

Probation

- Community Service: Toward Program Definition *Joe Hudson
Burt Galaway*
- Identifying the Actual and Preferred Goals of Adult Probation *Thomas Ellsworth*
- Sharing the Credit, Sharing the Blame: Managing Political Risks in Electronically Monitored House Arrest *James L. Walker*
- Guns and Probation Officers: The Unspoken Reality *Paul W. Brown*
- AIDS in Prisons—Administrator Policies, Inmate Protests, and Reactions From the Federal Bench *Daniel L. Sholer
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- Mandatory Programs for Prisons—Let's Expand the Concept *Sylvia G. McCollum*
- Prison Escapes and Community Consequences: Results of a Case Study *Katherine A. Carlson*
- The Predisposition Report: Maintaining the Promise of Individualized Juvenile Justice *Joseph W. Rogers*
- Calaboose: Small Town Lockup *Lois A. Guyon
Helen Fay Green*

JUNE 1990

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Federal Probation

A JOURNAL OF CORRECTIONAL PHILOSOPHY AND PRACTICE

Published by the Administrative Office of the United States Courts

VOLUME LIV

JUNE 1990

NUMBER 2

This Issue in Brief

Community Service: Toward Program Definition.—Over the past two decades, community service work order programs have been established at various points in the adult and juvenile justice systems. On the basis of detailed study of 14 community service programs, authors Joe Hudson and Burt Galaway describe a detailed community service program model. Key elements of program structure are described, including inputs, activities, outputs, and outcomes, along with their linking logic. According to the authors, preparation of this type of program model is a necessary prerequisite for sound management practices, as well as for developing and implementing program evaluation research.

Identifying the Actual and Preferred Goals of Adult Probation.—The field of adult probation has undergone considerable change over the last 10 years, reflecting a perceived public sentiment which emphasizes enforcement and community protection. As a result, the goals of probation have shifted. Based on a survey of adult probation professionals in two midwestern states, author Thomas Ellsworth confirms the existence of a dual goal structure in probation, encompassing both rehabilitation and enforcement. Further, the study results reveal that probation professionals prefer a dual goal structure in administering probation services.

Sharing the Credit, Sharing the Blame: Managing Political Risks in Electronically Monitored House Arrest.—For the last several years, electronically monitored house arrest has been the topic of extensive commentary in the literature. Scant attention, however, has been paid to the political environment in which such programs must exist. Using a brief case study of one county in Ohio, author James L. Walker suggests a four-part implementation strategy aimed at reducing the risks to the political actors involved in these programs. He concludes that

only if political considerations are properly managed will efficient and legitimate use of electronic monitoring programs be likely.

CONTENTS

Community Service: Toward Program Definition	124914	
Joe Hudson Burt Galaway	3	
Identifying the Actual and Preferred Goals of Adult Probation	124915	
Thomas Ellsworth	10	
Sharing the Credit, Sharing the Blame: Managing Political Risks in Electronically Monitored House Arrest	124916	
James L. Walker	16	
Guns and Probation Officers: The Unspoken Reality	124917	
Paul W. Brown	21	
AIDS in Prisons—Administrator Policies, Inmate Protests, and Reactions From the Federal Bench	124918	
Daniel L. Skoler Richard L. Dargan	27	
Mandatory Programs for Prisons—Let's Expand the Concept	124919	
Sylvia G. McCollum	33	
Prison Escapes and Community Consequences: Results of a Case Study	124920	
Katherine A. Carlson	36	
The Predisposition Report: Maintaining the Promise of Individualized Juvenile Justice	124921	
Joseph W. Rogers	43	
NCJRS	124922	
Calaboose: Small Town Lockup	Lois A. Guyon Helen Fay Green	58
JUL 20 1990 Departments		
ACQUISITIONS	63	
Looking at the Law	67	
Reviews of Professional Periodicals	71	
Your Bookshelf on Review	75	
It Has Come to Our Attention	80	

The Predisposition Report: Maintaining the Promise of Individualized Juvenile Justice

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THIS IS an article about conservation. It seeks to preserve the predisposition report (PDR) from diminution and the dismal fate of the presentence report (PSR) as depicted by John Rosecrance (1985; 1988). Utilizing 15 years experience as an adult probation officer, ethnographic field methodology (Emerson, 1981), and grounded theory (Glaser & Strauss, 1967), Rosecrance (1988, p. 255) concludes that individualized justice in the criminal courts is simply a "myth." He found the presentence investigation to be ceremonial, predictable, and of dubious value. Little wonder he did so, given the data from the probation officers in two California counties. These respondents live in a world dominated by cynical judges, prosecutors, and supervisors who consider social case histories to be just so much trivia. Their essential interest is in just two matters: present offense and prior criminal record, without needless sociological or psychological trappings. The situation grows darker.

To survive in this network, these officers must be perceptive, credible, and skillful writers of PSRs (Rosecrance, 1985; 1988).

Perceptual accuracy is essential to knowing the prior wishes of those significant others, so that officer recommendations can be properly attuned. When uncertain, novice investigators may check with their more experienced colleagues for the safest course to follow.

The *credibility* of each officer must be established within this social system by keeping their recommendations within "ballpark boundaries," because these "umpires" keep score and hand out nasty labels such as "bleeding heart" for a liberal, "maverick" for a free thinker. Neither of these is apt to become a "mossback"—one putting in time until retirement. Complimentary labels are self-explanatory: "team player" and "hard liner," which titles are more likely earned if one is guided by self-interest and a retributive orientation toward criminal offenders.

Writing skills are paramount for satisfactory reports. Savvy probation officers are guided by the sobering principle that controversy should be

avoided. In the words of Rosecrance (1985, p. 548),

In order to achieve this purpose, bland, innocuous presentence reports are encouraged. The officer is expected to use a prosaic syntax and to engage in sufficient obfuscation to ensure that the department cannot be held responsible for any future contingency. Probation officers are frequently told to 'remember CYA,' that is, don't forget to cover your ass.

And further (Rosecrance, 1988, pp. 248-250), PSRs should be carefully proofed to reduce possible inconsistencies between such items as defendant's attitudes and the probation officer's recommended sentence. If multiple collateral sources are available, be selective. Coherence is increased by avoiding persons who might weaken the conclusion. Make a final check to ensure the PSR "will go through the court without 'undue personal hassle."

The foregoing might have made good satire were the findings of this social researcher without serious implications. For some time, and as Rosecrance (1985, p. 539; 1988, pp. 236-237) observes, we have commonly found probation officer recommendations (1) in high agreement with judicial dispositions (Carter & Wilkins, 1967; Hagan, 1975; Curry, 1975; Kingsnorth & Rizzo, 1979); (2) as being *followed* by the judges (Blumstein, Martin, & Holt, 1983); and (3) praiseworthy as guides to intelligent sentencing (Murrah, 1963, p. 67) or an important 20th century development in criminal law (Hogarth, 1971, p. 246).

No wonder then that Rosecrance (1988) claims he has exposed a major *myth*, that of individualized justice (however, see Hamilton & Sanders, 1988; Drass & Spencer, 1987; Farnsworth, Frazier, & Neuberger, 1988). Instead, whatever justice occurs, transpires within an intimidating probation setting of job insecurity, powerful adversaries, preordained recommendations set to type. In the final analysis, probation officers are portrayed as low-status folks, doing "dirty work" in a devalued bureaucracy where "Probation Officers can play in the ball park but they don't make the rules" (Rosecrance, 1985, p. 551). It would seem they hardly "come to bat" either.¹

Our focus at this juncture must turn to the juvenile court's predisposition report (PDR), the focal concern of this article. From its 1899 founding in Cook County, Illinois, the juvenile court has stood for individualization of justice, the personal welfare of children, and their social psychological well-being. In contrast to the adult criminal proceedings which historically have been adversary, punitive, and universalistic, the juvenile courts have been governed by the principle of *parens patriae/in loco parentis*, petitions filed on behalf of (not against) youths, and individualized treatment (Rogers & Mays, 1987, pp. 364-366). To pursue this mission, the probation officer's casework investigation and PDR were deemed crucial. In this light, this important tool seems worth preserving and upgrading. Positive intervention remains a worthy, if at times a misguided, objective (Travis & Cullen, 1984).

A Brief Historical Perspective

The social case history has long been considered a vital component of general social work practice and, in particular, to probation officer recommendations to the juvenile court. As Robert Carter (1978, p. 3) points out, the development and formulation of contemporary PDRs remain indebted to the pioneering labor of William Healy (1910; 1915). As director for the renown Judge Baker Guidance Clinic in Boston, Healy became known as an earnest advocate for thorough, individual studies of youthful offenders. Dedicated to turning around young lives, he believed careful, personal diagnoses were essential for rational treatment tailored to each youngster's needs and situation.

As these ideas were advanced, others such as Flexner and Baldwin (1914) expressed concerns still heard today about the possible failure of probation officers in distinguishing facts from opinion. "Fact," they held, must be the mainstay of recommendations and subsequent court decisions. Mary E. Richmond (1917) added to this orientation by not only stressing the relevance of evidence, but the import of sorting out the significant from the insignificant for understanding and treatment. Richmond's book, *Social Diagnosis* (1917), was designated as essential reading for the staff of Edwin J. Cooley, chief probation officer, Court of General Sessions in New York City (Carter 1978, p. 4). In his own work, Cooley (1927) deemed the PDR so important he redesigned his officer corps into two units, investigation and supervision, to enhance unique functions

of diagnostics and treatment. He saw these as specialities calling for persons with different skills.

Belle Boone Beard (1934) became one of the pioneer evaluators of juvenile probation through her hallmark analysis of the case records of 500 children placed on probation at the Judge Baker Guidance Clinic. Both Beard and Healy understood and appreciated the intricacy of interacting social variables. They saw individuals as subjected to a host of life experiences in a vast range of social environments. Thus, individualized treatment effectiveness required juvenile probation officers to have a strong cabinet of tools and resources at their disposal (Beard, 1934, p. ix). Beard's work provides us with an early blueprint of her expectation for this process.²

Beard (1934, pp. 160-161) identified three fundamental principles, still relevant today, for dealing with young offenders: (1) *intensive study*, including the interrelationship of factors influencing the habits, attitudes, motivations, and behavior of the child. Without these, she felt, no genuine plan could be accomplished. (2) *A confidential interpersonal relationship* should be established between the juvenile probation officer and his or her client. In her view no plan, however complete or well intentioned, is apt to succeed without cooperation of the youth and his or her parents or guardians. (3) *Prompt action* through implementation of programs and agreements, is a necessary follow-through, especially for children whose lives have been marked by inconsistent discipline, empty threats, and broken promises.

Investigation, analysis, and treatment must be grounded in at least six social aspects of the person's life: (1) personal health, physical and emotional; (2) family and home situation; (3) recreational activities and use of leisure time; (4) peer group relationships (type of companions); (5) education; and (6) work experience. Her optimism is perhaps best captured through a proclamation drawn from her study of 500 youth: "No one element or combination of elements discovered by this investigation can definitely preclude the possibility of success" (Beard, 1934, p. 152).

Support for probation services continued to expand through the years of World War II and following, with social casework report usage being "extended, improved, and professionalized by leaders in the field of corrections" (Carter, 1978, p. 4). Their rationale, construction, and content received the attention of such scholars as Walter Reckless and Mapheus Smith (1932), Helen Pigeon (1942),

Paul Tappan (1951), Pauline Young (1952), David Dressler (1959), and Elliot Studt (1959). With juvenile probation services available in all states by 1925, and adult probation services by 1956, PDR/PSR investigations were well entrenched in the juvenile and criminal justice systems.

It is noteworthy that concerns were being expressed already about this process which we hear reiterated today (almost as if they were new). For example, Frank Tannenbaum (1938) was alerting the profession to the implications of premature negative labeling and the necessity for careful selection of subjects for probation. Young (1952) raised such reliability issues as the nature of interviews, accuracy of officer memory from site to site, and field recording. Studt (1959) was worried about the apparent conflict between officers as counselors or therapists and their surveillance role as a legal authority with considerable control powers.

The past three decades, beginning with Paul Keve's (1960) book, *The Probation Officer Investigates: A Guide to the Presentence Report*, have featured a number of germane governmental reports from such bodies as the Administrative Office of the United States Courts (1965); the American Correctional Association (1966); the President's Commission on Law Enforcement and Administration of Justice (1967); the National Advisory Commission on Criminal Justice Standards and Goals (1973); the National Council on Crime and Delinquency (1972); and the U.S. Department of Justice (1975). These have been succinctly excerpted by Carter (1978) and provide an excellent guide to issues, formats, and modifications. For now, one statement from the National Advisory Commission on Criminal Justice Standards and Goals (1973, pp. 576-577) remains particularly salient: that each state through legislation should require a presentence investigation (1) in all felonies; (2) *in all cases where the offender is a minor*; and (3) as a prerequisite to a sentence of confinement in any case. A final declaration depicts the purpose (Carter, 1978, p. 9):

Clearly, the availability of adequate and relevant data to decision-makers should improve the exercise of discretion, i.e., the selection of the most appropriate alternative.

Predisposition Report Enhancement

As important as PDRs have (or have not) been to juvenile court judges, it is essential to recognize this is only their *initial* function (Scarpitti & Stephenson, 1971; Carter, 1978; Reichel, 1985). Beyond the original hearing there are other decision makers who must rely on at least portions of PDR data. These include such partners as super-

vising probation officers, training school classification staff, paroling authorities or boards, and parole officers. Additionally, these reports are valuable for referrals to diagnostic centers, mental hospitals, and other facilities or programs, and may be particularly useful in consultation with psychologists, psychiatrists, and physicians.³ Consideration must be given to organizational efficiency, in that state institutions are most often at some distance from originating towns or cities, and it would be costly to expect all agencies, specialists, or new juvenile probation officers to reinvestigate cases from scratch.⁴ To the extent unavoidable duplication occurs, this can be utilized to detect inconsistencies, perhaps client/parent dishonesty, or officer incompetence. In the hands of staff superiors and researchers, they may serve such functions as officer evaluation, staff inservice training, case conference, department assessment, and theory testing. Given such multiple functions, how can we enhance the quality and versatility of the predisposition report? I would like to nominate five strategies which could be used separately or in combination: (1) semi-structured case recording; (2) flexible patterned field notes; (3) "decision-tree" models; (4) juvenile probation officer peer case conferences; and (5) administrative commitment.

Semi-structured Case Recording

There is no difficulty in locating numerous formats and outlines of presentence reports for the criminal courts (e.g., see Allen et al., 1985, pp. 63-80; Carter et al., 1984, pp. 31-55; Cromwell et al., 1985, pp. 49-64; and Smylka, 1984, pp. 129-141). Ironically this is *not* so for juvenile predisposition reports, although a cursory review of dozens of juvenile delinquency or probation/parole textbooks does reveal two noteworthy exceptions (Johnson, 1975, pp. 117-132; Abadinsky, 1982, pp. 35-44). Simply put, most standard probation texts limit their coverage to PSRs while most delinquency texts speak of PDRs in general terms.⁵

Structuring of PSIs is a matter of degree. For example, Smylka, 1984, pp. 135-139 provides a detailed presentence design which includes 18 sections incorporating over 300 possible line items! An alternative format with fewer items but with fixed multiple responses is illustrated by Glaser (1973, pp. 189-196) through sample pre-coded forms used by the Narcotics Addiction Control Commission. Although these forms are employed to enhance institutional research, they are seen also as substitutes for narrative reports. Consider this single item illustration (Glaser,

1973, p. 190):

Ability to Work with Others

1. Overly shy and frightened of others
2. Shy, but can work with others if called to
3. Works well with others
4. Overbearing, but can accommodate
5. Very difficult to work with—cannot accommodate

At an opposite pole are investigations where officers proceed primarily on the basis of the offense, a police officer's report, a petition, and a court date, but with little systematic planning. In between is the alternative illustrated in table 1. In examining these entries, it is important to recognize this table reflects a dual interest in both the PDR and other case materials such as the standard face sheet and running case histories. Its significance here is in revealing several insights into recording selectivity and policy implications.⁶

First, table 1 indicates 100 percent recording of essential information such as the offense bringing about the juvenile court hearing, the referral source, detention status, identity of counsel, and prior delinquency record.

Second, basic demographic data, including gender, age, ethnicity, and legal residence is always present.

Third, although recording of other social variables is substantial (i.e., in 75 percent or more of the cases), some factors of relevance to individual disposition or supervision seem neglected. Our analysts were *unable* to locate or verify the following information: parental education (81 percent); youth's church attendance (72 percent); community outpatient mental health care (65 percent); youth's IQ (55 percent); father's statement about son's delinquency involvement (44 percent); parental attitudes toward son's education (41 percent); youth's leisure-time interests (36 percent); child's birth information (28 percent); youth's work record (27 percent); and sibling relationships (26 percent). While conceding the controversial nature of such inquiry or the dubious predictive claims of these variables, it is particularly surprising to observe the amount of missing information on such standard subjects as sibling relationships, leisure-time/work activities, and parental involvement.

Fourth, we can connect particular items to selected theories of delinquency. For example, differential association (Sutherland & Cressey, 1978) may be probed through such variables as age of initial offense, peer associations, school records, family relationships, and ties to law-abiding or antisocial patterns. Containment theory

(Reckless, 1973) is suggested by such items as leisure-time activities, neighborhood controls, and family influence, but in particular the youth's self-concept. How an offender accounts for deviant behavior is the particular concern of Sykes and Matza (1957) whose neutralization theory would focus on the child's and parent's explanatory statements. The point to be made here, however, is that predisposition reports are not limited to any of these or any other, but are adaptable to such contemporary orientations as social control (Hirschi, 1969) or an integrated approach (Elliott, Ageton, & Canter, 1979. For an excellent general reference to delinquency theory, see Shoemaker, 1984).

Unfortunately, this type of itemization can lead to excessive structuring, rote collection of useless data, and robot-like interviewing. Edwards and Reid (1989, p. 49) argue that workers should retain flexibility and sufficient autonomy to fit investigation to client and case needs. Structured records tend to be designed for management needs, yet line workers are in the unique position to assess the usefulness and quality of information obtained in field or office. Nevertheless, they claim that organizational culture, utilizing worker input, and care for relevancy can further both worker morale and report completeness (Edwards & Reid, 1989, p. 52). At the same time, increased paperwork seems to have become the bane of many probation officers. Two administrators (Duffie & Graham, 1986) have introduced word and electronic data processing to ease this process in the Maricopa County, Arizona system. Although they do not foresee "paperless probation," they do expect every officer to have a personal computer terminal. With automation, officers will be able to replace paperwork with more time devoted to their clients' needs.

Flexible-Patterned Field Notes

Informative predisposition reports and the promise of individualized justice springs from conscientious interviewing, often under trying conditions. These may involve, among other distractors, belligerent victims, reluctant witnesses, embarrassed parents, and frightened youngsters. Juvenile probation officers are commonly investigating a number of cases simultaneously in a multitude of settings—detention, home, playground, work, office—where anxiety, self-consciousness, and mixed emotions commonly abound. This process may be further compounded by case difficulty (e.g., violence, mental illness), contradictory information, approaching deadlines, crowded calendars, uncooperative individuals, and

officer inexperience. *This is no time* to inflate one's skill as an interviewer or one's memory for details which should be treated always as though they were subject to cross examination by competent legal counsel. *This is the time* to be mindful of the joint interests of young clients (i.e., offenders), their parents or guardians, their victims, and the community in which they reside.

Operating within the doctrine of *parens patriae* where a child's welfare is paramount, the uniqueness of each case must be preserved. To do otherwise is to fall into the trap of which Rosecrance (1985; 1988) is so critical and requires officer insights into his or her personal prejudices, biases toward particular offenses, and tendencies to stereotype others by ethnicity, gender, occupation, social class, and attitude. In point of fact, officers must excel in working closely, even empathetically, with persons whom "good people" ordinarily despise, namely, bullies, rapists, thieves, vandals, and other deviants or "outsiders" (Becker, 1973).

The court report outline (Appendix A) is actually a condensed set of field note sheets designed to recapture the substance of case investigation prior to composing the predisposition report.⁷ This particular format is based on a set of agency materials used for inservice training of new probation officers, and is intended to reduce information loss or error. It should be perceived, however, as a set of open-ended guidelines with light structuring rather than strait jacket organization. It does not have to be followed sequentially, and subjects of especial interest can be pursued indepth, while others are deemed irrelevant in certain cases or situations. It can be utilized amidst friendly conversation and efforts to relax interviewees, while serving as a silent auditor of adequate, accurate coverage. These field sheets can be supplemented by advance preparation of notations calling attention to any subject matter or area of inquiry warranting inclusion.

The dilemma between structure and flexibility has been the subject of ongoing debate (Gottfredson & Gottfredson, 1988, pp. 185-190). If more effective decisions are to be made and if learning is to occur, a "first need" is to improve the quality of data collected on each offender at the time of presentence investigation. In their words (1988, p. 185):

Extensively discursive social histories will not serve, no matter how excellent in literary style. A core set of the same data for each person, collected with reliability concerns, is needed. Such data then can be examined to determine the relevance of individual items, or combinations of them, to a wide array of significant decision problems. . . . Our purpose here is not to argue against diversity. As Carter asserts, there may be need for both standardization

and localization. . . .

"Decision-Tree" Models

Classification of juvenile offenders, contrary to misperceptions otherwise, does not mean the neglect of individualized justice or decision-making (Baird, 1985). Almost any classification or typological scheme recognizes considerable variation within types or categories (Gibbons, 1965; Carter, Glaser, & Wilkins, 1984; Clinard & Quinney, 1986). This statement does not deny or lessen the relevance of perceived offender risk, the scope of the crime, or prior criminal record which are assumed to take on priority at both adult (McAnany, Thompson, & Fogel, 1984; Rosecrance, 1988) and juvenile levels (Scarpitti & Stephenson, 1971; Fishman, Kraus, & Lever, 1982). Indeed, the relevance of crime seriousness to decision making is at least as old as Cesare Beccaria's classical school of criminology (Vold & Bernard, 1986). Utilized as guides, feedback, and evaluation, classification can provide a framework for improving the quality of correctional system performance (Gottfredson & Gottfredson, 1988; Kratcoski, 1985).

Figure 1 illustrates this idea in the form of a simple decision tree which has recently been installed by the Arizona Department of Corrections (Ashford & Le Croy, 1988; also see Glaser, 1973; Weller & Flood, 1969). Although this diagram was designed for making juvenile aftercare decisions, it is useful here if we remember that PDRs are intrinsically anticipatory and will likely involve the same variables shown. In this instance, Ashford and Le Croy (1988) emphasize the importance of officers using explicit criteria with some measure of consistency as they try to determine the degree of restrictiveness for juvenile offenders.

Completing this decision making instrument, officers employ the results of a home study, needs evaluation, risk assessment. As each focal question among the tree branches is answered positively or negatively, the officer proceeds to the next juncture. Underlying each box or decision point is a set of four questions prioritized from high to low weightings. For example, Box B2 (termed "supervision and care") rests upon four ordered questions: (1) Is the parental background deficient (e.g., drug or alcohol abuse, mentally disturbed, physically abusive, criminal background) such that they cannot control the youth? (2) Is the youth unwilling to work with the family to make a successful adjustment? (3) Has the youth had a history of poor adjustment to community supervision? Are the parents incapable of actively monitoring the youth (e.g., peer involve-

TABLE 1. PERCENTAGE OF JUVENILE CASE RECORDS IN WHICH LINE ITEM INFORMATION WAS LOCATED

VARIABLE IDENTIFICATION	IBM COL.	N - 162
CASE CODE NUMBER	1-3	
SEX	4	100
ETHNIC STATUS	5	100
AGE, 1st JUV. CT. APPEARANCE	6	100
SOURCE OF 1st REFERRAL	7	100
REASON FOR 1st REFERRAL/CT. HEARING	8-9	100
RECODING OF PRIOR ITEM	10	100
FORMAL COURT DISPOSITION	11	100
YOUTH'S INITIAL PLACEMENT BY COURT	12	100
MISCELLANEOUS COURT ORDERS	13	100
DETENTION PRIOR TO 1st HEARING	14	100
TYPE OF COUNSEL RETAINED	15	100
INITIAL PLEA	16	100
PRESIDING, INITIAL CT. HEARING	17	99
NUMBER OF PRIOR OFFENSES	18	100
AGE, TIME OF INITIAL OFFENSE	19	100
NUMBER OF OFF. AFTER 1ST HEARING	20	100
YOUTH'S TOTAL OFFENSE NUMBER	21	100
NUMBER COMPANIONS, 1ST OFFENSE	22	100
USUAL COMPANIONSHIP PORTRAIT	23	92
LIVING ARRANGEMENTS 1ST CT. HEARING	24	99
PARENT'S MARITAL STATUS	25	99
YOUTH'S AGE AT DIVORCE/DEATH	26	93
HOUSEHOLD ECONOMIC STATUS	27	95
PUBLIC ASSISTANCE RECIPIENT?	28	88
INCOME DEPENDENCE NUMBER	29	96
TYPE OF NEIGHBORHOOD	30	60
HOME ASSESSMENT	31	85
PARENTAL WORK SITUATION	32	94
PARENTAL EDUCATION BACKGROUND	33	19
FATHER'S HEALTH	34	78
MOTHER'S HEALTH	35	85
YOUTH'S SCHOOL ACADEMIC STANDING	36	94
YOUTH'S SCHOOL ATTENDANCE	37	94
YOUTH'S ATT./PERCEPTION: SCH.	38	83
PARENTS ATT. TOWARD YOUTH'S EDUC.	39	59
CHILD'S BIRTH	40	72
ORGANIC/EMOTIONAL DYSFUNCTIONS	41	85
OTHER EDUCATIONAL PROBLEMS	42	80
YOUTH'S CHURCH ATTENDANCE	43	28
YOUTH'S JOB RECORD	44	73
LEISURE-TIME INTERESTS	45	64
YOUTH'S MENTAL HEALTH PORTRAIT	46	86
HIGHEST IQ RECORDED	47	45
PSYCHOLOGICAL INTERVENTION	48	85
COMMUNITY OUT-PATIENT CARE	49	35
RESIDENTIAL IN-PATIENT CARE	50	43
STATEMENT OF JUVENILE	51	92
STATEMENT OF MOTHER	52	83
STATEMENT OF FATHER	53	56
YOUTH'S GENERALIZED EXPLANATION	54	95
PARENT'S GENERALIZED EXPLANATION	55	88
JPO'S GENERALIZED EXPLANATION	56	93
ALIENATION	57	96
CHILDHOOD REJECTION	58	88
CHILD'S CONCEPT OF SELF	59	90
DOMINANT MANIFEST PERSONALITY	60	97
PERSONALITY DIRECTION	61	93
USUAL PEER GROUP RELATIONSHIP	62	89
ACHIEVEMENT ORIENTATION	63	77
SIBLING RELATIONSHIPS	64	74
MOTHER/CHILD RELATIONSHIP	65	93
FATHER/CHILD RELATIONSHIP	66	84
PRINCIPAL DISCIPLINE SOURCE	67	85
QUALITY OF DISCIPLINE	68	77
FAMILY DIFFICULTY WITH POLICE	69	76
LAST KNOWN OFFENSE	70-71	99
DECODING OF PRIOR ITEM	72	99
TIME UNDER JPO SUPERVISION	73	93
NUMBER OF DETENTIONS	74	100
NUMBER OF OUT-OF-HOME PLACEMENTS	75	100
DOMINANT FORM OF JPO CONTACT	76	83
JPO HOME VISIT FREQUENCY	77	67
OVERALL FREQUENCY OF CONTACT	78	78
FINAL STATUS OF CASE	79	95
JUDGE, LAST COURT HEARING	80	99

ments, school attendance, employment)?⁸ A second form of prioritization should be noted—the category of the initial cell which classifies the offender as violent or not. A "yes" response automatically fixes the level of restrictiveness, designated in the final column, to one of the higher three (middle, high, or very high). In summary, the authors assert the decision-making tree "combines technology and philosophical assumptions that have substantial potential for improving the administration of justice. However, this decision device warrants further scrutiny and testing from administrators and scholars. . ." (Ashford & Le Croy, 1988, p. 53. Also see Vigilante & Mailick, 1988 for portrayal of an interesting tool called a "Developmental Assessment Wheel").

Juvenile Probation Officer Peer Case Conferences

Since none of us is completely safe from our own prejudices, biases, timidity, or intimidation (Rosecrance, 1988), we need further mechanisms to ensure individualized justice. One such device is to insist that all predisposition reports be subject to peer review prior to court presentation. The key ingredient here is justification for the probation officer's recommendation *vis-a-vis* colleague cross-examination. The role of peers is to probe weaknesses, challenge interpretations or conclusions, and to support viable alternatives within legal boundaries and community resources.⁹ During such sessions the chief juvenile probation officer or another staff supervisor can serve as a "neutral" moderator. As an added hedge against what Irving Janis (1972) calls "groupthink"—the tendency for friends and colleagues to agree with each other for the wrong reasons—a "devil's advocate" might be appointed. For instance, *in advance of the case conference* selected officers are assigned to review particular cases and given the task/role of dissent or client advocacy.

This safeguard takes on added import in light of Reichel's (1985) study of assignment committees at a midwest "Juvenile Improvement Facility." In sum, he found an assortment of bigotry, shallow stereotyping, and decisions grounded largely in employee preconceived expectancies. Members offered few imaginative alternatives for individual youths and were noticeably defensive about their own respective recommendation. As Reichel (1985, p. 5) sees it:

The 'creating' of a decision has three main components. First there must be a goal the decision-maker wants to achieve. Next there must be alternatives since where there is no choice there is no decision problem. Finally, there must be information to guide selection among alternatives.

We simply cannot allow this process to be undermined by apathy, cynicism, or incompetence; thus, care must be exercised to ensure proximity to the ideal.

Administrative Commitment

Even with all of the above, individualized justice for juveniles can be reduced to routinized typifications in the absence of genuine administrative support. Sociologists, especially those with a conflict or critical perspective, regularly remind us of the implications of power, social class, and self-interest. Clearly, rank and file officers are not immune to such forces as those which Rosecrance's (1985; 1988) respondent's confess. Fortunately administrative leadership can encourage more professional responses. For example, to supplement our first two strategies, the chief juvenile probation officer can solicit staff input as to the items that should be incorporated into their PDRs and subsequently into their field sheets. In turn, these can be utilized in four more ways: (1) in-house assessment of efficiency; (2) case conferences; (3) individual officer evaluation; and (4) empirical research (Gottfredson & Gottfredson, 1988; McAnany, Thompson, & Fogel, 1984; McCarthy, 1989). Not only should individual officers profit from the exercises, but social policy may stand to gain by higher quality service.

Just as some probation officers have burned out along with their administrators, there are others who remain eager and energetic to serve today's youth. Such a positive model is offered by the Deschutes County Juvenile Court staff in Bend, Oregon (Maloney, Romig, & Armstrong, 1988). Their policy and program is based on a set of basic values: community protection, accountability, competency development, and individualized treatment. Although these are too elaborate to describe here, a key premise must be cited (Maloney, Romig, & Armstrong, 1988, p. 7):¹⁰

For many theoreticians and practitioners, the central issue in juvenile court and probation supervision is not one of whether to treat, but rather how to best treat given what is now known about the needs and developmental problems of delinquent youth. The fact is the majority of youngsters adjudicated for major crimes against persons and property have experienced high levels of social deprivation. The primary challenge facing the juvenile justice system is one of completing the basic rehabilitative process since these youth exhibit major deficits in the areas of maturational development, especially with respect to possessing survival skills required for daily living (Altschuler & Armstrong, 1983).

Conclusions

The ideal of individualized justice does not, and never did, exist in a social vacuum. Good ideas come and go, but those that survive do so be-

cause of their merit and the efforts of human beings to carry them forth. In my view, individualized justice should be linked also to the spirit of rehabilitation, a kindred concept also fallen on hard times (Martinson, 1974). Fortunately, such scholars as Palmer (1975), Cullen and Gilbert (1982), and Gendreau and Ross (1987) have taken tremendous strides in restoring the notion of rehabilitation (also habilitation, reintegration, resocialization, etc.) to a respected place in the literature and a viable option in the field.¹¹ Even Martinson subsequently modified his earlier position, first reaffirming probation as a rehabilitative method (Martinson & Wilks, 1977), then later recognizing the worth of a number of treatment techniques and programs (Martinson, 1979). This becomes important not only in light of Rosecrance's (1985, 1988) discoveries, but in the findings of Austin and Krisberg (1982, p. 374) who speak of "the unmet promise of alternatives to incarceration." We can do better (Atkinson, 1986; Callanan, 1986; Coffey, 1986; Videka-Sherman, 1988), and that really has been the central thrust of this article.

Still, we must not remain naive about controversies involving the juvenile court itself. For instance, it has been portrayed as caught in a withering cross-fire which may ultimately destroy it. From one side the court has been subject to the fire of civil libertarians; from the other, the volleys of conservative law-and-order forces. As viewed by Hutzler (1982, p. 38):

The juvenile justice system, if it survives at all, may soon become not a separate and philosophically different approach from the criminal justice system, but merely a separate criminal justice system for criminals under the age of eighteen.

Second, we should not assume that Rosecrance's (1985, 1988) dismal findings are limited to his California sample, when in fact other researchers are also uncovering evidence of probation officer burnout and stress (for example, see Lide, 1980; Brown, 1986; Whitehead and Gunn, 1988).

Third, we should remain alert to the potentially negative or "boomerang" effects of well-intentioned actions or programs (Marx, 1981; Fenwick, 1982; Ferdinand, 1989). How ironic it is we sometimes contribute to the amplification of that deviance we strive to control (Wilkins, 1965).

Fourth, more quantitative risk assessment models, such as those being tried in Massachusetts, Texas, and Washington may represent the wave of the future. Nevertheless, even this formalization process still involves some measure of discretion by decision-makers (Barton & Gorsuch, 1989; Clear, Clear, & Burrell, 1989).

But these controversies underscore the importance of the decision-making process, about which we need to learn much more. The relevance of the characteristics of decision-makers is emphasized by Bortner (1988, pp. 116-117):

The philosophy of individualized justice stresses the characteristics of juveniles, but the implementation of that ideal focuses upon the characteristics of decision-makers. 'Individualized' refers as much to the interpreter of juvenile characteristics as it does to the juvenile. The art of interpretation [practiced by each decision-maker] reveals more about the artist than the subject.

Fortunately, we don't have to be content with such reservations, given the advent of increasingly sophisticated social research. For example, Drass and Spencer (1987) have utilized Boolean and regression analyses to focus on how probation officers account for their PSR recommendations. They found, among other things, that officers tend to use both a legalistic, social control perspective and a casework, counseling perspective in their work. Their respondents displayed a mixture of elements suggesting attempts to make decisions appear reasonable to "all concerned parties" (Drass & Spencer, 1988, p. 291).

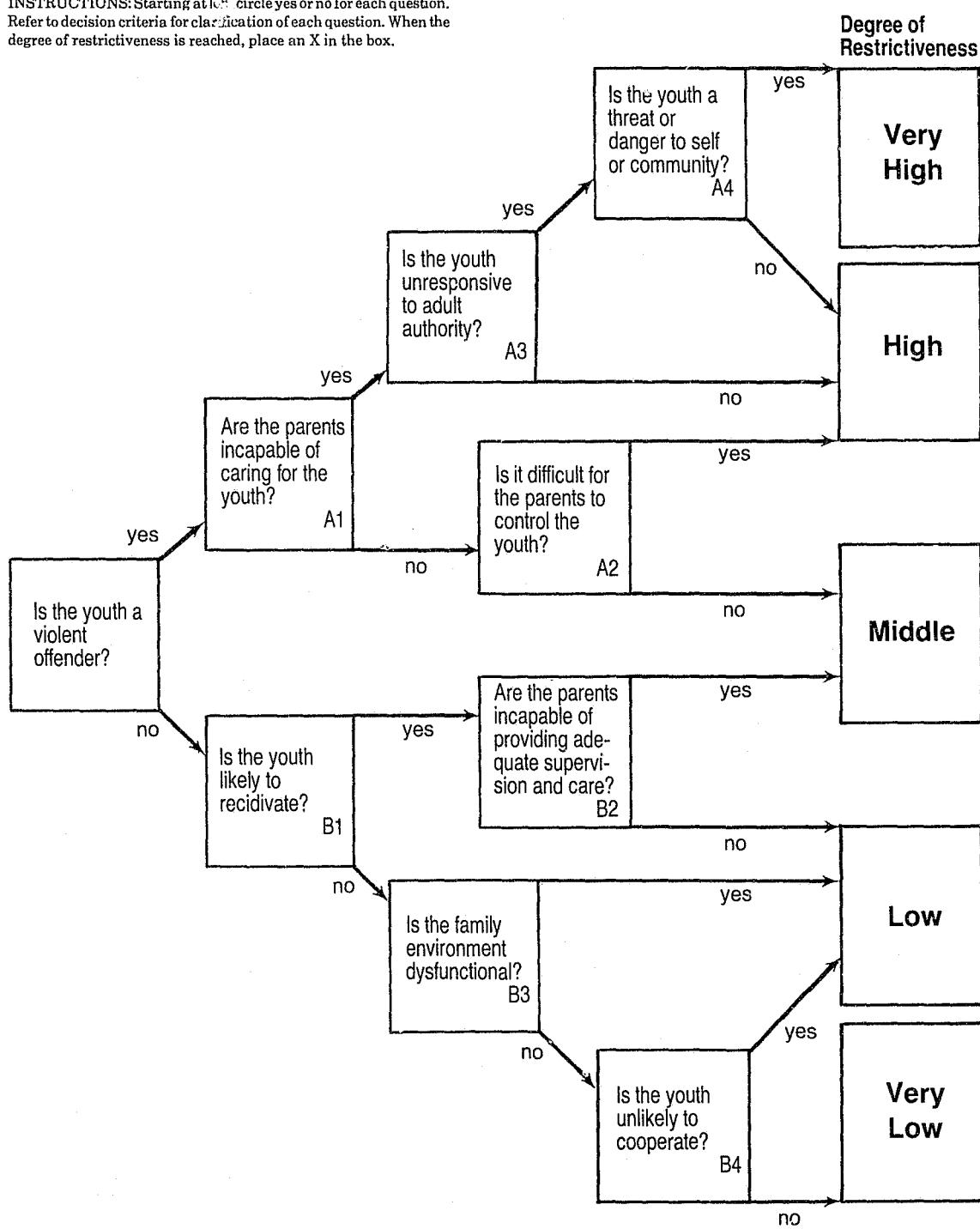
This portrait is clarified at the juvenile justice level by Farnsworth, Frazier, and Neuberger (1988) who found that assignment to specific roles within the justice system is a significant predictor of commitment to either a rehabilitative or a just deserts model. Officials assigned to enforcement and adjudicatory roles tended toward a just deserts perspective, while those given responsibilities for treatment or client rights tended toward a rehabilitative approach. These structured effects appear to be modified to some extent by educational backgrounds in directions we would expect (Farnsworth, Frazier, & Neuberger 1988, p. 489): "In all instances in which there was within-role variation in educational background, the attainment of a college degree or specialization in social science study was associated with an increase in the individual's tendency toward advocacy of a rehabilitative model of juvenile justice."

In short, these researchers found that position incumbency with specific role expectations tends to override educational backgrounds which people bring to their professions. However, given that many juvenile justice personnel hold aspects of both rehabilitation and just deserts, there is no reason administrators cannot seek the best of both domains (also see Rubin, 1979; Empey, 1982; Carrington, Moyer, & Kopelman, 1988; and Maloney, Romig, & Armstrong, 1988).

As a last example of promising quantitative social research, attention should be called to the work of Grisso, Tomkins, and Casey (1988) who

FIGURE 1. JUVENILE AFTERCARE DECISION TREE

INSTRUCTIONS: Starting at left circle yes or no for each question. Refer to decision criteria for classification of each question. When the degree of restrictiveness is reached, place an X in the box.



have incorporated a large number of variables into a factor analysis study of decision-making. They encourage other researchers to examine (1) the consistency of information use in reaching legal decisions; and (2) the rationality of information use in achieving the laws objectives.

And even as we observe the utmost importance of quantitative techniques and the objectivity of research methodology, neither should we forget John Conrad's (1982, p. 616) reminder that "Criminal Justice Research Is About People" (also see Scudder, 1952; Murphy, 1987).

Finally, we should avoid building positions based on social myths; thus, much of the above suggests that premature burials not be given to the ideals of individualized juvenile justice and offender rehabilitation. Indeed, as one recent study submits, ". . .the existence of a 'punitive public' is a myth that functions to limit the policy alternatives that state officials see as politically feasible" (Cullen, Cullen, & Wozniak, 1988, p. 303).

The position here has been straightforward: If we continue to share the idealism of individualized juvenile justice in which the predisposition report is embedded, there are reasonable strategies to enhance this decision-making device.

NOTES

¹The above has not attempted a critique of Rosecrance's research or methodology, which for our purposes must be left to others.

²In the foreword to Beard (1934, p. vi) it is interesting to note that William Healy defines "the central meaning of probation" as "active helpfulness."

³The author, a former juvenile probation officer for 6 years, has found this information decisive in identifying, for example, at least six previously undiagnosed cases of hidden psychomotor disorders which were subsequently verified by E.E.G.s administered by an M.D. specialist. This illustration underscores the importance of verification in contrast to mere conjecture.

⁴I have not seen the matter of probation officer turnover seriously discussed in the literature; thus, it seems to be a neglected research issue. In my instance, I was the fourth officer to assume a particular case load (108 cases) within a 4-month period, with the chief's admonition, "You will either sink or swim." During the next 6 years, staff turnover or changes in officer/youth supervision could be attributed to the following: death of officer, resignations, firings, promotions, unit transfers (e.g., to the adult division, detention home, honor camp, intake unit, or another supervisor), or department reorganization.

⁵In time we may witness the replacement of PSRs by actuarial decision-making based on prediction tables, a practice already adopted by many parole boards during the past decade (Glaser, 1985, p. 367). However, we seem to be some distance from having instruments possessing extensive validity or universal applicability (Wright, Clear, & Dickson, 1984).

⁶The instrument from which table 1 is drawn contained 75 items, with subcategorial responses not shown here. The tool was designed to take into account unique recording styles, writing skills, and particular concerns of different officers. Then and now we remain painfully aware case records were written for the courts, not for us as researchers. The 162 cases included all 81 boys sent to a state training school during the 6-year period 1979-84 and a comparison group of 81 boys not committed, randomly selected from each of the same 6 years. Each case was evaluated separately (i.e., blind) by two persons, with disagreements resolved by a third individual. I am especially indebted to the following persons for their sponsorship or assistance with this project: Ramon Villa, former chief juvenile probation officer; Ysmael Gómez, current chief juvenile probation officer; Edith Avallone, assistant juvenile probation officer; and Patricia Ballard, research assistant. Copies of the basic content analysis instrument are available upon request.

⁷These field-note sheets were constructed by Robert McDonald, a former juvenile probation officer and colleague with the San Diego County, California Probation Department.

⁸This process is somewhat more detailed than space permits here. It should be clear however that this tree which contains nine junctures or boxes rests upon a set of 36 questions (9x4), each group of four being prioritized (Ashford & Le Croy, 1988, pp. 50-52).

⁹Individualized justice does not mean neglect of offense seriousness. Juvenile delinquency and status offenses are defined differently in today's juvenile courts, and within each of these broad categories some behaviors (e.g., a brutal homicide or vicious rape) are going to be considered differently from other behavior (e.g., petty theft or Halloween vandalism). We must remain cognizant that each rape, each homicide, each theft, and each act of vandalism is a unique event for which an individual must be held accountable for his or her part. Although most delinquent acts are committed with companions, each person must stand "alone" when the petition is filed on his or her behalf. Even so, through the predisposition investigation, the juvenile probation officer has the obligation to sort out differential involvement and participation in, say, a gang fight, a joy riding ring, or group vandalism.

¹⁰A check of the reference section will reveal this is a 63-page article including two appendices, to which an entire issue of the *Juvenile and Family Court Journal* was devoted (Maloney, Romig, & Armstrong, 1988).

¹¹A comprehensive article by Gendreau and Ross (1987) provides the most thorough coverage of empirical support for the value of rehabilitative efforts that I have seen to date. Their 12-page bibliography is absolutely astonishing! Also see Gendreau and Andrews (1989) for "meta-analyses" of offender treatment literature.

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THE PREDISPOSITION REPORT

55

APPENDIX A

A Model Set of Field Notes to Guide Preparation of Juvenile Court Predisposition Reports

COURT REPORT OUTLINE

CASE NO.: _____ HEARING DATE: _____

ADDRESS: _____ PHONE: _____

1.	REASON FOR HEARING:	PETITION NO.:	PETITION DATE:	W&I	SUB:
	NAME: (AKA):			AGE:	
	ALLEGATION AND REFERENCE TO P.D. REPORT OR COMPLAINT:				
2.	PRESENT SITUATION	FIRST COURT WARD	REFERRAL DATE AND AGENCY:		
	PLACE AND DATE OF DETENTION OR CUSTODY:			RELEASED TO:	DATE:
3.	CITATION	SERVED MAILED	TO:		
	SERVED BY:		LOCATION		DATE:
4.	LEGAL RESIDENCE	DETERMINING PARENT:	ARRIVED IN SAN DIEGO COUNTY:		
	VERIFICATION:			RESIDENCE OF CHILD:	
5.	PREVIOUS HISTORY:				
6.	STATEMENT OF CHILD (Description, attitude, and statements re: allegation and home):				
	RACE:	HAIR:	EYES:	HT:	WT:
	MARKS:				

FEDERAL PROBATION

June 1990

7. STATEMENT OF PARENTS (Description, attitude, and statement re: allegation and child):

8. STATEMENT OF VICTIM, WITNESSES, RELATIVES OR OTHERS
(Name, Address, Date and Relation to Case):

9. FAMILY HISTORY MARRIAGE OF NATURAL PARENTS, DATE AND PLACE:

CHILDREN AND ORDER OF BIRTH

AGE, EDUCATIONAL LEVEL AND BACKGROUND OF NATURAL PARENTS

DATE, PLACE, REASON AND EFFECTS OF SEPARATION, DIVORCE, REMARRIAGE
(CUSTODY):

PREVIOUS RESIDENCE; EMPLOYMENT; DATE ARRIVED S. D. CO.; PRESENT
FAMILY UNIT:

DESCRIPTION OF HOME AND FURNISHINGS:	OWNED	\$
	RENTED	\$

COMMUNITY RELATIONSHIP AND ENVIRONMENTAL FACTORS: POLICE RECORD OF
PARENT AND/OR SIBLINGS:

DISEASES IN HISTORY OF EITHER PARENT: HANDICAPS, MENTAL DISORDERS,
ALCOHOLISM, SUICIDE; HEALTH INSURANCE AND HOSPITAL ELIGIBILITY:

RELIGION AND ATTENDANCE:

PARENT - CHILD RELATIONSHIP:

THE PREDISPOSITION REPORT

57

10.	ECONOMIC SITUATION	PARENT(S) EMPLOYED	TYPE JOB	EMPLOYER:
	HOURS OF EMPLOYMENT:		WEEKLY/MONTHLY INCOME:	
	OTHER SOURCES OF INCOME		HARDSHIPS (FINANCIAL STATEMENT)	
11.	CHILD'S HISTORY: DATE AND PLACE OF BIRTH:		HOSPITAL	FULL TERM
			HOME	OTHER
	NORMAL DELIVERY	WEIGHT:	BIRTH INJURIES:	
	CESAREAN OR OTHER			
	MOTHER'S HEALTH AND ATTITUDE OF PARENTS:		WEANED: WALKED:	TALKED: TOILET:
DATES AND AFTER EFFECTS OF CHILDHOOD DISEASES:				
Diphtheria:		Scarlet Fever:		
Chicken Pox:		Whooping Cough:		
Measles:		Mumps or Other:		
DEVELOPMENTAL HISTORY: INJURIES OR OPERATIONS:				
HANDICAPS:		SPEECH:	HEARING:	SIGHT:
ENURESIS:		TEMPER TANTRUMS:		STEALING:
LYING:		RUNAWAY:		OTHER:
RELATIONSHIP WITH SIBLINGS AND PEERS:				
DISCIPLINE METHODS:				
CHILD'S ROOM:		ALLOWANCE:	HOBBYS, SPORTS:	
CHILD'S EMPLOYER:		HOURS OF EMPLOYMENT:		WAGES:
SEX EDUCATION:				
12.	SCHOOL RECORDS	PREVIOUS SCHOOL(S)	PRESENT SCHOOL AND GRADE:	
	SUBJECTS AND GRADE AVERAGE:			
TRUANCY:				BEHAVIOR:
REFER TO SCHOOL OR GUIDANCE BUREAU REPORTS:				
13.	PSYCHOLOGICAL, PSYCHIATRIC, AND MEDICAL FINDINGS (REPORTS):			
14.	OTHER AGENCIES (CENTRAL INDEX CLEARANCE):			
15.	SUMMARY AND PLAN:			
16.	RECOMMENDATION:			