

# Federal Probation

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# Federal Probation

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## This Issue in Brief

**Career Issues for Probation Officers.**—Careers offer unique strains and frustrations. This is so for the work of the physician, the teacher—and the probation officer. While a probation officer's work can be interesting and rewarding, it presents a unique set of challenges. The hybrid role of the probation officer—which requires juggling investigative/enforcement tasks with counseling responsibilities—may cause conflict. Author Darrell K. Mills identifies six issues that the probation officer may face during a career. These issues, which have the potential to adversely affect job performance and motivation, require the officer's accommodation or resolution. The author provides strategies for coping with these issues.

**Community Service Orders in Federal Probation: Perceptions of Probationers and Host Agencies.**—To date, efforts to evaluate community service programs have focused on the views of the operators of these programs. An important element in program evaluation—the offenders' perspective—has been overlooked. Authors G. Frederick Allen and Harvey Treger used the theoretical perspectives of rehabilitation, deterrence, desert, and the justice model as the framework for a semi-structured, open-ended questionnaire for reviewing perceptions. The authors interviewed a sample of 73 probationers and program operators in 38 cooperating agencies. Findings revealed that community service is perceived by probationers and host agency operators as primarily a rehabilitative sanction rather than as the punishment that the courts may have intended.

**The Presentence Investigation Report: An Old Saw With New Teeth.**—The presentence investigation report has been tradition-bound in purpose and content almost from its inception well over 100 years ago. Designed to facilitate sentencing decision-making, it has also become utilitarian for a host of secondary users. After an

historical review of the construction of the presentence investigation report, authors Alvin W. Cohn and Michael M. Ferriter propose a new PSI model. It is one which facilitates primary and secondary decision-making, reduces labor intensity, and eliminates any debate over long versus short forms. The authors discuss the use of the model in Montana probation and assess its applicability and impact in criminal justice administration.

**Considering Victim Impact—The Role of Probation.**—Since its inception in a Fresno, California probation department in 1974, the victim

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# Career Issues for Probation Officers

BY DARRELL K. MILLS

*United States Probation Officer, Cheyenne, Wyoming*

CAREERS OFFER unique strains, conflicts, and frustrations. This is so for the physician, police officer, and teacher and equally so for the probation officer. While probation work can be interesting and rewarding, the unique role played by the probation officer presents a number of predictable issues that must be addressed during the course of a career. It is the purpose of this article to identify and explore some of those career issues. The issues identified are not necessarily exhaustive. Some may impact an officer to a greater extent than others. Some are resolved at one point in a career and left behind, while others are so ingrained in the role that they are faced repeatedly. A few may be understood as part of the aging process as the officer matures through his career.

The expectations of the probation officer role are unusual and sometimes conflicting. They include duties that are common to the police officer as well as the social worker. The coupling of investigative/enforcement responsibilities with counseling duties results in a hybrid role that inherently produces occasional role strain. The probation officer's mission "to protect the community by rehabilitating the offender" is less than precise and provides a dual, sometimes conflicting, objective. The focus is the good of the community and the well-being of the client, and within broad parameters established by the court, the officer must balance these interests. How the officer handles this balancing act is left largely to his good judgment in keeping with how he defines his role. The officer works in a legal environment and is responsible for assisting the court in decision-making, including judgments relating to bond, sentencing, and revocation. He is responsible for a variety of reports, including the pre-sentence investigation, all of which have deadlines. As the Federal courts and some state jurisdictions shift to guideline sentencing, the traditional role has undergone change, and still more duties have been assigned. It is within this context of multiple work demands that the following career issues may be understood.

## *Ideal vs. Real*

*"Nobody said it would be like this."*

This is not an uncommon lament of new officers as they realize that the idealized expectation of their chosen career does not match the reality. Young people who choose corrections often do so out of a sense of idealism and the belief that they can have a meaningful impact on peoples' lives. They soon find, however, that the reality of what is obtainable can seldom match the expectation.

The new officer quickly discovers that he works in a bureaucracy that imposes constraints on how effectively he can work with clients. The demands placed on his time make it most difficult to accomplish meaningful supervision goals. For that matter, it becomes readily apparent that it is unrealistic to hope for dramatic progress in large numbers with this client population. The clientele is often reluctant to participate in the process and are frequently unmotivated and beset by so many different problems that progress is elusive.

Officers come to understand that their position is as much a "paper business" as a "people business." Much more of their day is taken up by paper shuffling and dictation than envisioned, a trend that seems to be worsening.

Another surprise for many new officers is the extent to which they are expected to be knowledgeable of the law relating to their new role. Most come to the job expecting they will be doing investigation and case work, but few appreciate the legalistic nature of their position. The courts have come to rely more and more on the probation officer in this area, and guideline sentencing serves to illustrate the extent to which this trend has evolved.

The first major career issue, then, is to realign expectations with reality. It is a matter of realizing what is possible in light of the constraints of the agency, limitations of time, and nature of the case load. The officer may experience some initial frustration in accepting that while his involvement with clients may surely make a difference

in some cases, these instances are fewer and less dramatic than anticipated. The new officer must also learn to cope with some unanticipated demands of his role relating to legal expertise, administrative duties, and paperwork.

### ***Manipulation***

*"Why do you think they call them cons?"*

The probation officer's role sets him up to be the object of manipulation. He has considerable authority over the client and great discretion as to how that authority is administered. Because of the dual mission of probation work, the job requirements are defined in only general terms, and the officer is given wide latitude as to how intrusive he wishes to be in a client's life or how he chooses to respond to various misconduct, including new criminal behavior. The clients themselves are often people who have developed great skill in manipulating authority figures. The probation officer has the responsibility to work constructively with his clients and, as a part of that process, seeks to establish a relationship that engenders mutual trust and confidence. It is the combination of these two elements, trust and authority, that exposes the officer to client manipulation.

New officers in particular are concerned about client manipulation. They have a tendency to take manipulation as a personal affront and to be concerned about how they will be perceived by peers and supervisor. As an officer becomes more experienced, he tends to become more tolerant of such ploys and realizes that others also try to "wiggle out" of difficult situations, and such reaction does not necessarily represent a betrayal or serious violation of trust. In fact, confronting the client about his manipulation or turning it back in such a way as to enhance the rehabilitation process can be quite useful.

Part of the supervision process is to show reasoned trust and confidence, but by extending oneself with the client population, that confidence will occasionally be abused. On the other hand, failure to ever extend oneself for fear of being manipulated would not be effective supervision. Ultimately, most officers accept that they will occasionally be manipulated, and this is a part of working effectively in such a system. Learning to understand and accept that this is a part of the job is one of the early career issues to be resolved.

### ***Taking the Rap***

*"If there is a problem, see the probation officer."*

The probation officer has taken on the role of "fixer" for the court system. While practices vary from office to office or judge to judge, it seems more and more that the probation officer is looked to to resolve the problems of the court family in criminal matters. This is no more apparent than with guideline sentencing. Probation has taken on an "expert role" in this area and has become the guardian of the guidelines charged with the responsibility of holding the line on attempts to subvert guideline sentencing. Under the Sentencing Reform Act, far more demands are made on the probation officer beyond his traditional investigative function. So many important formal and informal requirements have been assigned that many attorneys complain that the probation officer has taken on a quasi-judicial role, performing functions that are more appropriate for the judge or attorneys.

The Sentencing Reform Act has made the probation officer responsible, in large part, for the ongoing integrity of the system and has put the officer in the middle to take the brunt of the pressure from various factions. This sense of being in the middle is not new, but just more pronounced under the current Federal system. In preparing presentence investigations, the probation officer has always had to steer a course through the adversarial position of prosecutor and defense attorney relative to sentencing recommendations. The sentence that is eventually imposed almost always ends up as a disappointment to one side or the other, or perhaps both, and the probation officer is often viewed as the individual who played a major role in creating this disappointment. The same sort of blame reflects when an officer ultimately has to hold a client accountable through revocation. The job calls for close liaison with a large cast of characters, including investigators, treatment personnel, the prosecutor, and the defense bar, who at various times perceive the probation officer as responsible for unpopular decisions. While the judge holds the ultimate authority, he is not nearly as available as an object of anger, disappointment, and rancor.

It is gratifying that so much confidence is placed in the probation officer; however, with these responsibilities come a great deal of stress. This seems inherent in the job, and the best that

can be hoped for in dealing with this issue is an accommodation, not a resolution. A professional demeanor and commitment to arriving at a fair, equitable decision can go a long way to mitigate the strain. However, for many this issue will remain an unpleasant part of being a probation officer.

### ***Intangible Work Product***

***"How am I doing so far?"***

The probation officer's work is largely intangible, and he lacks a clear standard by which to measure progress. The stockbroker can gauge progress by number of sales, policeman by quality arrests, and attorneys by cases successfully litigated. The probation officer, however, lacks such a quantifiable yardstick. In corrections, practitioners frequently encounter the term "success rates." For probation officers, this normally refers to the number of clients who complete supervision successfully. When it comes to supervision this may or may not be a good way to recognize quality work. Low revocation rates may reflect good supervision or could suggest that the officer is not demanding client accountability. Low revocation rates are common to those probation departments that are so overwhelmed by cases that they cannot possibly do justice to supervision. On the other hand, revocation rates tend to rise when manning increases to allow officers to begin to monitor their clients appropriately.

The problem, of course, centers on the lack of clarity that surrounds the objective of supervision. With the dual role of protecting the community and rehabilitating the offender, a positive result may be different from one case to another—termination or revocation—and much is left to the officer's discretion. While this is most apparent in supervision, it is also, to a degree, true with presentence reports. Because of the increased burdens being placed on probation officers in these days of "do more with less," there is little time to do more than crank out reports by the numbers. Under Federal guideline sentencing, it is the numbers that become all important, and issues that were once of great consequence have now been relegated to relative insignificance. As a result, the task does not call as much on the officer to display his investigative and evaluative skills.

The difficulty, then, is establishing tangible criteria for measuring the work product. In many careers workers are stimulated to maintain a high level of motivation by performance stan-

dards. In the absence of such clear standards it is hard for management to identify and acknowledge quality performance and, for the individual officer, to assess how he is measuring up to his own and agency standards. Unfortunately, such a system can allow an officer to function at a marginal level without ever being encouraged to improve. If an officer meets his deadlines, turns out the paperwork, and stays out of the way, he can survive and receive the same compensation as the well-motivated officer who invests in his job and seeks to turn in a quality performance. In fact, with the reward and promotional structure that is common to the profession, and the historic reluctance of government to weed out the "deadwood," the system does not sufficiently reward quality, but in fact encourages mediocrity. After all, "the pay's the same" whether you turn in a good or marginal performance.

This certainly represents a career issue for probation officers. Fortunately, many are committed to their career choice and actively seek to maintain a high level of motivation. They are stimulated by the work, and their motivation comes from the intuitive knowledge they are performing well. Nevertheless, maintaining such a high standard over a career in such a system can become difficult and frustrating and can call upon the officer to make a special effort not to let his career become just another job.

### ***Status, Mobility, and Compensation***

***"I never took this job to get rich"***

Normally, one does not choose probation work if one is strongly motivated by money and prestige. As with most government positions, probation work offers not much opportunity to acquire those things by which we normally measure status. The trade-off is the reward that goes along with working in a "helping profession." While one will not be able to acquire wealth, the expectation is that the pay will be adequate, the work predictable, and the retirement sufficient.

The rank and file of probation, due to the nature of the work, must be made up of well-educated, skilled practitioners who, ideally, are highly motivated. Because of the requisite level of training and professionalism, there is not a great need of oversight from administrators. If good employees are selected, it can truly be said that the best managed probation office is the least managed probation office. While the probation office is a bureaucratic structure, the organization need not be highly elaborate with multiple levels

of supervision because the mission is relatively straightforward and does not require extensive management.

The problem in such a system is the reward structure. Well-trained highly motivated people typically come with high levels of ambition. They tend to need encouragement and goals on which to set their sights. Such bureaucracies, by their nature, are promotional bottlenecks. There are many qualified, well-educated staff members who could ascend to higher positions, but there are few such positions available. In most careers, upward mobility is most important, and moving up the corporate ladder is a significant factor in measuring success and maintaining motivation. With probation, there are too few rungs on the ladder, too many people who are qualified to climb, and not many tangible ways of identifying who should ascend.

Like everyone, people in the probation profession pay bills, educate children, and purchase homes. Of late, government has seen some hard times, and government employees across the board have seen their earning power erode, a trend that will likely be with us for some time. While many government workers have some opportunity to at least improve their lot by working toward promotion, this is not such a readily available option for the probation officer.

A career issue, then, is to acclimate to the reward structure. It certainly is frustrating when many clients are reporting higher incomes than the supervising probation officers—officers who are probably better educated and who could excel in a line of work where more mobility is available. Those who enter the field are normally aware of this situation and willingly accept the limitations for the other rewards that come with the position. Although this is an early career decision, it is one that the employee must live with as he ages in his career. Those judgments one makes in one's 20s may not be the same as one would make in one's 30s, or 40s, or 50s. As government retirement systems operate, and this is particularly true in the Federal system, it is not easy to reevaluate those early decisions. Such inability to do so can increasingly be a source of frustration and resentment, feelings that impact the all-important motivation to perform well.

### Burnout

*"Will this ever end?"*

Within the last few years "burnout" has been much discussed. Most of the literature has focused on this concept from the standpoint of

stress and emotional overload. For corrections, the primary issues dealt with are multiple deadlines, excessive occupational demands, and concerns for personal safety. The result — emotionally exhausted, unmotivated, frustrated employees who have lost a sense of enthusiasm for their jobs. To the "burned out" it is just a job, and there is no longer a sense of mission.

While these causal factors can be a part of probation work, it seems this concept can also be understood from the standpoint of having spent an entire career performing essentially the same set of tasks. From such perspective, one can understand the phenomenon, not so much as an emotional overload, but a lack of stimulation born of monotony and routine. We are all familiar with the officer who longs for the day he can claim his retirement and do something else, many times a longing that begins many years before his first eligibility.

The fact is that the tasks that most probation officers begin their career with are essentially the same tasks with which they will end. The sentencing guidelines notwithstanding, the tasks of writing presentences and supervising clients are what most officers will do their entire careers. It is difficult to maintain a high level of enthusiasm given the sameness of the task for 20 or more years. Couple this with some of the other issues already discussed—the lack of mobility, client manipulation, intangible work product, and increasing responsibility—and it is easy to understand the corrosive effect which produces this orientation.

The final and probably most important issue, then, is combating the burnout effect, a condition that is not fair to the court, the client, and most unfair to the officer who works without enthusiasm or zeal. This orientation allows little work satisfaction and can result in a diminution of self-esteem.

### Conclusion

It is not the point of this article to sing the woes of the probation officer, for all professions have advantages and drawbacks. In fact, many of the issues identified are not unique to probation work, but can be found in many other careers. Although there are some disadvantages, probation work can bestow many rewards on the practitioner. There is certainly a sense of satisfaction that comes with the knowledge of doing something meaningful and important. There is usually an opportunity to make independent decisions. Typi-

cally, the probation officer is shown considerable respect from those with whom he works, particularly the judges he serves. While it is true there is a sameness to the work over the years, the faces and situations are always different, and such differences can be a buffer to monotony. Too, the job requirements provide variety, and an officer can arrange his day between the field and office, and supervision and investigation. While being responsible for so much of the work of the court is demanding, such responsibility is also challenging and can lead to a sense of satisfaction for a job well done.

The issues identified impact officers in different ways and with different intensity. A few call for a minor adjustment or reorientation, while others are insidious and unless resolved, can result in a poor attitude and unsatisfactory work experience. Those having to do with recognition, rewards, and burnout fall into this latter category. One of the common threads that runs through the career issues is the adverse effect they can have on motivation.

Both worker and management would agree it is better to have a well-motivated officer, and it follows that the employee and employer both have a responsibility to work towards successfully resolving these issues, as both have an important stake in the outcome. For the officer, he will be better satisfied with his career choice, and for the administrators, they will ultimately see a better work product.

For the probation officer it is important to maintain a freshness and enthusiasm toward his career. In part this calls on the officer to establish and maintain a well-balanced life. This can include developing hobbies, activities, and interests outside the job which will provide the stimulations and rewards that might be lacking in the job setting. For example, to counterbalance the intangible work product an officer might choose a hobby with a tangible result, as woodworking or art—something physical that can be produced and admired. Relative to status and prestige, an officer may involve himself in charitable activities which could bring acknowledgement and sense of accomplishment. To cope with the stress of responsibility and demands one could choose a stress reducer such as physical activity. Strategies on the job may include volunteering for different duties which are not a part of the regularly assigned task but enhance an officer's overall understanding and participation in his career. Involvement in collateral activities, such as participation in training programs and writing or

teaching in the area of corrections, can produce motivational dividends.

It is just as important for administrators to be sensitive to these career issues and do what is possible to help staff members favorably resolve them. There are certainly limitations imposed by the system, and it goes without saying that new management positions cannot be created to offer mobility. On the other hand there are many things that could help which cost nothing and can enhance motivation. A concerted effort on the part of management to recognize and acknowledge positive performance is extremely important. It is true that we are all paid to do a good job, but the acknowledgement of a job well done can go a long way to mitigate the inability to reward the employee in more tangible ways. Moving people between different specialized assignments, or affording the opportunity for specialized training, are still other motivational tools. It is surprising to find that an assigned extra duty will not be looked at as an extra uncompensated responsibility, but a new challenge which was assigned because the officer has distinguished himself as a performer. Creating specialized awards or nominating for existing awards or honors is also a way of showing appreciation which can make a career more rewarding. Management should also assist the officer, when possible, in helping him deal with the rigors of his profession; for example, allowing him time to take classes or encouraging the employee to undertake those pursuits that can help with stress reduction or personal development.

Probation can be a rewarding career, but it takes a special effort to solve some of the problems that come with such a position. It serves everyone, particularly the officer, if he approaches these career issues in a creative manner and attempts to resolve them favorably. Not only will he do a better job for his employer, but will gain more satisfaction from his work which enhances self-worth and gives a sense of productivity.

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