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Program Focus

Making the Offender Foot the Bill

A Texas Program

U.S. Department of Justice
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Texas Requires Probationers To Pay for Their Own Supervision

by Peter Finn and Dale Parent

With correctional costs skyrocketing in recent years, more and more government officials have decided that offenders should help pay for the cost of their own supervision and rehabilitation. Of course, judges have long imposed court costs on defendants, and most jail and prison work programs already require inmates to contribute a portion of their earnings to their own upkeep.

From the Director

In the past decade, the offender population on probation and parole has risen at a more rapid rate than the prison population for a number of reasons. Public attitudes toward drinking and driving have changed; enforcement of drug laws has toughened; prison and jail crowding has prompted judges to sentence some offenders to probation who formerly would have been imprisoned.

However, spending for probation and parole has increased at a lesser rate than spending for prisons, forcing probation and parole officials to provide more intensive supervision and a wider range of services while drawing on increasingly limited resources.

Faced with this problem, policymakers and professionals have explored offender fees as a new revenue source to defray some of their expenses. Fee collection is already fairly common practice for offsetting the costs of incarceration at the State and local level. Current Federal policy confirms the soundness of the Texas program. Federal sentencing guidelines authorize the courts to impose cost recovery fees as part of sentencing in

Federal prisons (except when the defendant is indigent). The scope of Federal Government capability was enhanced by recent legislation which specified that the Attorney General can establish and collect such fees.

As this *Program Focus*—the first publication in a new series by the National Institute of Justice (NIJ)—shows, a well-run program offers several advantages: offenders contribute to the costs of services and supervision they receive; and fee revenues can be used to support drug treatment and other programs, specialized caseloads, intensive supervision, and expanded drug testing. Research found that the most successful programs permitted local departments to keep and use most of the fees they collected.

It is important to understand how to organize and operate offender fee collection fairly and efficiently. This study is a step forward in obtaining that knowledge.

Charles B. DeWitt
Director
National Institute of Justice

A more recent approach to recouping taxpayers' dollars is to require offenders who are put on probation, and are capable of working, to pay for at least some of the cost of their supervision. With over 2.6 million offenders on probation in 1990, even a fee of \$20 a month for 6 months would generate more than \$300 million annually. And despite a common perception of the criminal as penniless and unemployable, most offenders on probation who have committed misdemeanors—and even many offenders who have committed felonies—can afford reasonable monthly supervision fees.

Already, more than half the States allow local probation departments to charge fees to probationers, and many States have raised substantial amounts of money from these assessments. However, these States—and even similar counties within the same State—vary widely in the total amount of fee revenues they collect. More significantly, the percentage of probation expenses that States and counties recover from fees differs substantially.

The State of Texas has been highly successful in generating probation fees. In 1990, Texas collected fees from approximately 90 percent of all misdemeanor offenders on probation and approximately 65 percent of all felony offenders on probation. Texas spent more than \$106 million to supervise probationers, but collected more than \$57 million in fees—about one-half the cost of basic probation supervision. This was accomplished because the State legislature enacted several statutes deliberately calculated to encourage local probation depart-

ments to both levy fees and diligently monitor their collection.

This *Program Focus* reviews some of the major laws passed by the Texas Legislature and some of the approaches adopted by the counties to make offenders pay for a large proportion of the cost of their own supervision. Two other jurisdictions—Oregon State and Yakima County, Washington—have also been creative in increasing fee collections and are examined briefly.

Texas Leads the Way

Local probation departments in Texas collect an astonishing amount of money in probation fees. In 1990, local departments collected more than \$57 million in probation fees; several counties collected more than \$1 million. About three-quarters of the State's 110 counties collected fees equal to half or more of their total expenses.

County probation departments in Texas are funded through a combination of State aid and fees assessed on probationers. However, since the early 1970's, the Texas Legislature has enacted a number of pieces of legislation designed to motivate local probation departments to increase their total revenues by energetically pursuing probation fees.

Legislative Initiatives

The most important incentive passed by the Texas Legislature was to allow departments to carry forward into the next fiscal year supervision fees they collect even when their revenue from

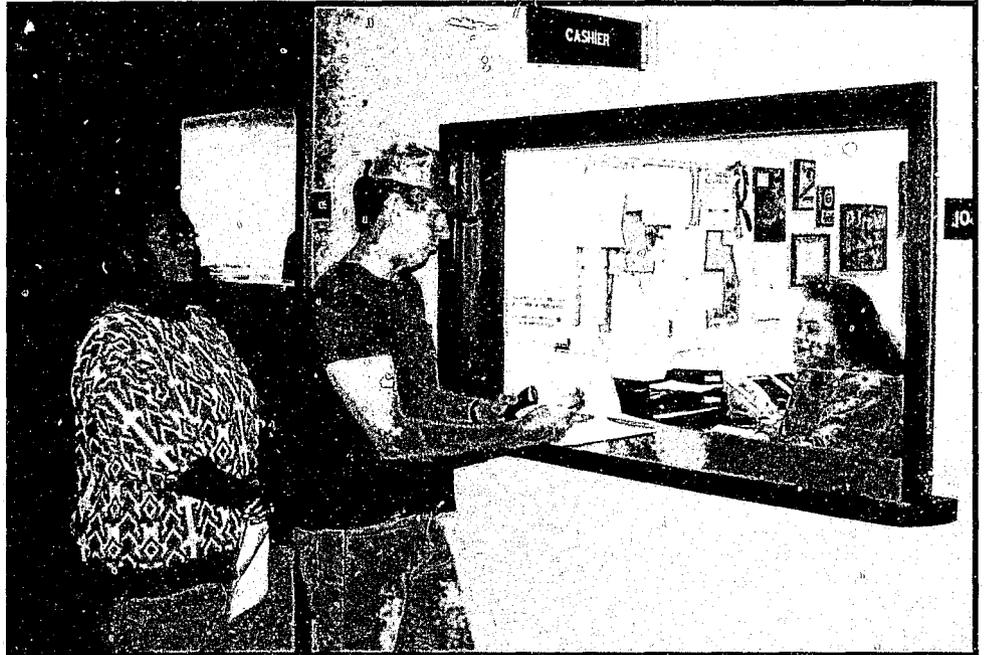


Photo by the Audiovisual Department, Texas Department of Criminal Justice

Most probationers can afford to pay a reasonable monthly probation fee.

probation fees and State aid combined is greater than their expenses—that is, they take in more money than they spend. If a department has an end-of-year surplus, it gets to keep a portion of the surplus equal to the share of its total revenue generated by probation fees.

To understand how this incentive works, suppose that a department has \$1 million in revenue—\$400,000 from the State and \$600,000 from probation fees. Suppose further that the department spends only \$900,000 during the year, leaving it with a surplus of \$100,000. The department would get to keep 60 percent of its surplus—in this case \$60,000—because 60 percent of its total revenue comes from probation fees. Under this formula, the larger the percentage of revenue a department collects from probation fees compared with State aid, the

larger the percentage of surplus it gets to carry forward to the next fiscal year.

The legislature enacted two other incentives for local probation departments to increase their fee collections:

■ *Local probation departments were given broad discretion in deciding how to spend fee revenues.* Money collected from fees can be used for salaries, operating expenses, and even starting new services for probationers by hiring additional staff or contracting with vendors that offer education, treatment, or supervision services to the criminal justice system.

■ *Probation departments were encouraged to collect enough revenue from fees to cover—and substantially exceed—the staffing costs necessary to collect the money.* Legislators realized that when supervision fees were low (for example, from \$5 to \$10 per

Probation Fees Are Not Without Controversy

The increasing use of probation fees has prompted heated debate among corrections professionals. Some critics argue that correctional fees are not an efficient way to generate revenue because many correctional clients are indigent and the cost of collecting fees may exceed the amount of money obtained. Other critics assert that it is unethical or even illegal to force convicted offenders to pay for services they are required to receive. They allege that creating incentives to accumulate probation fees may cause probation officers to neglect their supervision responsibilities. Finally, critics warn that collecting correctional fees may cause government officials to lose control over local probation departments if these departments achieve significant fiscal independence from the State and county.

Although some of these objections are policy questions and therefore beyond the scope of this report, recent experiences in Texas, Oregon, and Yakima County, Washington, are instructive. These jurisdictions show that revenue from fees can exceed the cost of administering collection and that the quality of probation supervision need not decline as probation collections increase. Edmond Peterson, Interim Director of the Texas Community Justice Assistance Division, observed that, in 1978, "our agency was concerned that probation departments would become mere collection agencies and that services would suffer as a result." We were also concerned that probationers might possibly commit new crimes to get money to pay their fees. But neither of these things happened. After 13 years, I've seen that many offenders are gainfully employed and that making them pay fees creates a sense of responsibility. Many probationers keep their jobs so they can make their payments."

month), it could cost a department more to collect this small amount than it would get back in payments. When the legislature first authorized supervision fees in 1965, it set the maximum monthly fee at \$15. In 1985 the legislature increased the maximum to \$40.

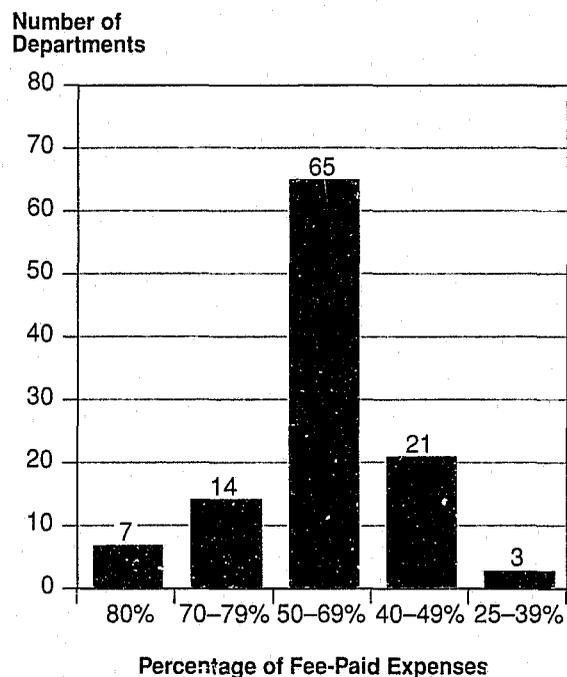
Increasing Collections

Some counties in Texas have been more successful than others in capitalizing on these incentives. In 1986, seven counties collected more than 80 percent of their expenses in fees, while three counties recovered less than 40 percent of their expenses in fees (see figure 1). While many factors explain

these differences (for example, the mix of employed and unemployed offenders), some probation departments in Texas have been particularly innovative in the collection approaches they have adopted.

Figure 2 shows how Jefferson County, Texas, with a population of 250,000, capitalized on the legislature's incentives to increase dramatically the amount of money it collects from fees. In 1982 Jefferson County collected \$437,519. In 1990 it collected \$945,438—an increase of more than 100 percent. But this increase cannot be attributed solely to rising caseloads because the average fee collected per

Figure 1. Percentage of Probation Department Expenses Paid for by Fees in 110 Texas Counties in 1986



Source: Texas Community Justice Assistance Division, Texas Department of Criminal Justice

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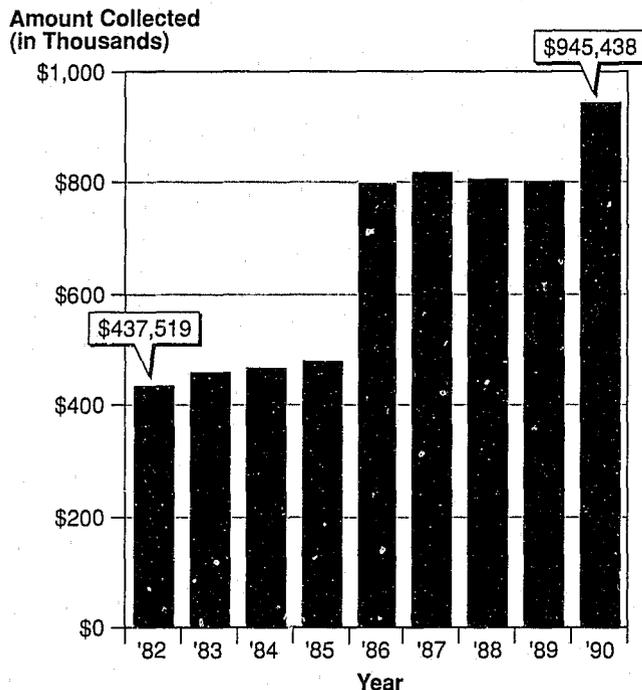
probationer also shot up, increasing from \$128 in 1982 to \$298 in 1990 (see figure 3). During this time, revenues from fees provided between 42 and 61 percent of the department's total expenses.

Jefferson County's achievement did not happen by chance. Rather, probation administrators in this and other counties implemented a number of innovations to take advantage of the State's incentives for increasing revenues from probation fees.

Linking Fee Collections to Staff Performance. According to Montie Morgan, Director of Adult Probation for Jefferson County, one early step the department took to increase fee collections was to list in staff performance reviews the amount of money collected. Every month, the department reports how much each probation officer is expected to collect based on such considerations as the number of probationers supervised. At the end of the month, another report shows the percentage of fees each officer has actually collected.

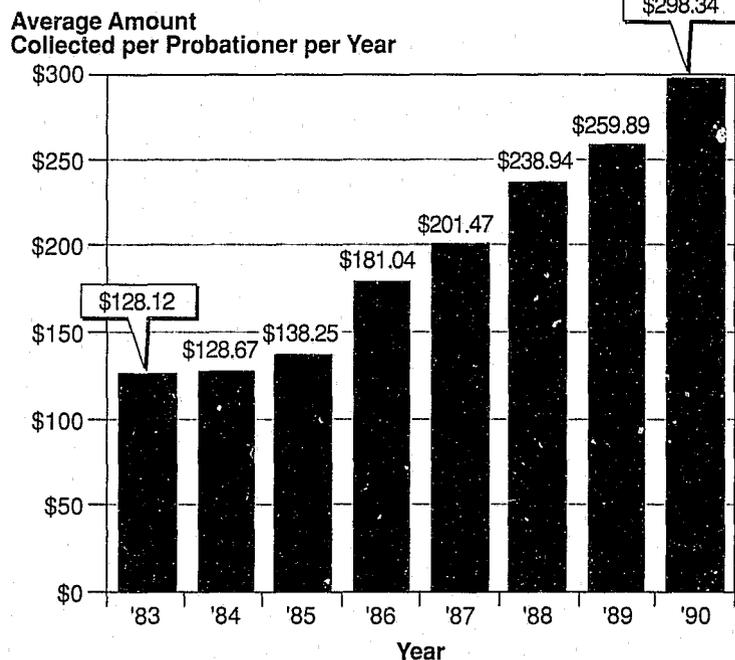
According to Morgan, supervisors consider fee collection heavily when evaluating performance among officers. As a result, officers keep their own tallies of probationers' payments and check them against the computer-generated list to make sure the automated system does not shortchange them. In another county, the supervisor posts officers' collection rates every month on a bulletin board to stimulate competition among officers to achieve a favorable performance record.

Figure 2. Probation Fees Collected in Jefferson County, Texas, 1982-1990



Source: Jefferson County Community Supervision, Texas Department of Criminal Justice

Figure 3. Average Fee Collected per Probationer in Jefferson County, Texas, 1983-1990



Source: Jefferson County Community Supervision, Texas Department of Criminal Justice

Giving Judicial Priority to Fee Collections. In addition to probation fees, judges in every State can impose a variety of financial obligations on probationers, including fines, restitution, court costs, and attorney's fees. In Texas, judges have the right to decide which kinds of payments they

Incentives State Legislators Can Offer To Increase Local Fee Collections

- Raise the minimum required supervision fee (Texas, Oregon).
- Set the maximum monthly fee high enough so that local departments can collect enough revenue to exceed the staffing costs necessary to collect the money (Texas).
- Permit local departments to keep most or all of the supervision fees they collect (Texas).
- Give local departments broad discretion in deciding how to spend fee revenues they collect (Texas).

Disincentives That May Reduce Local Fee Collections

- Levy fees only on a small number of high-need probationers who are in the worst position to be able to pay their assessments.
- Limit departments to collecting fees only from probationers who make use of special probation services (for example, \$25 for participation in a required drug rehabilitation program).
- Limit probation departments to charging a small monthly fee (for example, \$5 or \$10) that will not recover the cost of collecting fees.

will require probationers—who typically have limited funds—to pay first. However, since 1974, judges in Jefferson County—as well as many other counties in Texas—have generally ordered that payments be credited first to supervision fees and only then to other court-ordered financial obligations. Judges in Jefferson County also generally charge the highest monthly fee allowed by law—currently \$40.

In some counties judges do not state a preference for which type of court-ordered payment will be collected first. Instead, they leave this decision to the probation department. In Dallas County, the probation administrator programmed his department's computer "to credit payments first to probation fees until the balance due is zero and only then do payments go for other obligations," although this sequence can be overridden if required by a judge or a change in legislation.

Instituting a Strong No-Waiver Policy. In Texas, State law requires judges to impose supervision fees unless the offender is truly unable to pay. However, as early as 1974 judges in Jefferson County began delegating responsibility for determining an offender's ability to pay to the probation department. In practice the department rarely recommends a waiver unless the offender has a documented work disability. Furthermore, probation officers must get their supervisor's approval before recommending that fees be waived. Sometimes probation officers determine later that a probationer who they anticipated could find employment cannot in fact find a job. When this happens, the

officer recommends that the conditions of probation be amended to waive the fees the court initially imposed.

Probation officers in Texas sometimes complain that trying to decide whether to waive fees can take a lot of time because they must first assess the offender's financial situation, then formulate a recommendation, and then present it to the court. In Harris County (Houston), the Probation Department uses postsentence financial screening. In this system probation officers routinely recommend fees for every probationer regardless of ability to pay. At the end of 3 months, offenders who are in arrears on their payments are examined to determine whether their fee should be waived. Because most probationers turn out to be capable of paying, the use of "back-end" financial assessments greatly reduces the amount of staff time required for screening probationers by targeting only those probationers who have shown they have a problem paying the fee.

In several counties probation administrators report that even judges who make their own decisions about whether offenders have the ability to pay typically show a very strong presumption in favor of ordering payment. One administrator discourages judicial waivers by issuing a monthly report showing how often each judge in the county waived payments and how much in arrears each judge's probationers have been. The administrator believes that, because judges are sensitive to how they perform compared to their peers, the report encour-

ages them to impose fees more often and take stronger enforcement actions against probationers who are in arrears than they might otherwise be inclined to do.

Enforcing Payment Strictly. Before jail crowding became a serious problem, judges in Texas would sometimes give jail sentences to offenders who were willfully behind in fee payments if the probationer had also violated other conditions of probation. However, because of today's widespread jail crowding, offenders on probation are now much less likely to be locked up and those who are reincarcerated often serve only a few days. In Jefferson County, the Probation Department now recommends that judges sentence probationers to 10 days of community service for willful nonpayment rather than to jail. According to Morgan, when faced with "the prospect of 2 weeks of hard work," probationers often catch up on delinquent payments. Community service is also imposed on probationers who are in arrears in Yakima County, Washington. (See "Forced To Become Self-Supporting, Yakima County Succeeds.")

Recent Changes

In the 1980's Texas introduced additional changes in legislation and computerization designed to increase fee collections still further.

Automatic Assessments. In addition to raising the maximum fee from \$15 to \$40, the legislature also made it more difficult to waive fees. Several legislators had become concerned that some

Innovations County Probation Departments Can Introduce To Increase Fee Collections

- Use fee collections as one criterion for evaluating probation officers (Texas).
- Tighten criteria for recommending fee-waivers and reductions in fees to the court (Texas, Oregon).
- Work with judges to reduce the number of fee-waivers granted by the courts (Texas).
- Grant no fee waivers at sentencing; instead, grant waivers only after offenders have been on probation 90 days and have shown they truly cannot pay (Texas; Yakima County, Washington).
- Work with judges to have probationers pay their supervision fees before they meet other financial obligations imposed by the court (Texas).
- Work with judges to establish a strict enforcement policy for probationers who are delinquent in their payments but can afford to pay (Texas).
- Take over collection responsibilities from clerk of court or other offices that have no incentive to monitor and enforce fee collections (Oregon; Yakima County, Washington).
- Install an automated system for recording collections and issuing overdue letters (Texas; Oregon; Yakima County, Washington).
- Require probationers who are in arrears to perform community service unless they resume payments (Texas; Yakima County, Washington).



Judges in Texas typically do not grant a fee waiver.

judges were waiving fees for offenders who had the ability to pay. As a result, in 1987 the legislature required that all probationers automatically be

assessed at least \$25 a month unless they could show they were too poor—and likely to remain so—to pay even this small amount.

Computerized Tracking. By the early 1980's, many large counties in Texas had developed their own customized and automated accounting systems for keeping track of fee payments. For example, in Harris County the Adult Probation Department developed a custom system that increased fee collections while reducing the amount of staff time involved in tracking collections. Designed by county information system staff, the Harris County system automated routine accounting functions, such as recording payments and issuing receipts. Using this capability, the department:

- *Issued monthly reports to each probation officer summarizing the payment status of every offender.* This enabled each officer to identify quickly delinquents on his or her caseload who needed to be contacted about their arrearage.

- *Automatically mailed probationers a monthly statement of how much they owed.* The bills were timed to arrive when offenders received their wages or government benefit checks.

- *Automatically wrote a letter to probationers who were more than 90 days overdue reminding them of their unpaid balance and what they needed to do about it.*

To make these and other benefits of computerized accounting available to smaller departments, in 1983 the Texas Adult Probation Commission (now named the Community Justice Assistance Division) developed specialized accounting software that operates under a popular data base management program (dBASE III).

Forced To Become Self-Supporting, Yakima County Succeeds

In Washington State, county probation offices are funded totally by the county. In 1982, when the State authorized county offices to collect and keep supervision fees, Yakima County took several steps.

At sentencing for an indigent probationer, unlikely to find work, probation officers formerly recommended a routine waiver of fees. But once the judge put the misdemeanor on probation without fee, the waiver was irrevocable even if the probationer inherited a million dollars. Now the officers recommend that every probationer be assessed a \$30 fee at sentencing, since the law gives the probation officer the power to determine, each month, the offender's ability to pay.

Even so, the Yakima branch office was running a deficit. As a result, in 1984 the county told the probation administrator that all funds would be cut off as of 1987 and the office would have to make up its deficit. Their jobs now on the line, the probation officials changed their attitude and their operations:

- The office automated its manual system of recording collections and had the computer send late notices whenever a probationer was 30 days in arrears.

- Delinquent probationers went on the office's community service program, earlier used only for offenders unable to pay fines imposed by the court.

This still wasn't enough. The probation supervisor laid off two probation officers

and took on a large caseload himself. Two lesser-paid case managers replaced two other probation officers.

Chief Probation Officer Hosack did not thin out the four-person clerical staff, however. Instead he added to their jobs the new tasks of scheduling all probation meetings, filing reports, and monitoring collections. This left the remaining probation officers more time to supervise their caseloads—and work with delinquents to catch up on their fees.

By 1990 the office was running a \$133,000 surplus. It has repaid its debt to the county and even amassed a reserve fund to help pay for running the office if fee collections should ever drop off.

Hosack points out that much of this success springs from an increased caseload—from 2,120 in 1987 to 3,000 in 1990, almost 50 percent. Much of the increase came with assignment to the office of 500 "deferred prosecution" cases, offenders whose records were erased if they fulfilled probation conditions. Most of these were drunk drivers, who had both the ability and the incentive to pay their fees to wind up with a clean record.

Hosack has hired two more case managers, put a volunteer community service worker on salary, and completely automated the office, with a computer for each probation officer.

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Commission staff customized the software to suit the needs of each probation department and trained local officials in how to use it. Currently more than one-third of the adult probation departments in Texas use the software. According to John Owen, Director of Community Supervision and Corrections for Jack County, the software has "definitely helped to increase collections—probably by 30 percent," because officers can find out with the push of a button how much each probationer is in arrears and then target that person for special attention.

These changes appear to have had the intended effect. Both the total amount of revenue from fees and the average monthly fee collected per probationer continued to increase in Texas during the 1980's—even when caseload rates remained the same (see figure 4). From 1986 through 1989, caseloads remained steady, but the average fee collected per year increased from \$132 to \$191, and total revenue from fees jumped from nearly \$37 million to more than \$57 million.

Initially, skeptics expressed concern that reliance on probation fees as a significant source of funding for probation services would create a host of problems—including a decrease in State contributions and a reduction in the quality of casework—that would destroy the program. In practice, these problems have not developed.

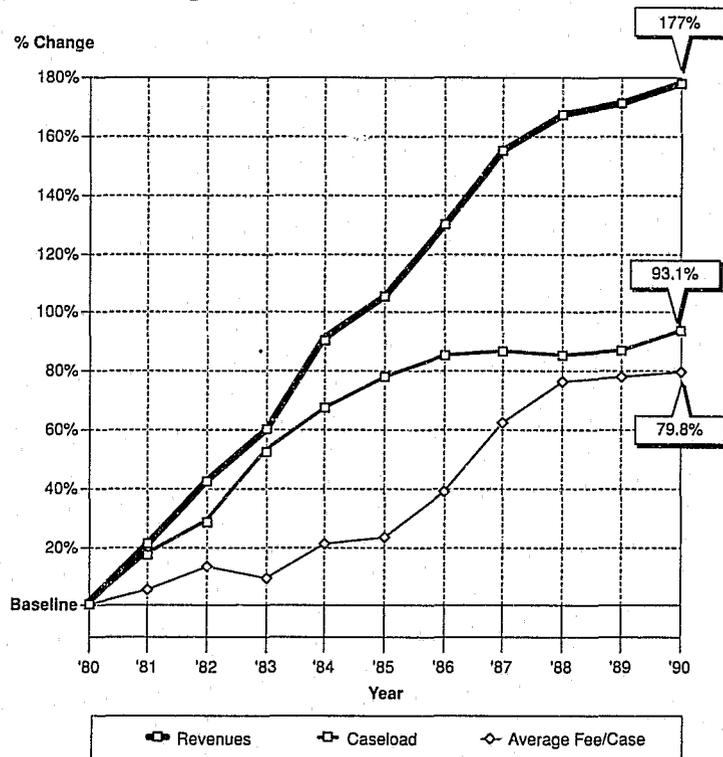
State Contributions Have Not Decreased. Critics charged that, as local departments generated more operational income, States would decrease their contribution to local probation



Photo by House: Photography, Office of the Speaker, Texas Legislature

The Texas Legislature continues to enact statutes that increase incentives for vigorous fee collection.

Figure 4. Change in Caseload, Revenues from Probation Fees, and Average Fee Collected per Probationer in Texas, 1980–1990



Source: Texas Community Justice Assistance Division, Texas Department of Criminal Justice

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departments in proportion to the increase in fee collections. This loss in State funding would leave departments with the same amount of money they had before they began collecting fees. As a result, while collections would reduce the State budget and presumably the tax burden, they would be of no benefit to local departments.

In some States probation fees are routinely offset by decreases in State aid. (See sidebar on page 11.) However, in Texas continuing increases in fee collections have not led to a decline in

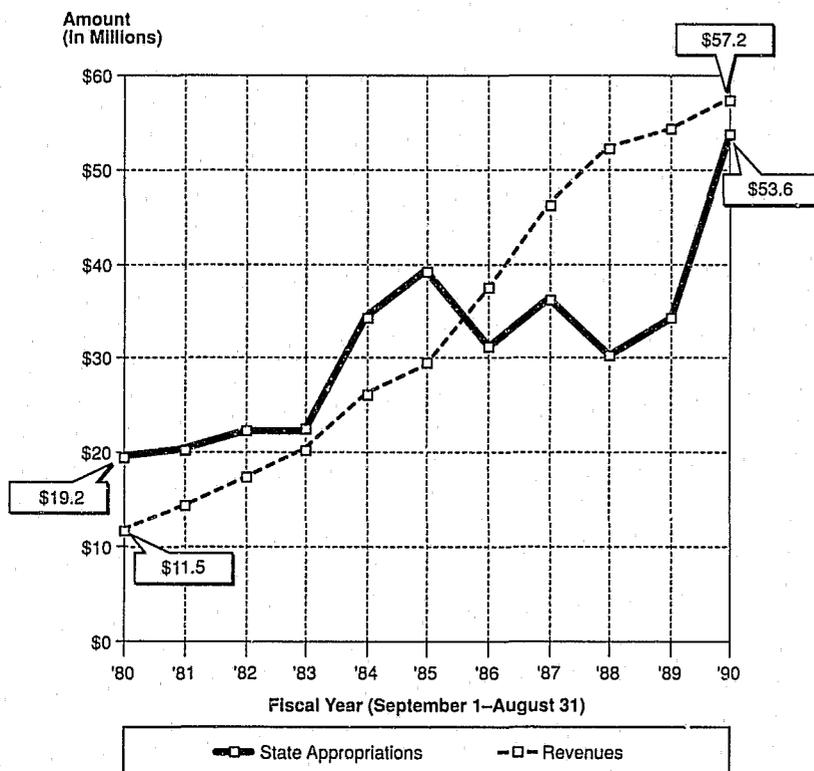
contributions by the State. In fact, over the long run the legislature has increased, not reduced, its support for local probation departments' salaries and operating expenses. (See figure 5 for a list of sources of probation funding in Texas from 1980 to 1990.) At the same time that collections from probation fees were increasing, State appropriations for salaries and operating expenses also increased, jumping from slightly more than \$19 million in 1980 to more than \$53 million in 1990—an increase of almost 300 percent. Although State funding did drop

in 1986 and 1988, this was because of an economic recession, not because of increases in fee revenue during those years.

Does Collecting Fees Detract From Casework? Some probation officers, supervisors, and other corrections staff warn that strong incentives to collect fees will turn county probation departments into "collection agencies" that devote all or most of their energies to "fund raising" and neglect their obligation to help probationers avoid substance abuse and achieve employment and rehabilitation. A few probation officers still complain that the emphasis on fee collection reduces the amount of time they have to help probationers with areas of their lives that are crucial to staying "straight." Because fees are always the first topic of discussion during an office visit, casework can be addressed only in the remaining time. Probation officers report that if an offender is having difficulty meeting payments, the office visit can be consumed entirely by this one issue.

Another problem with emphasizing fees is that some probationers are reluctant to meet at all with their officer if they are behind in their payments and know they are going to have to explain why they haven't paid the fees. One probation officer was observed taking a call from a probationer who telephoned to say he was not going to report that day as scheduled because he could not pay that month's fee. The probation officer spent several minutes convincing him to keep the appointment in order to avoid a

Figure 5. Sources of Probation Funding in Texas, 1980–1990



Source: Texas Community Justice Assistance Division, Texas Department of Criminal Justice

more serious violation of his conditions of probation.

Montie Morgan admits that many probation officers hated fee collections when they were first introduced in Texas in the early 1970's. But from the beginning, Morgan recalls, probation administrators made clear to new employees that fee collection is part of the job. As a result, line staff today generally accept fee collection responsibilities as a matter of course.

"Some staff have a mindset opposed to acting as a bill collector," observes another chief probation officer, "but the number who feel that way are a minority. Most [probation officers] see fee collection as a condition of the job." And eventually they come to realize that they are not just collecting bills; by enforcing fee payments they are benefiting the probationer with improved casework.

Benefits of Fees

Besides adding to the State's treasury, supervision fees give probation departments a number of other benefits. They save time by making use of state-of-the-art technology, provide another avenue for casework, and expand probation services into other areas.

Automation Saves Time. More and more, probation officers do not have to take time from their casework responsibilities to track probationer payments. Instead, computerized monitoring systems identify who is behind in their payments and how much they owe. According to one department director, "The information system

Keep Fees and Give Up State Services? Give Fees to State and Receive Services? Oregon Counties Find Benefits Either Way

Roughly a third of Oregon's 36 county probation and parole offices can keep any supervision fees they collect and spend the money for any legal purpose. In return, they must purchase the supplies and services that other counties depend on the State to buy.

The majority of county offices turn all their fees over to the State. Some of them received less in services and supplies than the fees they turned back to the State. To make matters worse, in the mid-1980's the legislature reduced the appropriation for the services and supplies by an amount equal to the fees the Department of Corrections estimated those counties would generate.

Thus there was no incentive for those counties to increase fee collections. These counties collected fees from 1987 to 1989 equal to slightly more than 6 percent of their expenses for basic supervision. The group of counties that retained their collected fees brought in enough to pay for 15 percent of basic supervision expenses.

The counties that could keep their fee revenues thus generated 2 1/2 times more than the other counties because they had this incentive to try harder. Some merely narrowed their recommendations to the judge for fee waivers and reductions. Some county supervisors got pay increases for exceeding fee collection forecasts. One took over and automated a fee system formerly run by the clerk of court—and increased receipts from \$12,000 to \$140,000 in one year.

The difference in collections is now much less, because in 1989 the legislature raised the minimum supervision fee from \$10 to \$25. The State Department of Corrections began using the increased fee revenue to provide the majority of counties more training, equipment, hearing officers, and other services. This has made these counties pursue collection of supervision fees more vigorously. Simultaneously, those counties that keep their fee revenue but receive no services from the State were, on their own, already imposing—and collecting—higher supervision fees.

takes all the administrative hassle out for the probation officers—they have no excuse for griping about how much extra work it is to monitor fee collections."

Fee Collection Is Good Casework. Of course, probation officers must still spend time—sometimes an entire office visit—motivating offenders to make their payments and working out a plan for doing so. However, Texas probation administrators believe that, rather than detracting from casework, aggressive fee collection actually

further the goal of helping probationers avoid relapsing into criminal behavior. They argue that the regularity of fee payments is a good barometer of a probationer's overall adjustment while on supervision. According to Morgan, "There is a direct correlation between probation compliance and fee payment."

Nonpayment usually means there are underlying adjustment problems that the probation officer needs to address that otherwise might have gone undetected. "For example,"

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one county director said, "if the probation officer and offender were not discussing failure to pay fees during the client interview, they would be talking about the client's drinking problem, which is the cause of his not making payments. So the fee is an entrée to get into [addressing] the offender's life problems."

Some probation staff believe that the emphasis on fee collections provides an opportunity to help teach offenders how to budget and meet ongoing financial obligations on time. More generally, discussing problems with paying the fee can teach offenders how to structure their lives in a way that enables them to make their payments. "The key issue," says Lewis Bramblett, Chief Probation Officer for Dallas County, "is getting offenders to accept responsibility for making the payments and for taking charge of their lives."

Fee Revenues Fund Expanded Services. Finally, probation administrators have been able to use money from fees to add services they had previously been unable to afford.

Montie Morgan emphasizes that increased collections in Jefferson County enabled him to contract for additional services for offenders, including several group intervention programs, a sex offender program, and substance abuse programs. In some counties, fees have been used to fund intensive supervision programs for high-risk offenders who require frequent reporting to probation officers—and therefore more staff. Electronic monitoring—fitting a probationer with a bracelet that emits a signal if the person strays beyond a fixed distance from his or her home—has also been made possible in some counties with the money collected from fees. Electronic monitoring makes it possible to keep much closer tabs on an offender than requiring periodic visits to a probation officer or making telephone calls to the home.

Collecting supervision fees from probationers has been controversial. As the former Director of Programs for the Community Justice Assistance Division (formerly the Texas Adult Probation Commission), observed, "The rap against Texas has been that

probation exists only to collect fees and that casework has been added as an afterthought." But recent experience in Texas, Oregon, and Washington shows that the system merits a closer look. Some probation administrators have been very successful in making supervision fees work for them and for their clients.

About This Study

This document was written by Peter Finn and Dale Parent, senior research analysts at Abt Associates, Inc. Dale Parent is also the author of *Correctional Costs Through Offender Fees, NIJ Issues and Practices*, June 1990. (NCJ 125084)

Findings and conclusions of the research reported here are those of the researchers and do not necessarily reflect the official position or policies of the U.S. Department of Justice.

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