is that those employees actually lost might be the youngest, most energetic, and flexible employees in the agency. They might also be those who were hired in an effort to meet affirmative action goals. If early retirement is used, the agency may lose a cadre of valuable, experienced staff at the same time, which could create an experiential vacuum in the organization. One technique to offset this and ease the changes is to hire back retirees on a limited-term basis.

Few events in life are more traumatic than losing one's job and source of income. Management has a responsibility to handle this with care and compassion. Creative techniques to avoid actual layoff action are always preferred, but, if layoffs must occur, administrators should meet personally with staff who will be laid off to explain rehire regulations and any residual benefits and to assure the employees they are not at fault. Some agencies have assisted laid-off probation officers in securing similar positions in other nearby probation agencies that were hiring. Similar positions might be available in other agencies in the same jurisdiction.

Laid-off employees frequently return to their jobs later as attrition occurs. Agencies should stay in touch and do whatever can be done to get the laid-off employee back on the job. After all, the agency knows this person and invested training and experience in the employee before layoffs occurred. Assure the laid-off person that he or she is valued and is wanted back on the payroll as soon as possible.

Management of downsizing is a new concern for probation administrators, but it is not a phenomenon unique to probation. Corporate downsizing is resulting in a rapidly developing body of knowledge from which we can draw. In the business community, downsizing often results from mergers and can threaten tens of thousands of jobs. Larger school districts have

also faced the realities and effects of downsizing on both the personnel who leave and who remain.

Attention to those who remain after downsizing can be most critical, as they are often expected to be more productive, take on more responsibility, and reap no immediate gain. Symptoms seen among those still employed include depression, anxiety, insomnia, alcoholism, and even violence. These are all symptoms of stress, which, if left unattended, can be very costly to all.

Employees sometimes experience feelings of guilt because their friends and colleagues were let go. They miss their old friends and they fear further layoffs will hit them. Studies by the American Management Association indicate that the result is almost always declining morale and reduced productivity. Activity in employee assistance programs has increased markedly where downsizing has occurred. Workers compensation claims and stress-related illness have been another result of downsizing. All of this emphasizes the need to prepare for decreased productivity and higher agency costs for the survivors. Workers are tired, on edge, and ill.

Counselors advise not to expect increased productivity and suggest that managers need to lessen their expectations of personnel who remain after downsizing. Use of vacation time, physical wellness programs, and assurances of appreciation without unrealistic workloads can all help.

Agency reorganization, restatement of mission, and workload simplification are all necessary ingredients of managing downsizing. Care needs to be taken to reduce the management ranks, not just the line staff. While there are temptations to reduce collateral support services, such as training, it is unwise to do so, as those services will be needed more than they were before.

Use of volunteers, Part-time staff, staff aids, and assistants can help to ease the workload burdens of cutbacks on line staff. In developing a downsizing plan, the administrator needs to emphasize involvement and participation of surviving line staff. One technique is to form a cross-section, broadly represented advisory group that communicates concerns and ideas directly to the top administrator.

Conclusion

Managing under fiscal constraints and dealing with a changing role for probation can become an all-consuming endeavor. As is noted in other chapters of this monograph, attention must be given to case management techniques, generation of revenues, building support outside of the agency, and minimizing further budget cuts. The time and energy consumed by these and other administrative responsibilities may result in overlooking the important role played by line staff. Change and cuts have a profound effect on our most important resource, our personnel. At a time when we are most distracted from human resources management, we must apply extra efforts and sound management principles or face the consequences of poor morale and loss of productivity.

The executive must first realize the changes that have occurred in the work done by probation officers and the perceptions the line staff have of their role, themselves, and their future. A breakdown of morale does not result from a single event, but builds over time and then erupts without warning. Reversing poor morale is slow and difficult, so administrators should act early to minimize the negativism of poor morale. There are no quick or certain techniques to do this, but concern, attention, and techniques that promote pride, clarity of mission, participation, communication, and avoidance of unrealistic expectations all need to be used more proactively in an era of cutbacks.

The executive must also use new and creative management techniques when downsizing occurs, perhaps an unprecedented event in the agency. Managing downsizing calls for empathy and compassion for those displaced or laid off. The value of an experienced and trained work force should not be overlooked when things get hectic.

As we all know, but sometimes overlook, administrators, executives, and managers are support staff to line officers who carry out the programs, services, and policies of the agency. Without them and their skills, energies, and dedication, there will be no future for probation.

REVENUE ENHANCEMENT

Don R. Stiles
Chief Probation Officer
Pima County, Arizona
Adult Probation

The concern was evident in the sheriff's voice, but he was not argumentative or hostile. It was apparent he understood the dilemma faced by the Board of Supervisors. He empathized with the difficulties they encountered -- the decline in revenue and the increased needs in most areas of county government. He comprehended the inadvisability of increasing taxes when the entire county was experiencing economic slowdown. There was no easy fix, and the problem would not go away soon. Having already experienced two years of decline, the fiscal department predicted that next year's situation would be even worse than the current year's.

There were some bright spots in their report: unemployment was down with a slight increase in retail sales and some new activity in the real estate market. These indicators of recovery could easily reverse themselves at any time, so there was no solid hope of immediate relief. The sheriff knew, as did the supervisors, that there is an 18- to 24-month lag between economic recovery and increased tax revenues. If the predictors of recovery were correct and continued in a positive direction, at least one more difficult year was ahead, and perhaps more.

The room was crowded, too warm, and not at all comfortable. Three television cameras were focused on the sheriff. The heat from the lights was felt more by him than the rest of us; yet he appeared calm, collected, and in control. His chair was near the end of the T-shaped arrangement of tables in the hearing room, with the supervisors seated side-by-side along the top of the T. Across from him sat the county manager, and the manager's staff occupied all the other chairs at the table. Every chair in the room was filled, and a number of people hugged the walls and stood in the doorways. The director of security turned away others who wanted to enter. Two reporters scribbled in their notebooks, hoping for the excitement of last year's budget hearings.

It was evident the 11th-floor hearing room was used to limit the number of people who could enter. If the large ground floor meeting room had been used, it would have been filled by those who had reason to attend, and by special-interest group representatives, the usual courthouse loungers, the curious public wanting to see first-hand the actions of their representatives, and by those rabidly opposed to any tax increase. As it was, only small numbers were able to enter the 11th-floor hearing room before security began to turn away the late comers.

The sheriff's eyes moved from the chairman to each of the other supervisors as he spoke. Each listened attentively, as if he spoke only to them. Occasionally he looked at the county manager. He praised the manager for his cooperation, integrity, openness in discussing his

recommendations, and his success in bringing substantial improvements to the management of county business. He did not omit the assistant manager and the other staff at the table as he praised the good working relationship that had developed between the county management staff and the sheriffs department. There was no hint of the animosity that had characterized the budget hearing a year ago.

This was in some ways a replay of the presentation made by the presiding judge less than an hour earlier. There was no shouting, no walking out, as had occurred last year. The disappointment was evident on the faces of the television reporters. They had hoped for newsmaking name-calling and argument. There were no insulting challenges from the Board, no insinuations of incompetence from the judge. One major reason was the new chairman. He was elected after the fiasco last year that resulted in numerous editorials questioning the governing ability of the Board.

The chairman at that time had used the opportunity to publicly attack the presiding judge. The questions presented to the judge dealt with mundane and insignificant issues, avoided the broad issues the judge expected to discuss, and finally resulted in the judge accusing the chairman of changing the rules and procedure of the budget hearings. With a brief and powerful statement indicating his disappointment and his willingness to return only when the Board was ready to seriously discuss the business at hand, the judge left the room while the chairman shouted in anger. The media had a field day! A picture of the judge walking out of the hearing room was on the front page of the morning paper. It soon became apparent that the majority of the public saw the judge as a hero, and the supervisor enjoyed only limited support. Soon afterward, the Board elected a new chairman.

The judge greeted the Board members cordially, and each returned his greeting except the former chairman. The chairman congratulated the judge on his recent marriage and inquired, with a smile, if these hearings had interrupted his honeymoon. The judge thanked him, assured him that he and his wife enjoyed their trip, and expected the honeymoon to last for many years. The chuckle from the crowd galvanized the feeling that the judge was still the hero of many in the room. The hearing proceeded without rancor.

With a calm but concerned voice, the judge outlined the major impact of the proposed reduction in funding for the courts. Most of his statements addressed the obvious: that mandated services must continue; indigent defendants had to have court-appointed attorneys; lack of funds could not compromise constitutional rights. Few programs of the court were not mandated by law, and efforts had been made during the current year to reduce expenses and increase revenues as much as possible. The worsening economic climate was evident in the increasing numbers of indigent defendants. The judge's remarks systematically covered the various court activities, with the probation department being the last part of his discussion.

The judge discussed the mandated services of the probation department and the statutory maximum average caseload and explained that more than 50% of the department's funding now came from the state. He mentioned the department's success in securing a federal grant for supervision and treatment of drug offenders, while making clear that treatment

funds were far from adequate. Were it not for the state funding and the grant funds, the department, with the court's full support, would be requesting substantial increases in county funding. Then he outlined the non-mandated programs that would be eliminated as a result of the proposed cuts in the county budget.

The probation department would discontinue services to the justice courts that processed misdemeanor offenders. Supervision of second-time DUI probationers would end, as would the supervision of theft, shoplifting, and domestic violence cases. He reminded them of the letter they had received from the presiding judge of the justice courts indicating that without the program, the judges would be more inclined to use jail sentences. He mentioned that the justice court presiding judge was present and would welcome an opportunity to discuss the issue with them.

Defunding the program would result in increased numbers of offenders sentenced to jail terms, rather than supervised probation, and substantial numbers of unsupervised probationers with no one to determine if they were attending the mandated alcohol education programs. One could surmise that more would continue to drink and drive if treatment was not enforced through surveillance. Mention was made of diminished public safety and increased liability.

While expressing his concern for the difficult decisions the Board must make, the judge moved the discussion to the Jail Population Reduction Program operated by the probation department. While less than one year of statistics existed, it was clear that, through the use of electronically monitored house arrest, an average of 30 offenders had been maintained in the program. These offenders would otherwise have been confined in the county jail. The house arrest program cost approximately \$15 per day per offender, while jail costs were in the neighborhood of \$45 to \$55 per day. The judge then deferred to the sheriff for exact jail costs and his assessment of the impact of defunding the program.

As the presiding judge completed his remarks, the chief probation officer decided his own presentation would be anticlimactic. When invited to speak, he stated that the county manager and his staff had all the necessary information, that the presiding judge had covered the major issues, and, in light of the Board's heavy schedule, he would forgo any remarks but would be glad to answer any questions now or at any time during their budget considerations. The chairman expressed his appreciation and announced that the sheriff was next on the agenda, following a brief recess.

The reporters debated within themselves as to the risk of losing their places in the room versus an opportunity to interview the judge. Some decided to stay. Outside the hearing room, the judge was besieged with questions. The group gravitated to a press room off the lobby, where he answered a number of inquiries and directed some questions to the chief probation officer. The inquiries ended abruptly when someone stated that the sheriff was about to begin his presentation.

As the media left, the president of the local chapter of Mothers Against Drunk Driving assured the chief probation officer and the judge that she had spoken individually to each

of the supervisors. Each assured her that the services to the misdemeanor courts would not be defunded. After expressing his appreciation for her efforts and support, the chief probation officer returned to the hearing room where the sheriff was making his presentation.

The sheriff commented that his department was already well over the national average response time to emergency calls where life or property was in imminent threat, and well over the response time of the local police department. He expressed his disappointment that he had not been able to achieve the high standards expected of a modern law enforcement agency. He added concern for citizens who live miles away from the urban areas of the county, which measures approximately 90,000 square miles and encompasses a population of about 700,000 people. Response time in some areas of the county was over an hour. Response to non-emergency calls involving thefts where the offender left the scene were sometimes measured in days rather than minutes. Imposition of the proposed budget cuts would result in a layoff of officers. The ability of the sheriffs department to meet its responsibilities would be further diminished; at issue was the public's safety.

Those familiar with the sheriffs department thought of the remarkable progress achieved in the last few years, largely due to his professional leadership, and felt a sense of empathy for the sheriff. It was evident he was speaking from the heart and why those who knew him often spoke of him as a "good man."

His remarks addressed the Corrections Bureau, where more than 100 inmates sleep on the floor. The supervisors were reminded of what they already knew: the county was in violation of a consent decree from the federal court entered into only a few years ago to avoid a costly lawsuit. Failure to correct the situation could lead to intervention by the federal court and loss of the ability to manage the jail. What would it cost to run the jail if the federal court took over?

There was a brief look of surprise on the face of the chairman as the sheriff began to discuss the additional impact on the jail if the probation department was not adequately funded. Delays in the timely trial of cases could occur, resulting in some defendants staying in jail longer. It was to his benefit, as well as that of the county, that cases be disposed of as quickly as possible. Any reduction in the probation department's or the court's budget that resulted in trial delays multiplied the cost to the county of maintaining the defendants in jail.

The sheriff praised the probation department's Jail Population Reduction Program and encouraged not only the current level of funding, but increased funding if somehow the county could find the money. He pointed out the difference in \$15 per day compared to \$55 per day in jail costs. In his opinion, a number of other offenders currently serving jail sentences for property, alcohol, drugs, and other nonviolent offenses could be supervised by the probation department without undue compromise of community safety if the program was adequately funded.

The room was quiet. No one moved or talked during the sheriff's remarks about the probation department. Some remembered the criticism of only a few years ago. The impact on the Board and the audience was evident.

Less than three years ago when the new chief probation officer and the sheriff first met, the sheriff had stated the exact number of probationers in his jail serving sentences as a condition of probation or awaiting court hearing on petitions to revoke. The fact that the sheriff knew the number made an impression on the chief. At about the same time, the chief learned of the Los Angeles CPO's success in securing the support of the sheriff in the budget process. Several times he heard the LA chief discuss the event at meetings of the Urban Chiefs' Group. Using principles learned during the Capacity Building Workshops provided by the National Institute of Corrections, he began to develop a plan. The key objective was to reduce the number of probationers housed in the jail.

More than a year later, the chief proposed the electronically monitored house arrest program to the sheriff and his staff after securing the support of the presiding judge. The sheriff supported the idea and offered the use of an office in the jail for a probation officer. He testified in favor of the increased funding for the probation department. This, too, had been in a year of fiscal difficulties, but the county manager and the Board supported the program and found the funds. This was the first new probation program funded by the county in more than five years.

Funding enhancement had occurred during a time of fiscal constraints. If he had not been successful in securing the cooperation and assistance of the sheriff and his staff, the chief had no doubt that this increase in funding and continued funding would not have occurred.

This is obviously an oversimplification of all the research, planning, and work that was necessary to establish the Jail Population Reduction Program and keep it functioning. It is, however, an illustration of the principle that the probation administrator should be constantly aware of the problems and difficulties of the other components of the system. The administrator should strive to provide the services and programs that support the system as a whole. Once seen as a component of the whole, probation will find it much easier to secure the support and confidence of the other components. This in no way proposes that we should give up our basic mission or abandon the things we do best. It does suggest that during times of financial retrenchment, we must not fall victim to mental retrenchment. Difficult times call for the clear vision of what could be and determination to achieve worthwhile goals.

One should never believe that facts are going to interfere with the opinions of political decisionmakers. Although we must support our positions with facts, facts alone are not enough. What changes political opinion is the perception of public opinion. One must lead the political decisionmakers to a new perception of public opinion. The influence of the sheriff, who was seen by the Board as both a good manager and a very popular person, helped them see that funding the probation department's program was a good business decision based on facts, and one likely to meet with support from the public. And, while the supervisors may not support all the activities of MADD, they certainly do not want to incite

the very vocal group's ire. This contributed to their willingness to examine the facts surrounding the impact of defunding the program.

The letters written by the justice court presiding judge and the court administrator also helped the supervisors understand the importance of the program and the probable impact in the form of increased cost in jail operation if the program was cut. The facts supported continuation of the Jail Population Reduction Program and service to the misdemeanor courts. However, the perception that defunding these programs would not be a decision popular with the public weighed most heavily on their minds.

Especially during the difficult times, we must be aware of opportunities to enhance our reputation with the citizens organizations, such as MADD, victim advocacy groups, professional associations, unions, law enforcement, and civic clubs. One of our universal shortcomings has been our failure to develop an active constituency. Many citizens recognize that we cannot lock up all offenders and will support the proposition that we do not want offenders unsupervised in the community. The number who advocate the construction of additional jails and prisons, no matter what the cost, is decreasing.

As discussed in previous chapters, revenue enhancement activities should be preceded by a critical review of probation's philosophy, mission, programs, and operations. A wise administrator will never seek funding to support ineffective or inefficient programs. We can expect little success if we seek only to maintain the status quo. There are times when the suggestion of change can win support if the result is improved efficiency. Trim and efficient, or "lean and mean," is the theme of public resource management in the 1990s.

As an administrator faces reduction of resources, efforts should be directed to retaining or improving the quality of programs. Quality should suffer no more than absolutely necessary. During times of fiscal restraint, both the public and the political decisionmakers become absolutely intolerant of waste. It is better to reduce the number of programs and services than sacrifice quality. Only high-quality, effective programs will survive during economic drought.

Having reviewed, revised, and perhaps reorganized to assure there is no waste in our operations and that we operate only programs mandated by statute or need, how do we proceed to seek enhancement of funding? We should begin with a review of all current funding sources. These may be one or many, but as you examine each, consider why the program is funded at all. What is the justification for funding? Is there some justification that has been overlooked that could be used to your advantage? What problem does the fiscal source seek to address by funding the program? Does a problem exist in the fiscal source's area of responsibility for which you can offer a solution? Overcrowding in the jail or department of corrections is common to all. How many ways exist to reduce jail or prison population without compromising public safety? What is being done in other jurisdictions? Is this an area you can enter into without violating your mission, or will it in fact help you to achieve your mission? Are many of those in jail or prison there as a result of failure in probation programs? What intermediate sanctions might be developed to reduce the

number of revocations or sentences of incarceration? Is funding possible for a new program that might offset the loss of a current program?

The mission and operations of probation have changed in many ways during the past decade, and the wise manager must consider new approaches that support both treatment and surveillance. Some new approaches offer opportunities for enhanced funding. Much of the following applies directly to local probation departments; however, the principles can also be applied in most cases by departments that operate as a division of a larger state agency.

A number of innovative programs are gaining support that may offer opportunities to the CPO willing to break new ground. Not all jurisdictions have supervised pretrial release programs, which can serve to alleviate jail overcrowding while intervening earlier in addressing offender's problems. Many pretrial detainees will ultimately become probationers. Early intervention increases the likelihood of success. The information gathered to advise the court in the bond decision is identical to much of that needed for the presentence investigation report.

Supervised work release programs may provide the opportunity for some probationers to be out of jail and contribute to the maintenance of their families. House arrest programs offer much in the way of alleviating jail and prison overcrowding. Day Reporting Centers offer the opportunity to monitor and control the daytime activities of unemployed probationers or those who otherwise would be in jail. Coupled with a house arrest program, probation can offer the courts a level of surveillance closer to that of incarceration. The Day Reporting Center offers an excellent opportunity to intervene in probationers' social problems with individual and group activities, literacy and remedial adult education, and vocational and life skills training. Given a day center, the probation department can develop a program to address the needs of probationers, while providing the punishment and surveillance required by the court and the public. Careful use of community resources could result in services being made available in the center by outside providers, thereby reducing the department's workload.

The Day Reporting Center in Tucson, Arizona, is unique in that it is managed by Amity, a large nonprofit drug treatment program, and funded by a federal grant. The probation department maintains offices in the facility and is actively engaged in the day-to-day activities. Many benefits of a residential program are achieved without the high cost of a live-in facility.

Twenty-four-hour, seven-day-per-week service is an area some should explore. In Tucson, probation officers are required to maintain radio contact with the department's communications office. The communications office is operational every day around the clock and monitors the location and safety of each officer in the field. It also manages the electronic monitoring equipment and activates a backup voice verification system when the active radio transmission system indicates a violation. An officer response team is called when the equipment indicates that someone has violated the terms of house arrest. The surveillance officers maintain radio contact as they work evenings and weekends, assuring frequent contact with probationers under intensive supervision.

The dispatchers operate terminals connected to the Arizona Department of Public Safety criminal records division during the late evenings and early mornings when the system is not overburdened by securing criminal history records for presentence investigation reports. All law enforcement agencies have the telephone number of the communications office. They can call the number when a probationer is arrested or to make an inquiry, regardless of the time of day or night. If the dispatcher is unable to address the issue adequately, he/she can call any officer at home if an emergency requires immediate attention. This service has contributed to the increased cooperation the department enjoys with the law enforcement community.

Treatment concerns are not overlooked. Each probationer is given an emergency phone number for the communications center, which may be called at any time when the probation officer is not available. Most calls can be handled by the dispatcher; however, the dispatcher can call the officer if necessary. This program is funded largely with state grant funds, with the county providing the balance. These funds would probably not be available to the department if this program did not exist.

Most departments are now involved in community service programs. Some see community service as an administrative headache, while others have developed programs resulting in income and/or positive community relations. Some jurisdictions have authority to contract and receive payment for work done by probationers performing community service. In other programs, a portion of the funds generated pay restitution and for victim services and nominal amounts to the probationer. The probation department receives a portion of the funds for administrative costs.

Care should be taken to avoid displacing employees by the use of probationer labor. Often the current employees can manage the work of the probationers. Some services include cleaning up illegal trash dumps and picking up trash on roads, highways, in parks, and on other government-owned property. Many cities and counties are beginning or expanding recycling programs that require some labor, which could be provided by probationers. Even in jurisdictions where funds cannot be directly generated by the use of probationers doing community service, the probation administrator may be able to negotiate with the county or state for the savings from community service work to be added to the probation department budget.

The largest source of revenue for probation outside of government appropriations is probation supervision fees and fees for services. Payment for services -- by those who can afford to do so -- covers some of the costs of counseling, residential, and other treatment services. Supervision fees can generate revenue for the department's operation. In Texas and Arizona, the revenue from fees has substantially increased in recent years. In 1988, fees made up approximately 50% of the operational budgets of the probation departments in Texas even though the state was experiencing a major economic slowdown.

Departments that pay careful attention to both assessment and collection activities are able to generate significant income from this source. Those departments that have the authority to retain the fee revenue and apply it to their budgets seem to be more successful in their

efforts. Some administrators have found the assumption that most probationers cannot pay fees is false. Few cannot pay \$1 per day or \$30 per month. The fee should be waived in true hardship cases.

Fee collections by the Adult Probation Department of the Superior Court in Pima County, Arizona, were carefully reviewed by management. Several facts surfaced. The judges were assessing the full \$30 per month in only 25% of the cases. When the CPO addressed his concerns to the judges, the judges responded that they assessed the amount recommended by the officers in the presentence report. Once the officers preparing the presentence reports understood that fee revenue was necessary for salaries, the recommendations and the assessments increased. The automated system was improved so that supervisors and officers received a monthly report indicating collections by each officer. Within two years, fee revenues increased by 300%; collections rose to about 75% of potential.

A few years ago, the Adult Probation Commission in Arkansas established authority for local probation departments to collect probation fees. Since the system was new, the department structured the fee collection program in a such a way that the fees were placed in an interest-bearing account for the next year's budget. Each succeeding year followed the same process. This arrangement eliminated the difficulties of estimating revenue in advance.

For systems where fees are directed into the general fund, this may be an opportune time to seek redirection or dedication of those dollars to the department's budget. If this is not achievable, perhaps some agreement could be reached that collections above a certain amount are retained by the department as an incentive program.

Administrators should carefully monitor collection activities to ensure that officers do not emphasize collections to the point of neglecting other duties. One of the interesting experiences reported by many departments with supervision fees is that officers become more adept in assisting probationers in their job search. Unemployment among probationers decreases. Corresponding increases in payment of restitution, court costs, fines, and other fees occur almost without exception. Since some of these fees go to the county and state, the wise administrator will want to share this information with the funding sources.

The advantages of developing harmonious relationships with the other components of the system were discussed earlier. Probation administrators should be aware that grant funds are available to law enforcement agencies for gang suppression programs and for programs such as drug testing, which can benefit all concerned. For example, drug testing arrestees to determine if they are under the influence of drugs provides information of interest to the custodial staff, the judge who must consider bond, the pretrial supervision program, the probation department, and the sentencing judge. A gang suppression program offers an excellent opportunity for probation and law enforcement to work together in dealing with one of the major illegal activities in most cities. Joint applications for grants such as these frequently receive favorable attention and are more successful than single-agency grant applications.

In the area of treatment, grant money is available to public health agencies. While probation departments are not eligible, local and state public health and nonprofit treatment agencies are. A grant proposal that includes the probation department and the endorsement of the courts will often receive favorable consideration over the single-agency request.

Re-examine the treatment sources in your community to determine if they have or can secure funds for treatment of probationers. In some cases, treatment agencies have not sought and will not seek grant funds unless the probation administrator is successful in enlisting their support. This is also a good time to re-examine brokering services to other agencies in order to reduce expenditures within the probation department.

One of the problems shared by many probationers is illiteracy, or the inability to read and write at an adult level. In some states, funds for adult remedial education can be channelled to programs for probationers, or probationers may be enrolled in existing programs at no expense to the department.

Most states have established authority for the seizure of assets related to organized criminal activity or racketeering (often referred to as the RICO Act or statute). While these statutes apply to all racketeering activities, the most common asset seizure cases arise from charges involving importation, transportation, and sale of drugs. The probation administrator would do well to investigate this area of the law carefully and secure advice of counsel before considering activities in this enforcement area. In some jurisdictions, the probation department shares in a percentage of all seizures by agreement with all concerned. In jurisdictions where the probation department has peace officer authority, probation officers have conducted searches, made arrests, and filed through the prosecutor or attorney general for forfeiture of assets. Assets can be cash, vehicles, guns, or even real estate if the case can be made to the court's satisfaction that they are tools of the racketeering activity or the ill-gotten gains from racketeering.

Several seizures have been made by the probation department in Tucson, which resulted in the department being awarded cash and one vehicle. In each case, the cash was found along with a quantity of drugs and drug sales paraphernalia. In the case involving the vehicle, a small quantity of marijuana was scattered in such a manner to lead one to conclude that a large amount of marijuana had been transported in the vehicle.

The procedure in such cases is for the probation or surveillance officer to immediately call the Tucson Police Department, or the Pima County Sheriffs Office if outside the city, and advise them of a possible seizure case. The respective law enforcement agency sends officers from the seizure unit. They assume the case and proceed with the new criminal charge and the seizure activity, which is a civil issue. The county attorney or the attorney general prosecutes the new charge and pursues the seizure case in civil court. If the court awards the forfeiture, the seized assets are divided by agreement between the probation department, the law enforcement agency, and the prosecuting attorney.

Funds and assets awarded must be used in the manner set forth in the statutes. Generally, any activity defined as investigation and prosecution of racketeering will qualify, but each

state statute should be carefully reviewed. Caution must be exercised, since considerable liability could occur if it is later determined that the department did not have the authority to make the seizure. Cooperation with local enforcement agencies that clearly have the seizure authority is encouraged. Written agreements prior to any activity in this area are advisable.

“Drug War” grants are available in most states through the state planning agency for activities that may involve the probation department. While limited treatment dollars are available, funds may be available for investigation, drug testing, or other enforcement-related areas.

The time of fiscal constraint can be a time of doom or discovery depending primarily on attitude and approach. It is a good time to carefully review all activities and do some house cleaning. It is a time to dispense with activities that are bound more to tradition than mission. The administrator who sees opportunity in times of adversity will survive, as will his/her department.

IMPLICATIONS AND SUMMARY

Based on our collective knowledge and experience in managing probation agencies during the past decade, we project that if probation executives continue to believe, manage, and act as if resource scarcity is a passing phase for probation, they will be heading agencies seen as irrelevant entities by the end of the decade. Crime will not go away as we move toward the year 2000. Substance abuse, adult illiteracy, high offender unemployment, domestic and urban violence will not vanish. Yet, despite the continuation of long-standing societal problems, probation and other correctional entities will be expected to correct offender behavior and protect the public, without the benefit of increased fiscal and human resources.

What then are the key action steps that probation executives committed to managing scarcity must take? We propose that executives follow the key points and action steps discussed in this monograph. Some are summarized below.

Classification/Information Systems

- Case classification systems carry specific implications for managing scarce resources.
- Community service and/or restitution could be the only standard condition of probation for minimum-risk cases. Active supervision of these minimum cases could be terminated when the community service and/or restitution obligation is completed.
- In those cases where an offender has been classified as moderate or high risk and the offender fulfills the conditions of probation for six months to one year, the level of supervision could be dropped one level automatically.
- Student interns and other volunteers can be used to monitor low-risk offenders. Support staff can be used to monitor all financial penalty cases.
- In those agencies that allocate a significant number of probation personnel to do presentence investigations, the investigation format could focus on and be limited to the categories of prior record, prior probation, prior incarceration, substance abuse, and employment history. Investigation beyond these categories should be done only when requested by the judge or otherwise required by law.
- A reliable and effective risk/need system will allow the probation manager to deal with the public on a rational level by pointing out the demands for services being placed on the probation agency by offenders.
- Organizations need computerized workload staffing systems to ensure that limited personnel resources are being used in such a way that all of the activities of the organization complement one another.

- The opportunity-minded probation manager is able to make strategic use of management information systems and decision support systems that change the whole process of individual and organizational accountability.
- Probation managers should review long-standing programs to determine whether they are still appropriate for the organization to be using.
- Managers should not lose sight of the fact that reduction in resources offers a great opportunity to dump “white elephant” policies and programs.
- Probation managers will need the ability to use information to accurately determine what work needs to be done, the outcomes the agency will produce if resources are added, or likely program outcomes and organizational practices if resources continue to be reduced.

External Relations

- Probation managers must believe unquestioningly that effective external relations is essential to the success of their organizations today.
- External relations today means proactive, high-performance involvement and interdependence between probation and all its publics and peer agencies.
- It is important to stress action, involvement, interdependence, and outreach, and to understand that this concept of external relations means a major departure from some aspects of probation’s past.
- It is clear that effective external relations would have helped mitigate the severity of the budget crisis of the past decade for probation.
- For want of external relations, probation has lacked intelligence capability to assess constituents’ expectations. In fact, when the budget ax fell, probation generally had no constituency to rely on for support.
- On the individual level, the probation manager needs to meet with political leaders, community leaders, judges, and the heads of all major justice system agencies to: (1) explain probation’s mission and plans, (2) elicit concerns and needs, and (3) pledge cooperation and involvement with the peer agencies.
- Full involvement on interdependent external committees can lead to the committee, rather than the probation department alone, seeking funding for probation programs.
- Probation has prospered most where it has provided programs that help its publics and peer agencies cope with their problems.

Human Resource Management

- Cutback strategies should not be employed without attention to their effects on line staff.
- There is a critical point when administrators must face the reality that only less can be done with less.
- Probation agencies obviously cannot do everything and, in this era, the mission and objectives need to reflect this reality and be tempered by the availability of human resources. This pragmatic admission in non-apologetic terms by probation leaders will go far in offsetting poor morale at the line level.
- There are no quick fixes or certain solutions to the problem of managing with scarce resources.
- The same skills, efforts, and art of sound management that are effective in good times need to be applied in hard times, but with increased vigor, energy, and attention.
- Options for part-time work, job sharing, and early retirement should be explored before layoffs become a reality.
- In the event that layoffs cannot be avoided, agencies should assist laid-off probation officers in securing similar positions in other nearby probation agencies or other criminal justice agencies that are hiring.
- Agencies should stay in touch and do whatever can be done to get the laid-off employee back on the job.
- Attention to those who remain after downsizing is most critical.
- Care needs to be taken to reduce the management ranks, not just line-level staff.
- Use of volunteers, part-time staff, staff aids, and assistants can all help to ease the workload burdens of cutbacks on line staff.

Revenue Enhancement

- Funding enhancement can occur during a time of fiscal constraints. It requires cooperation and assistance from all agencies working with probationers and collaboration for the common good.
- What changes political opinion is the perception of public opinion. One must lead the political decisionmakers to a new perception of public opinion.
- Probation can expect little success if we seek only to maintain the status quo.

- The largest sources of revenue for probation outside of government appropriations are probation supervision fees and fees for services.
- Brokering services to other appropriate agencies in order to reduce expenditures within the probation department should become standard practice.
- One of the problems shared by many probationers is illiteracy, or the inability to read and write at an adult level. In some states, funds for adult remedial education can be channelled to programs for probationers, or the probationers may be enrolled in existing programs at no expense to the department.
- Most states have established authority for the seizure of assets and, in some jurisdictions, the probation department shares in a percentage of all seizures by agreement with all concerned.
- The time of fiscal constraint can be a time of doom or discovery depending primarily on attitude and approach. It is a good time to carefully review all activities and do some house cleaning. It is a time to dispense with activities that are bound more to tradition than mission.

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