

Federal Probation

Hair Analysis for the Detection of Drug Use in
Pretrial, Probation, and Parole Populations *James D. Baer*
Werner A. Baumgartner
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Tools for the Trade: Neuro-Linguistic
Programming and the Art of Communication *Richard Gray*

Legal Effects of the Status
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This Issue in Brief ACQUISITIONS

Hair Analysis for the Detection of Drug Use in Pretrial, Probation, and Parole Populations.—Comparing the results of radioimmunoassay (RIA) hair analysis for drug use with urinalysis results and self-reports of drug use among aftercare clients in the Central District of California, authors James D. Baer, Werner A. Baumgartner, Virginia A. Hill, and William H. Bland propose that hair analysis offers the criminal justice system a complementary technique for identifying illegal drug use. The study results are timely in light of the recent decision of a U.S. district court judge who accepted a positive RIA hair analysis result as valid forensic proof that a probationer had violated the conditions of probation (EDNY Dkt. No. 87-CR-824-3).

Tools for the Trade: Neuro-Linguistic Programming and the Art of Communication.—Whether viewed as a rehabilitative modality or a sanction, probation remains a person-to-person profession in that probation officers still deal with individuals. According to author Richard Gray, some recent developments in psychology may provide tools for investigation, assessment, helping, and, sometimes, healing. His article describes neuro-linguistic programming and how probation officers may use the technique to develop rapport and communicate effectively and consciously with clients.

Social-Psychological Effects of the Status of Probationer.—Authors Charles Bahn and James R. Davis report on a non-random sample of 43 probationers who were tested and interviewed in order to assess the social-psychological effects of probation in four areas: emotions; family, peer, and work relations; self-concept; and stigma. The authors administered an open-ended questionnaire, a scalogram, and a self-concept inventory and found, among other things, that probationers had the support of family, friends, and even some employers. The authors conclude that probation is

more than a "slap on the wrist" but that it does not overwhelm all aspects of a probationer's life.

Electronic Monitoring in Federal Pretrial Release.—Author Timothy P. Cadigan focuses on current use of electronic monitoring in Federal pretrial release programs, first discussing, in general, how to establish such programs and what to consider in doing so. Then, based on demographic data about Federal defendants on electronic monitoring, the article assesses whether

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Theft Groups for Women: A Cry for Help

BY ANITA SUE KOLMAN, PH.D., AND CLAUDIA WASSERMAN*

ALTHOUGH THE shoplifting literature is not extensive, one of its major thrusts involves describing and delineating the characteristics of women who shoplift.¹ According to the literature, women who shoplift do so because they have problems in their lives and may not know how to use legitimate resources (e.g., counseling, community services) to solve these problems. Some of these problems may be issues of anger, feeling sorry for themselves, frustration, stress, or getting back at someone (i.e., revenge). Women who shoplift are portrayed as lonely, isolated individuals with few support systems in their lives. They do not necessarily steal because of economic necessity, but rather do so as a way of asking for help. However, when caught, they do not understand why they steal. Many are relieved when they are caught shoplifting, and many say they knew they would be caught. The women who shoplift are often embarrassed and ashamed of their behavior because their offense is out of character with their overall lifestyle. Many deny the seriousness of their shoplifting behavior (Brenton, 1985; Russell, 1978; Taylor, 1982).

The type of treatment recommended by the literature for women who shoplift includes group therapy since it can facilitate the creation of support systems and begin to break down the social isolation of participants (Russell, 1978). In addition, a strong educational component which emphasizes the seriousness and consequence of the shoplifter's behavior is seen as vital to any treatment program (Moore, 1984; Russell, 1978).

Research was conducted on a sample of female clients enrolled in a group counseling program for theft offenders. The purpose of the research was to expand the literature about the nonprofessional shoplifter by focusing on the profile of shoplifters described in the literature. Additionally, since the theft program includes some of the treatment

components suggested by the literature, program staff members were also interested in assessing clients' perceptions of the value of the group experience in helping them to understand and deal with their criminal behavior. Finally, the effect of the program on clients' criminal activity was also addressed by examining clients' court records.

The Theft Program for Women

The Wilder Community Assistance Program is a cooperative, correctional programming effort between the Wilder Foundation and the Ramsey County Community Corrections Department. The program, which began in April 1981, was designed to provide a set of flexible, non-residential services at one centrally located community based center for adult offenders and their families. The following services are available at the Wilder Community Assistance Program: theft groups, women offenders' program, property offenders' groups, women's domestic abuse program, men's domestic abuse program, parenting programs for men and women, program for children and adolescents from violent homes, custody and visitation dispute program, support group for women leaving prostitution, employment program, traffic offenders' program, and financial management program.²

The Theft Program for Women, begun in January 1982, is a sentencing alternative to the courts for women who shoplift but who have little or no criminal history. The women are court ordered to the program as a condition of a misdemeanor or felony sentence. In a typical year, 100 to 135 women are enrolled in the theft program.

The women are placed in a 9- to 11-member group which meets weekly for 7 weeks. Each session lasts 1½ hours. The women are seen once individually, for an initial assessment, prior to the start of the group. The goals for clients of the theft program are the following: to talk in depth about their shoplifting offense and explore law-abiding alternatives to their shoplifting behavior and any other self-destructive behaviors which they may be exhibiting, to prevent further involvement in the court system, to get support from the other members of the group, to reduce

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the embarrassment and shame the women feel, to improve their problem-solving skills, to provide education and information about the court system, and to become aware of resources in the community to help the women deal with their problems and crises in the future.

Methodology

The sample consisted of 164 female theft clients enrolled in the Wilder Theft Program between January 31, 1985, and February 27, 1987. The typical woman served by the program during the study period was a 30-year-old (\bar{x} = 29.74 years), white (79 percent), high school graduate (\bar{x} = 12.35 years) who had an annual income at program enrollment of about \$12,500. The primary sources of this income were employment (63 percent) and welfare payments (23 percent). Only 34 percent of the clients were married at the time of enrollment into the program. Forty-seven percent of the women answered "single," when asked about their marital status with the rest indicating "divorced" (11 percent), "separated" (4 percent) or "widowed" (4 percent). (See table 1 for a more complete demographic profile of the sample.)

As indicated earlier, all of the women served by the theft program are referred from the courts. During the study period, 84 percent of the clients were sent to the program because of shoplifting. Most of these offenses (83 percent) could be classified as misdemeanors. The women did not have extensive criminal histories prior to their program enrollment. Only 21 percent of the sample had a record of prior misdemeanor offenses, for which they were adjudicated guilty, and most (80 percent) of these women had been convicted of only one offense. Only two of the clients had been convicted of any felony offenses before intake into the program. Finally, the women had no history of serving time in correctional institutions.

Clients were asked to complete a brief questionnaire, pre and post group, consisting of two parts: The first was composed of five attitude questions dealing with the clients' perceptions of the value of the group experience while the second part consisted of 20 items which described offenders' reactions to and reasons for their shoplifting behavior. These latter items were constructed to mirror the profile of theft clients suggested by the shoplifting literature.

The attitude questions, from the first part of the questionnaire, asked clients to: 1) estimate how frequently they felt they would contribute comments to the group discussion, 2) whether they felt the group experience would be a waste

of time, 3) how much help they felt the group would be in helping them to understand why they shoplift, 4) whether they felt they could learn what they needed without the group, and 5) whether they felt the group would help them make better decisions (see table 2 for a complete listing of the questions).³

After completing the questions regarding their attitudes towards the value of the group experience, clients then completed the 20-item checklist of reasons for shoplifting. Clients were instructed to check all of the statements which they felt applied to themselves. Sample items from this checklist include: 1) You wanted to get caught, 2) You are very lonely, 3) You felt remorseful when you were caught, 4) You shoplifted because you couldn't afford the items, and 5) You shoplifted because it was exciting (see table 3 for a complete listing of the 20-item checklist).

At the initial assessment, the women were given the pregroup questionnaire to fill out. On the last day of group, the women completed the postgroup questionnaire. Twelve months after a client was terminated from the program, a search was done of her court record. Felony and misdemeanor offenses for which a client was adjudicated guilty 1 year prior to program enrollment and 1 year after program termination were noted.⁴

Results

Generally, even before counseling begins, clients have positive attitudes toward the group experience. Before group, respondents tended not to see the group experience as a waste of time. Rather, they anticipated receiving at least some help in understanding why they committed their offense. They also expected to make better decisions after being in the group and were inclined to feel that they could not learn everything on their own. Finally, the women contemplated being somewhat active in contributing to the group discussion (see table 2).

As table 2 indicates the women's positive assessment of the value and importance of the group experience for them was enhanced significantly after counseling. Clients report receiving more help in understanding why they committed their offense than they expected. Their expectations regarding better decision making were also surpassed, and they felt even more strongly that they needed the group to help them learn what they needed to know. The women also contributed more to the group discussion than they thought they would, and they did not see the group ex-

TABLE 1. DEMOGRAPHIC CHARACTERISTICS OF SAMPLE (N=164)

<u>Race</u>	<u>Number</u>	<u>Percent</u>
White	130	79
Black	22	13
Hispanic	2	1
Asian	5	3
American Indian	1	1
Other	3	2
Missing data	1	1
<u>Age</u>	<u>Number</u>	<u>Percent</u>
0-19 years	21	13
20-29 years	79	48
30-39 years	34	21
40-49 years	14	9
50-59 years	7	4
60-70 years	8	5
Missing data	1	1
<u>Years of Education</u>	<u>Number</u>	<u>Percent</u>
Grade school	6	4
Some high school	22	13
High school graduate	76	46
Some college	48	29
College graduate	7	4
Post college	3	2
Missing data	2	1
<u>Marital Status</u>	<u>Number</u>	<u>Percent</u>
Single	77	47
Married	55	34
Separated	7	4
Widowed	6	4
Divorced	18	11
Missing data	1	1
<u>Yearly Income</u>	<u>Number</u>	<u>Percent</u>
\$ 1,000-\$ 5,000	38	23
\$ 6,000-\$10,000	47	29
\$11,000-\$15,000	26	16
\$16,000-\$20,000	13	8
\$21,000-\$25,000	8	5
\$26,000-\$30,000	8	5
Greater than \$30,000	7	4
Missing data	17	10
<u>Sources of Income</u>	<u>Number</u>	<u>Percent</u>
Employment	103	63
Welfare	38	23
Benefits	15	9
Court	2	1
Savings	6	4
Other	18	11
<u>Types of Offenses for Which Women Were Sent to Program</u>	<u>Number</u>	<u>Percent</u>
Robbery	1	1
Assault	1	1
Larceny (shoplifting)	138	84
Forgery	2	2
Fraud	1	1
Missing data	21	13

TABLE 2. VALUE OF GROUP EXPERIENCE TO CLIENTS PRE AND POST GROUP (MEAN RATINGS)^{a,b}

Statement on Pregroup Questionnaire	Mean Rating		Statement on Postgroup Questionnaire
	Pregroup	Postgroup	
1. How often do you think you will contribute to the group discussion? [1 to 4 scale where 1=hardly ever and 4=often]	2.31 (N=140)	2.84 ^c	1. How often did you contribute comments to the group discussion? [1 to 4 scale where 1=hardly ever and 4=often]
2. The group experience will be a waste of time for you. [1 to 4 scale where 1=all of the time and 4=never]	3.46 (N=140)	3.79 ^d	2. The group experience was a waste of time for you. [1 to 4 scale where 1=all of the time and 4=never]
3. After you join the group, you should be able to make better decisions in your life. [1 to 4 scale where 1=strongly disagree and 4=strongly agree]	3.06 (N=139)	3.24 ^e	3. Since you have been in the group you can make better decisions in your life. [1 to 4 scale where 1=strongly disagree and 4=strongly agree]
4. You could learn everything you need to know on your own. You don't need this group experience. [1 to 4 scale where 1=strongly agree and 4=strongly disagree]	2.86 (N=138)	3.30 ^f	4. You could have learned everything you needed to know on your own. You didn't need this group experience. [1 to 4 scale where 1=strongly agree and 4=strongly disagree]
5. How much help do you think the group will give you in understanding why you committed the offense? [1 to 6 scale where 1=no help at all and 6=great help]	4.27 (N=143)	5.00 ^g	5. How much help did the group give you in understanding why you committed your offense? [1 to 6 scale where 1=no help at all and 6=great help]

^a Means are based on a four point scale for items 1-4. The mean for item 5 is based on a 6 point scale.

^b The higher the mean, the more positive the rating.

^c $t=6.76$, $df=139$, $p < 0.001$.

^d $t=5.80$, $df=139$, $p < 0.001$.

^e $t=3.21$, $df=138$, $p < 0.001$.

^f $t=6.97$, $df=137$, $p < 0.001$.

perience as a waste of time.

Highly Endorsed Items: Pre and Post Counseling. The most striking result from the 20-item checklist of reasons for and reactions to shoplifting is the finding that over half of the respondents reported, pre and post group, that they felt remorseful when they were caught shoplifting. No other item on the checklist had as high an endorsement at both data collection periods (see tables 3 and 4).

Another item to which clients responded frequently at both data collection periods was, "You shoplifted because you were frustrated." Before counseling began, 35 percent of the women checked this item. After completing the program, over half (53 percent) of the women described themselves in this way.

Highly Endorsed Items: Precounseling. Prior to counseling, in addition to feeling remorseful and

indicating that frustration led to their shoplifting behavior, quite a few (39 percent) of the women said they shoplifted an item because they could not afford it. Although many of the women could provide some reason for their shoplifting behavior prior to counseling, a little more than half (51 percent) of them did not understand why they shoplifted. Also over a third of the clients (36 percent) were surprised when they were arrested (see table 4).

Highly Endorsed Items: Postcounseling. After completing the program, clients' perceptions of themselves and their criminal behavior changed somewhat. As indicated above, they remained remorseful (53 percent) and continued to point to frustration (53 percent) as an explanation for their behavior. Additionally, "anger" (41 percent) and "feeling sorry for yourself" (39 percent) became major explanations for clients. The women

TABLE 3. TWENTY-ITEM CHECKLIST CONSISTING OF REASONS FOR AND REACTIONS TO SHOPLIFTING
PERCENT OF RESPONDENTS CHECKING EACH ITEM PRE AND POST GROUP (N=143)

Items	Pregroup		Postgroup	
	Number	Percent	Number	Percent
You felt remorseful when caught.	85	59	76	53
You do not understand why you shoplifted.	73	51	31	22
You shoplifted because you couldn't afford the items.	56	39	48	34
You were surprised that you were arrested for the shoplifting offense.	51	36	45	32
You shoplifted because you were frustrated.	50	35	76	53
You shoplifted because you don't have enough money to support yourself and/or your family.	44	31	39	27
You shoplifted because it was so easy to get away with it.	43	30	45	32
You shoplifted because you felt angry.	38	27	58	41
You knew you were going to be caught shoplifting.	37	26	51	36
You shoplifted because you felt sorry for yourself.	29	20	55	39
You shoplifted because you didn't see it as a serious crime.	26	18	32	22
You were relieved when you were caught.	25	18	51	36
You are very lonely.	24	17	29	20
You shoplifted because it was exciting.	20	14	32	22
You shoplifted because you wanted revenge.	20	14	33	23
You shoplifted because you felt that stores make too much money anyway.	13	9	17	12
You wanted to be caught.	11	8	26	18
You started shoplifting as a teenager and have continued to shoplift as an adult.	6	4	8	6
You shoplifted because you felt that you wanted to humiliate yourself.	5	4	5	4
You shoplifted because you had been drinking or using drugs.	4	3	9	6

TABLE 4. THE FIVE MOST FREQUENTLY CHECKED ITEMS ON THE 20-ITEM CHECKLIST
PRE AND POST GROUP (N=143)

Pregroup Items	Number	Percent
You felt remorseful when caught.	85	59
You do not understand why you shoplifted.	73	51
You shoplifted because you could not afford the items.	56	39
You were surprised when you were arrested for the shoplifting offense.	51	36
You shoplifted because you were frustrated.	50	35
Postgroup Items	Number	Percent
You felt remorseful when you were caught.	76	53
You shoplifted because you were frustrated.	76	53
You shoplifted because you felt angry.	58	41
You shoplifted because you felt sorry for yourself.	55	39
You were relieved when you got caught.	51	36
You knew you were going to get caught shoplifting.	51	36

also reported feeling relieved when they were caught (36 percent), and quite a few (36 percent) said they knew they would be caught (see table 4).

As noted earlier, the women did not have extensive criminal histories before program enrollment. Seventy-seven percent of the clients had not been convicted of any offenses in the 12 months prior to intake into the theft program. The women with preprogram offenses were guilty of primarily misdemeanors, and over three-quarters of these women had been convicted of only one offense (see table 5).

The women exhibited similar offense patterns 12 months after leaving the theft program, albeit

at a reduced level. Ninety-four percent of the clients had "clean" records, and those women with sustained offenses (those for which the client was adjudicated guilty) on their records committed, for the most part, misdemeanor offenses.

Conclusions

The results of this study do reflect some portions of the profile of women who shoplift suggested by the literature. The most prominent characteristics⁶ indicated include: 1) feeling remorseful about their crime (before and after counseling), 2) not understanding why they shoplifted (before counseling), and 3) citing frustration as a reason for their behavior (after counseling).

TABLE 5. FREQUENCY DISTRIBUTION: NUMBER OF SUSTAINED OFFENSES^a COMMITTED BY CLIENTS 12 MONTHS BEFORE INTAKE INTO THE PROGRAM AND 12 MONTHS AFTER TERMINATION FROM THE PROGRAM

	Number of Offenses Committed			
	0	1	2	3
<i>All Offenses</i>				
12 Months Before Intake				
Number of Clients	127	30	6	1
Percent	77	18	4	1
12 Months After Termination				
Number of Clients	154	8	0	2
Percent	94	5	0	1
<i>Misdemeanor Offenses</i>				
12 Months Before Intake				
Number of Clients	129	28	6	1
Percent	79	17	4	1
12 Months After Termination				
Number of Clients	155	17	1	1
Percent	95	4	1	1
<i>Felony Offenses</i>				
12 Months Before Intake				
Number of Clients	162	2	0	0
Percent	99	1	0	0
12 Months After Termination				
Number of Clients	162	2	0	0
Percent	99	1	0	0

^a A sustained offense is one for which the client was adjudicated guilty.

Additionally, the data confirm what others (Russell, 1978) have suggested regarding the value of group counseling for the nonprofessional shoplifter. Even before counseling begins, the women see the group experience as an opportunity to help them understand and deal with their shoplifting behavior. After completing counseling, the women are even more positive about their group experience.

According to the data found in the court records, the clients significantly reduced their level of criminal activity after leaving the theft program. However, caution should be used in drawing firm conclusions regarding these data because of the way in which misdemeanors are noted in the court records. Offenses are included in the court records only if an individual is found guilty of the charge. Although the courts send clients to the theft program after the commission of a crime, many clients are "cleared" of their charges if they successfully complete the program. Thus, the "official" court records indicate that few clients were convicted of any crimes before intake. This process could also be happening once clients leave the theft program. We chose to use the "official" court records available to us since they do provide us with comparable pre and post program offense data but they provide only a partial

picture of the clients' total contacts with the criminal justice system.

The results of this study indicate that a group counseling program is a sentencing alternative which does address some of the needs of the non-professional female shoplifter. The women, perhaps because they feel so guilty (remorseful) about their shoplifting, begin counseling motivated to use the group experience to help themselves. Counselors can capitalize on this motivation and, through the group, provide clients with an opportunity to express their feelings about their criminal behavior and get the support they need for this process. At the same time, counselors can use the group as a vehicle for discussing with clients the seriousness and consequences of continuing to shoplift by providing information and education about the court system of which they are now a part. Additionally, this group can (and does) assist clients in understanding their criminal behavior.

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NOTES

¹The description that follows applies to nonprofessional shoplifters. According to Dobmeyer (1971), a nonprofessional or amateur shoplifter shoplifts for personal use, shoplifts unsystematically, and shoplifts as an avocation. Farrell and Ferrara (1985) also make a distinction between the nonprofessional or amateur shoplifter and the professional shoplifter.

²In September 1990, the Wilder Community Assistance Program became a domestic abuse program for men, women, children, and adolescents, and some of the other services, including the women's theft program, were transferred to the Wilder Day Reporting Center.

³The wording of the pregroup questions reflected clients' expectations of their behavior in the group while the post-group questions focused on clients' actual group behavior.

⁴Misdemeanor offenses are included in the court records only if an individual is found guilty of the charge.

⁵Data only from clients who completed both the pre and the post treatment questionnaires were included in the analysis.

⁶Fifty percent or more checked the item on the questionnaire.