

# Federal Probation

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Perceptions of Probationers and Host  
Agencies ..... *G. Frederick Allen  
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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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# Community Service Orders in Federal Probation: Perceptions of Probationers and Host Agencies

BY G. FREDERICK ALLEN, PH.D., AND HARVEY TREGER\*

## *Introduction*

**P**RISON OVERCROWDING and statutory enhancement of probation sanction have created increasing interest in community service programs. Originally developed to ease prison space, these programs now provide a wide range of sentencing alternatives.

The project described here was conceived out of concern that rapid growth of community service orders (CSO) without clearly defined goals and objectives could inevitably result in its overuse and eventually lead to another alternative fad. The specific research effort was focused on the users' perspective of CSO, namely, the views of the offender. To date, efforts in evaluating community service programs have focused on the views of the operators of these programs. Data sources have largely been outcome statistics in terms of success and failure of community service activities. As in most correctional evaluations, input from the offender has been overlooked.

This study, of Federal probationers who received court-ordered community service in the Northern District of Illinois, is based on the conviction that there is much more to correctional program activities than stark outcome statistics and that the offenders' perspective is an important element in program evaluation. Using rehabilitation, deterrence, desert, and justice as models of the criminal justice system, the study explored the reported experiences of adult Federal probationers following their completion of court-ordered community service. It is believed that an inquiry into the probationers' views could have implication for public policy and probation practice in the Federal courts. Additionally, information from host agencies where community services were performed was obtained to gain insight into the operation and impact of these services.

\*Dr. Allen is United States probation officer, Chicago, Illinois. Mr. Treger is professor, Jane Addams School of Social Work, University of Illinois at Chicago. An earlier version of this article was presented at the 41st annual meeting of the American Society of Criminology, Reno, Nevada, November 8-12, 1989.

## *A More Punitive Non-custodial Sanction?*

It is unclear (Nakamura & Fujimoto, 1979; Robinson, 1978) if community service operation consistently involves offenders who would in all likelihood receive a non-custodial sentence. CSO might, therefore, be a middle-ground sanction between incarceration and probation. Although some have found no problem with CSO occupying a middle-ground sanction (Winfield, 1977; Godson, 1981; Shaw, 1983), others, as Pease (1985), consider this middle-ground position an issue of self-deception and believe the practical mismatch between purpose and reality is undesirable. The troublesome issue appears to be the process of sentencing defendants to community service.

The CSO appears to respond to a judicial dilemma in sentencing by providing judges with non-custodial options. At the sentencing hearing some judges may face a dilemma in deciding a custody versus a non-custody sentence.<sup>1</sup> The judge may believe the offense calls for a custody sentence yet may feel uneasy committing the offender to custody for a variety of reasons. Judges need to consider the plea from the defense for mercy and the plea from the prosecutor to "set an example," "send the appropriate message to the community," and other rhetorics. Although there is currently no empirical data to provide guidelines, judges may, in imposing a sentence, include a CSO as a middle-ground sanction to make the probation sentence more acceptable. While this may satisfy the defense and the prosecutor, it may result in an increased sanction to offenders who would normally receive a non-custodial sentence. In such an instance, this would expose defendants to a more punitive sanction or make defendants accept a CSO to avoid prison sentences which they probably were never in danger of receiving. In addition, CSO appears to respond to the need to enhance probation as a sanction. Probation as a sanction has been criticized for its roots in the medical model to treat, to correct, to rehabilitate the offender, as well as for the lack of a generally accepted mission. The public tends to perceive probation as a lenient sanction that allows offenders to escape a deserved punishment. Community service therefore serves to enhance

probation to serve the basic aims of punishment. It also appears to respond to an increasing awareness of the neglect of the victims of crime.

Probation as a sanction has been perceived as a utilitarian act based upon the rehabilitation ideal. With the lack of faith in the rehabilitation ideal, probation is being perceived as a sanction in its own right that does not require anything be suspended. The Comprehensive Crime Control Act of 1984 (Title II of Public Law 98-478), enacted October 12, 1984, mandates that for felonies (offenses punishable by sentences of more than 1 year), the defendant, if sentenced to probation, also must be ordered to pay a fine, make restitution, and/or work in community service. This is a major shift from the traditional rehabilitative emphasis of probation. Rehabilitation is given a subordinate role to more tangible outcomes, and the way is paved for a more justice-based (Fogel, 1975) probation operation. Two factors appear to have contributed to this development: (1) Rehabilitation has been plagued with measurement problems in determining outcome, while community service, fine, and restitution orders provide measurable outcome statistics; (2) Restitution and fine as sentencing options have presented substantial collection problems, while community service can be applied without direct financial cost to the offender.

Although rehabilitation as a primary goal is receiving less emphasis, the concept may well be embedded in the community service process. Among a few evaluative programs in community service, Polonoski (1980) found that in terms of the offenders' perceived benefits from the CSO program, participants most often cited having gained some personal satisfaction from their work effort. Many of those involved in operating CSO programs were convinced that the programs had beneficial effects on the offenders. It is possible that some offenders have been so busy scheming, manipulating, and hustling for their selfish needs, they rarely have the opportunity to experience "firsthand" the needs of others. Community service places them in a new role with the community, the role of a helping person. The community, with predicaments that are different than the offender's own, may provide a new perspective.

The study focused on the following questions:

1. What are the characteristics of the sample of probationers who received court-ordered community services?
2. How do these probationers perceive their com-

munity service, and what personal characteristics are associated with these perceptions?

3. What suggestions do probationers and host agencies have for improving community service order programs?

4. How are the community service programs assessed by host agencies:

- a. Levels of satisfaction.
- b. Nature of the probationers' contribution.
- c. Comparison with non-offender population.

### *Methodology*

A descriptive-exploratory design was selected, since there is a paucity of research in this area and a need to develop insights and questions for more definitive study. An interview schedule was used to collect relevant data from the probationers and from agency operators where community service was performed. The schedule consisted of three parts.

**Part I:** Biographical data obtained from the probationers' files.

**Part II:** Interview data obtained from personal interviews with the probationers. Probationers were asked to agree or disagree to Likert-type scaled statements reflecting four perspectives of the justice system (rehabilitation, deterrence, punishment, and justice). Examples of some of the questions are:

**Rehabilitation** - The main purpose of community service is rehabilitation: To help the probationer cope with stressful situations and deal properly with other people, in order to avoid violation of the law.

**Deterrence** - The main purpose of community service is deterrence: To keep tabs on the probationer to prevent further violation of the law.

**Punishment** - The main purpose of community service is to punish the offender: To provide a deserved punishment to the probationer for his or her violation of the law.

**Justice** - The main purpose of community service is the application of justice: To resolve the problem between the probationer and the victim in a fair and just manner.

A personal interview was desirable because of the complexity of the concepts "rehabilitation," "deterrence," "justice," and "punishment." Furthermore, probationers' tend to want to elaborate on specific responses.

**Part III:** Labeled "Agency Evaluation," this section was designed to elicit feedback from the agency where the community service was performed.

### *Sample and Data Collection Procedure*

Interviewing the probationer soon after completion of community service was considered desirable for accuracy of the data as well as availability of probationers and agency personnel. Therefore, specific dates were established between May 1, and June 30, 1987, when all probationers completing community service orders would be included in the sample. The sample included 105 probationers. Seventy-three probationers were subsequently interviewed. Thirty-two were not interviewed because of the offenders' refusal or availability problems.<sup>2</sup> Following each interview, a request was made for the probationers' authorization to release the host agency information. Of 73 potential agency evaluations, only 42 were completed due to a variety of reasons. For example: many of the probationers continued to participate in community services, and in some of these cases contact with the agency was not considered appropriate.

### *Summary of Findings*

#### *Characteristics of CSO Probationers*

An important focus of the study was the characteristics of probationers receiving CSO. With CSO being a non-incarcerative sanction, at issue was the question as to equitable distribution of CSO to the entire defendant population. The findings indicate that CSO is evenly distributed by race, sex, socioeconomic status, age, income, education, and occupation. Table 1 summarizes the research sample profile.

**What are the characteristics of offenders who received court-ordered community service in the Northern District of Illinois?** The average age of probationers in this sample upon entry into the community service program was 43.4 years. The ages ranged from 20 to 71 years. Most were married (58.9 percent), most were white (65.8 percent), the majority were males (76.7 percent), most were relatively stable in terms of employment and education status, with 69.9 percent fully employed, 79.4 percent having a high school diploma or better, and 20.5 percent having a college degree.

Social-economic status reflected a cross-sectional representation of lower, medium, and upper categories (in the probation caseload) with the majority falling into what can be described as middle-class. Most of the probationers were sentenced for property-related offense with the two largest categories being "fraud" and "income tax violation." The majority were first-time offenders with only

20.5 percent having a prior conviction and only 8.2 percent having a prior jail sentence. None in the sample had a juvenile record. The average probation sentence was 47.6 months with an average of 300 CSO hours.

Most probationers (63 percent) received a combination of probation with CSO, fine, or restitution, while 34.2 percent received some form of incarcerative sentence in addition to CSO. The majority had pled guilty (78.1 percent).

**How do these probationers perceive their community service orders and what personal characteristics are associated with these perceptions?** More than two-thirds (69 percent) of probationers interviewed, choosing the "strongly agree" or "agree" categories, perceived their community service orders as an opportunity to give back something to the society they have wronged. This finding is supported by Polonoski (1980), who interviewed 192 CSO probationers, revealing that they had positive experiences. The following responses, taken from the open-ended question pertaining to the probationers' evaluation of their CSO experiences, illustrate how CSO is viewed:

Community service gave me an opportunity to give back something to the society that I wronged. When I was finished, I felt better. I felt that I had corrected something that needed to be corrected.

Community service gave me a chance to understand that there are other people out there with greater problems than I had. That there are people out there that need help. By helping them it gave me a whole new perspective on life.

Probationers, choosing the "strongly agree" or "agree" categories, also perceived community service as a punishment (46.5 percent), as a form of rehabilitation (32.9 percent), and as a deterrent (10.9 percent). The responses confirm the view that CSO is not viewed as one-dimensional.

Although most probationers perceive community service within a justice context, and as an opportunity to give back something to society, there is some evidence that in this process probationers experience a "positive feeling." This "positive feeling" can be viewed as an incentive toward behavioral change which may be reinforced and supported through ongoing experiences and counseling.

#### *Personal Characteristics Associated With Probationers' Perceptions*

The relationship between selected personal characteristics of the sample and the four theoretical perspectives are presented below. Correlation coefficients are used to gain some insight into the relationship between personal characteristics of probationers and their perceptions of CSO.

# COMMUNITY SERVICE ORDERS

TABLE I. DEMOGRAPHIC HISTORY

Number	Percent	Cum. Percent	Number	Percent	Cum. Percent
<i>Sex</i>			<i>Education</i>		
Female	17	23.3	0 to 8th Grade	2	2.7
Male	56	76.7	9th Grade	3	4.1
Total	73	100.0	10th Grade	8	11.0
<i>Age at Sentencing</i>			11th Grade	2	2.7
20 - 29	6	8.2	12th Grade	25	34.2
30 - 39	24	32.8	Some College	18	24.7
40 - 49	21	28.8	College Graduate	10	13.7
50 - 59	15	20.5	Graduate Studies	5	6.8
60 +	7	9.6	Total	73	100.0
Total	73	100.0	<i>Occupation</i>		
Mean age	43.4		Professional and Business	20	27.4
<i>Marital Status</i>			Managerial	12	16.4
Married	43	58.9	Clerical/Sales	8	11.0
Never Married	9	12.6	Craftsmen	20	27.4
Separated	7	9.6	Non-skilled	4	5.5
Divorced	11	15.1	Housewife	4	5.5
Common-Law	1	1.4	Not in labor force	4	5.5
Widowed	2	2.7	Other	1	1.4
Total	73	100.0	Total	73	100.0
<i>Race</i>			<i>Employment Status at Sentencing</i>		
White	48	65.8	Fully Employed	51	69.9
Black	13	17.8	Partially Employed	1	1.4
Hispanic	10	13.7	Unemployed	11	15.1
Other	2	2.7	Housewife	3	4.1
Total	73	100.0	Not active	7	9.6
<i>Income Bracket at Sentencing</i>			Total	73	100.0
Under \$7,000	8	11.0	<i>Socioeconomic Bracket That Best Describes Probationer</i>		
\$7,000 to \$9,999	7	9.6	Underclass	4	5.5
\$10,000 to \$14,999	15	20.5	Working Poor	6	8.2
\$15,000 to \$19,999	8	11.0	Working Class	28	38.4
\$20,000 to \$24,999	9	12.3	Middle	23	31.5
\$25,000 to \$29,999	8	11.0	Upper Middle	10	13.7
\$30,000 to \$34,999	3	4.1	Upper	2	2.7
\$35,000 to \$39,999	5	6.8	Total	73	100.0
\$40,000 and over.	10	13.7			
Total	73	100.0			

It must be pointed out that the purpose of this analysis is to develop some tentative explanatory hypotheses for further study and exploration. Due to the relatively small sample size and the nature of correlations, these results cannot be given any causal interpretation. Using the Statistical Package for the Social Sciences (SPSS) non-parametric statistics yield the following correlations:

- Type of occupation is negatively correlated with perceiving CSO within both a justice perspective (-.2741), as well as a deterrent (-.1703).
- Race classification is positively correlated with perceiving CSO as rehabilitation (.2171) and negatively correlated with perceiving it as deterrent (-.2187).
- Socioeconomic status appears to be approaching a positive correlation with the probationers perceiving CSO as deterrent (.1527) and punishment perspectives (.1462). The probationers' occupation, race, and socioeconomic status indicated statistical significant relationships with their perceptions of community service.

Probationers' recommendations for improving community service order programs were:

- The probation office should try to develop a better match between the probationer and the assigned task. This compatibility could improve effectiveness and mutual satisfaction of probationer and host agency.
- The probation office should offer more support and improve communication between the host agency and the probation office.
- The screening process in task assignment should be improved so that probationer and agency are appropriately matched. The majority (80 percent) of the probationers stated that they were satisfied with the present program operation. Table 2 details how the probationers viewed their CSO experiences.

#### *Host Agency Characteristics, Experiences, and Recommendations*

A total of 42 responses were received from 25 different agencies evenly divided between city and suburban. Approximately four out of five of the agencies (78.6 percent) were private non-profit organizations, with the remainder consisting of government agencies (state and local). Table 3 shows the various tasks performed by the CSO probationers.

**Levels of Satisfaction.** The agencies were generally satisfied with the probationers' performance. On a three-category scale: "Satisfied," "Ex-

tremely satisfied," or "Not satisfied," the agencies rated the probationers' performance and attitude toward community service. Five categories were presented: Attitude toward the tasks, attendance, relationship with staff, completion of assigned tasks, and overall contribution to the agency. All the agencies responding rated the probationers' performance as extremely satisfied or satisfied, with no "not satisfied" rating.

**Nature of Probationers' Contribution.** In 69 percent of the responses, the agency indicated that the probationer made a special contribution, which included special individual effort, extra hours or duties, or the contribution of goods, money, and other materials. In 97.6 percent of the responses (N=73), the agency indicated no special problems were experienced and that the probationers' participation did not displace a paid worker. The estimated value of the probationers' contributions averages from \$3 to \$5 an hour.

TABLE 2. HOW PROBATIONERS VIEWED CSO

	Number	Percent
<b>CSO Positive Experience</b>		
None	6	8.2
Opportunity to help others	47	64.4
Opportunity to learn new skill	4	5.5
Opportunity to make new acquaintances	8	11.0
Opportunity for self development	7	9.6
Received assistance from host agency	1	1.4
Total	73	100.0
<b>CSO Negative Experience</b>		
None	69	94.5
Personality conflict with staff	1	1.4
Innocent, was forced to do CSO	1	1.4
Was "used" by host agency	1	1.4
Was placed in a dangerous situation	1	1.4
Total	73	100.0
<b>CSO Probation Status</b>		
Completed CSO with probation to serve	62	84.9
Completed CSO and probation	10	13.7
Completed CSO and early discharge from probation	1	1.4
Total	73	100.0

TABLE 3. TASKS PERFORMED BY CSO PROBATIONERS

Tasks	N	Percent
Repairs, maintenance, refinishing, manual labor	16	21.9
Activities with the handicapped, children, sick.	18	24.7
Clerical work, festival activities, general office work	11	15.1
Food delivery, pick-ups, chauffeur.	6	8.2
Medical facility helper, hospital, nursing home aide.	11	15.1
Religious order activities	2	2.7
Professional services, legal, computer tech.	4	5.5
Other	5	6.8
Total	73	100.0

#### Comparison with Non-offender Population.

In comparing probationers with other volunteers, the agencies indicated a satisfaction rating by 86.8 percent of the agencies. Probationers' performance was superior to that of other volunteers in 28.6 percent of the cases. Probationers' performance was equal to that of other volunteers in 57.2 percent of the cases. Probationers' performance was inferior in only 7.1 percent of the cases. Although CSO was officially terminated, 63 percent continued to be associated with the agencies, performing some types of volunteer work.

**Issues and Recommendations from Host Agencies.** Agency personnel reported that the critical issues facing community services were: (1) Scheduling available time to match offender and task; (2) Improving the screening process to match probationer with agency; (3) Allowing an adequate number of community service hours for meaningful participation; and (4) Addressing the issue of liability.

Agency suggestions for improving the CSO program were: (1) More focus on training and/or orientation of the probationer to community service; (2) Improved screening of referrals; (3) Easier reporting procedures; and (4) Improved communication between the agency and the probation office.

The majority of the probationers (89.6 percent) in the sample who were ordered by the court to participate in CSO completed their assignments without any major problems. Of the 106 selected for the sample, 95 completed community service satisfactorily. Five were removed from the pro-

gram due to probation violation, and 6 were removed for other reasons.

#### Conclusions and Recommendations

In interpreting the data presented in this report, it is necessary to be aware of the study's methodological limitations. This type of exploratory survey is in general a useful method of obtaining information for program evaluation. However, the data are based on the reported experiences of individuals after they have completed community service and may suffer from: the difference between the reported and the actual experience; forgetting and selective recall; and the statistics of rare events. Also, the relatively small sample used in this study, although appropriate for an exploratory study, suggests that any conclusion that may be drawn from the data must be treated as provisional only.

The general impression of probationers who completed CSO and the host agencies indicates that community service operation in the Northern District of Illinois is effective. The service appears to be meeting the needs of both probationers and agencies. There is evidence that both the needs of the community and the probationer can be met without conflict and that these two ideas (punishment and reform) are not incompatible—they seek similar goals. On the surface, it appears as if community service orders were intended to meet the needs of the community. In fact, this is the stated goal of the present program. Yet, serendipitously, probationers reported they benefited from the experience. If given the choice to pay a fine or restitution, 74 percent of the probationers would prefer to perform community service because it provides them an opportunity to help someone in need. It appears as if many found the process of helping others therapeutic for themselves. As a result of these experiences is it possible that perhaps the field of corrections has pursued rehabilitation too narrowly by not appreciating the impact of meaningful and experiential community involvement? The principle of reform through community service may accidentally prove to be a powerful rehabilitative sanction and create change in criminal justice process.

In view of the findings of this research, the following recommendations are presented:

#### 1. Who Should Receive Community Service?

Community service orders should be recognized as viable sentencing options within a developmental scheme that emerges from the presentence report. In addition to stating that the defendant

is considered eligible for community service, the probation officer should be encouraged to make this a part of the recommendation if CSO is considered consistent with the needs of the community and the offender. The findings of this study suggest that community service can serve a broad spectrum of offenders: not only white collar offenders, but the indigent as well. Therefore it is recommended that all offenders sentenced to probation should be considered for community service.<sup>3</sup>

## 2. Improving CSO Programs

CSO programs should consider the following: (1) In addition to the routine program evaluation, programs can be improved by involving the offenders and agency operators in the process. (2) The judiciary in the district should develop specific guidelines and goals pertaining to what should be the parameters of community service orders. (3) The probation office with the guidance of the court should implement procedures for handling violations and placements. (4) More precise information is needed on liability with respect to offenders and host agencies.

## 3. Positive Relationship With Host Agencies

Maintaining a supportive relationship with the host agencies is essential. Screening offenders carefully and responding to agency concern are also important. It is recommended 250 to 300 hours be considered average for effective CSO. This would allow the host agency to invest in orientation and training for a yield in some service, as well as promoting some form of commitment of the offender

## 4. Further Research

Future research should be conducted on CSO programs to learn more about: (a) violation and (b) how the roles of the CSO specialist and probation officer are integrated to maximize the potential of the CSO. Further research might include a followup study of probationers who continued community service to determine if continuation in community service is affecting their social situation, such as their criminality, employment, and family life adjustment, as compared with others who did not continue CSO. A national study could be conducted of community service orders in selected Federal districts to reflect a broader range of characteristics and with some emphasis on the cost benefit impact of CSO.

In conclusion, the findings suggest an urgent

need for the establishment of guidelines for selection, placement, and monitoring of community service orders. Without guidelines, inappropriate use and overuse of community service could occur to the point where CSO becomes another corrections program abandoned before it has a chance to prove itself.

It is desirable to maintain openness and flexibility in beginning new programs. However, with experience and information, issues and roles can be defined and programs shaped and directed to maximize the achievement of their goals. Perhaps this article will be one small step in moving the process forward.

## NOTES

<sup>1</sup>Effective November 1, 1987, Federal sentencing guidelines require sentencing judges to select a sentence within the applicable guideline range. Thus, this dilemma will be reduced in the future when all Federal cases are under the guideline system.

<sup>2</sup>Using biographical data from the presentence report, those interviewed were compared with those who refused, and statistically, no significant differences were found.

<sup>3</sup>Offenders who present risks to the community would normally be excluded from community service participation.

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