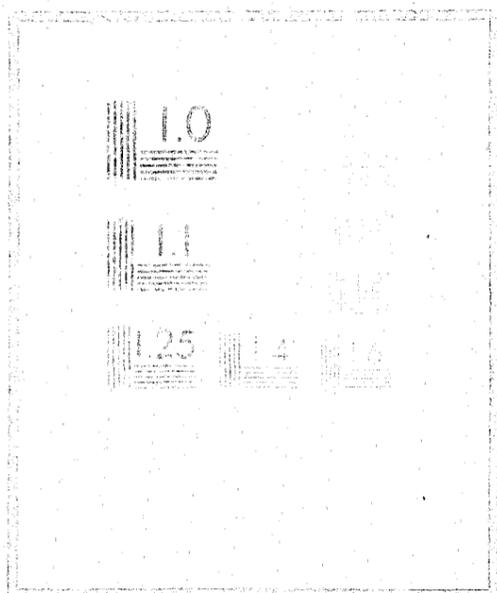


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CRIMINAL COURTS TECHNICAL ASSISTANCE PROJECT
Institute for Advanced Studies in Justice
The American University Law School
Washington, D.C.

A Program of the
Office of Regional Operations
(Adjudication Division)
Law Enforcement Assistance Administration
U.S. Department of Justice

To: Judge Richard F. Cooper, Chairman
Board of Probation
Concord, New Hampshire

SURVEY OF PROGRAMS AND PROCEDURES
OF THE NEW HAMPSHIRE
DEPARTMENT OF PROBATION
AND RECOMMENDATIONS FOR FUTURE CHANGE

Prepared by:

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September 25, 1972

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FOREWORD

On August 31, 1972, the Chairman of the Probation Board of the State of New Hampshire, Judge Richard F. Cooper, officially requested the New Hampshire State Planning Agency (Governor's Commission on Crime and Delinquency) to secure technical assistance services for the purpose of surveying present programs and procedures within the State Department of Probation and developing recommendations for its future operation. Accentuating the need for such a survey, Judge Cooper pointed out that while the demands upon the Probation Department from the courts have greatly increased in recent years, the basic organization and procedures of the Department have remained virtually unchanged since its inception in 1937.

Not having the manpower available to directly provide the assistance called for, the Director of the State Planning Agency, Mr. Frederick P. Nader, requested the LEAA Regional Office to secure the needed services. Although most probation office requests for technical assistance are handled through LEAA corrections channels, Mr. Nader felt that since the New Hampshire Department of Probation is governed by a Probation Board composed of three judges and is, operationally, an intrinsic component of the court system, the services required were more appropriate for court-oriented technical assistance. Consequently, the technical assistance request was forwarded by the Regional Office to the LEAA National Office with a recommendation that it be handled by the American University Criminal Courts Technical Assistance Project.

Upon the recommendation of the Region I LEAA Court Specialist, Mr. Maurice Geiger, the services of Dr. Alvin Cohn, a criminologist with wide experience in criminal justice system personnel training, were secured for the Probation Board request. Dr. Cohn spent September 3, 4, and 5, 1972, on-site in New Hampshire, visiting various probation offices, and meeting with a "scope" committee composed of judges from the Probation Board, officials from the office of the Director of the Department of Probation, as well as probation officers. The report which follows is Dr. Cohn's impressionistic overview of the Probation Department's operations, and includes recommendations for both immediate change, as well as more in-depth study of the existing system. The Criminal Courts Technical Assistance Project will follow the results of Dr. Cohn's consultation and present a chronological history of the New Hampshire Department of Probation's efforts at reorganization in its final report to LEAA.

STATE OF NEW HAMPSHIRE

Board of Probation

A SURVEY OF PROGRAMS AND PROCEDURES
OF THE DEPARTMENT OF PROBATION
AND RECOMMENDATIONS FOR FUTURE CHANGE

September 20, 1972

Prepared by:

Alvin W. Cohn, D. Crim., Consultant

This report was prepared in conjunction with the Institute's Criminal Courts Technical Assistance Project, under a contract with the Law Enforcement Assistance Administration of the U.S. Department of Justice.

Organizations undertaking such projects under Federal Government sponsorship are encouraged to express their own judgement freely. Therefore, points of view or opinions stated in this report do not necessarily represent the official position of the Department of Justice. The contractor is solely responsible for the factual accuracy of all material presented in this publication.

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I. INTRODUCTION

Pursuant to the request of the Criminal Courts Technical Assistance Project of the Law Enforcement Assistance Administration, a consultative visit was made to the State of New Hampshire on September 5th through 7th, 1972, in order to obtain some insight into the structural problems, organizational issues, and programmatic concerns of the New Hampshire Department of Probation. It was understood that the New Hampshire Board of Probation is desirous of improving the quality of its probation program and, through the LEAA, has requested a consultant's report on immediate and future steps and programs the Board and the Department might undertake.

It is necessary to keep in mind that the following is an impressionistic report, developed as a result of only three days of observation and inquiry; it is not based on an intensive analysis of statistical data nor on intensive interviews of all persons associated with the delivery of probation services in New Hampshire, including probationers.

II. DEPARTMENT OF PROBATION ORGANIZATION

Overall, it appears that the Department of Probation is managed on a day-to-day basis, without substantial planning, forethought, or accountability of personnel. By design or tradition, most of the workers appear to be autonomous entrepreneurs, handling their caseloads independent of any direction or control from central authority. While such a situation is a normal outgrowth of the considerable tenure and seniority which exists on the part of most of the probation officers, there appears to be relatively little effort to direct or control their activities to ensure that an adequate level of service is provided the clients.

Short of any declarations which might appear in the various biennial reports, and in the absence of an organizational manual, the goals of the Department remain unstated or, at best, unclear. As a consequence, every employee almost has the right to determine his own kind and level of performance, allowing the administration almost no opportunity to judge the quality of the services provided. Evaluations of performance are not routine, but are casual, infrequent, and occur as a result of obvious and blatant infractions of non-published rules and regulations, but not according to established standards and criteria clearly enunciated by the administration.

A. Personnel Responsibility and Performance

Notwithstanding the absence of specific documentation, it is probably true that the performances of the various workers are inconsistent throughout the organization, ranging from what can be described as professional through extremely shoddy. As can be expected in such a situation, workers probably tend to bear in mind "what they can get away with" more than what they need to do in the best interests of the clients being served.

Many of the officers have been on duty for many years and probably have developed their own styles of managing their case and work loads. Regardless of their age and experience, however, one must assume that all professional

workers are capable of change and growth. Yet, the Department maintains no regular training program and, according to some, does not in any way encourage continuing educational achievement. As a consequence, the officers continue doing what they have always done, in the manner best suited to their individual needs, and without regard for the benefits of continuing education, even at the undergraduate level.

Supervisors, for the most part, hold such titles in name and for salary purposes only. Promotions are not based on established criteria, but come about as a result of fraternal evaluations. Although there may be exceptions among the four supervisors, there is little evidence that they truly supervise their subordinates from a clinical point of view. Supervisors in all probation departments are caught on the horns of a dilemma: do they represent their subordinates or are they arms of the administration? In New Hampshire, supervisors appear to resolve this dilemma in personal ways, without assistance from the Central Office. It appears that they, for the most part, perceive their primary responsibility as that of producing routine statistical reports and summaries of activities to be forwarded to the Central Office, and without delay. While there is an inevitable need for such routine and prompt reporting in any organization, in the Department there is no regular system of feedback to the workers and supervisors concerning aggregate data and/or analysis of the data -- feedback information which could conceivably benefit personnel insofar as improving performance is concerned.

B. Intra-Departmental Communication and Morale

This one-way flow of statistical reports leads many of the personnel to the conclusion that the data are meaningless and that the reports are bothersome, irrelevant, and result only in keeping workers busy and unable to provide complete services to clients. Furthermore, the workload associated with Domestic Relations activities, especially collections, only provides workers with an additional excuse for not doing their primary assignment: investigations about and supervision of probationers.

The problem of low morale seems to be of considerable significance. Its genesis and resolution are not easily determined, but, in part, it must be attributed to remarkably poor communications within the total organization. Although the Department is relatively small, communications are frequently one-way, there is little if any feedback to workers or administrators on problems of substance or feelings, and there appears to be little if any coordination among the personnel regarding future planning and problem resolution.

Finally, the exact role of the Board and its relationships to both the Director and the staff seems to be ill-defined and based primarily on tradition and historical precedent rather than on published and clearly enunciated guidelines.

C. Budget and Physical Facilities

Although only a cursory analysis of the Department's budget was made, it appears to be woefully inadequate for the kinds and levels of services the Department is expected to provide. Were it not for funds provided by LEAA,

there would be fifty percent fewer probation officers. There is no budget for training and no budgetary support for continuing education. Exactly how many more permanent positions should be created and how many additional clerks, typists, and/or bookkeepers are needed will require additional analysis, however.

Except for one of the district offices visited, the space provided for probation services is inadequate and shameful. Certainly, the Central Office should be located in better-looking and more adequate quarters -- one which would permit a greater degree of privacy and work space. Actual space needs and the locations of the district offices need to be explored in greater detail.

D. Mitigating Factors

While the above would appear to be a totally negative impression regarding the current status of the Department, there do exist a number of positive qualities which should not be minimized. For whatever reasons, personnel do stay on the job, which does guarantee the organization a continuity of services which might be envied by many other organizations. Whether the newly appointed workers will continue to be as dedicated remains to be seen, however. Additionally, the work does get done, in one way or another, and the consultant remains relatively unaware of any substantive complaints from the judiciary regarding quality of service or performance. However, whether most of the judges believe that the quality of the work could be improved, but remain silent, is yet to be determined.

Also, perhaps because of the longevity of most of the workers, or because of a concerted effort on the part of a few administrators, the quality of the relationships between the Department and other criminal justice agencies in the State allegedly appear to be relatively good. More substantial analysis of this relationship, as well as the relationship between the Department and the University of New Hampshire, must be undertaken before a final judgement on this matter can be made.

Finally, there is considerable evidence that many of the personnel that this consultant spoke with have a great deal of concern for their organization and are committed to upgrading the quality of services. This interest and concern, however, remain relatively untapped, but provide a valuable resource upon which to build future programs.

E. Summary

In summary, the Department of Probation tends to operate on a day-to-day basis, without an explicit philosophy guiding performance and without a clear understanding of minimal standards. Poor communications throughout the entire organization, low morale, inadequate budget, lack of planning, and non-existent performance appraisal outweigh the benefits which might accrue from seniority, longevity, and relatively small (probation) caseloads.

III. RECOMMENDATIONS

Based upon the above observations this consultant wishes to make the following specific recommendations.

A. Implementation of a Training Program

A training program for all of the professional staff, including the Central Office, should be designed and implemented immediately. This program should be initiated by an outside resource. It should commence with a five-day laboratory-style institute, in a retreat-like setting, where all of the personnel can come together to discuss problems, concerns, learn new methodologies in dealing with caseloads, and engage in a human relations program designed to foster better communications and an organizational esprit de corps.

A task force composed of representatives of all levels of personnel should simultaneously work on a continuing training program design. With a consultant on training working with the task force on an on-going basis, additional training programs can be designed and implemented on a regular basis. At the very least, however, an additional one-week institute should be designed as a follow-up to the first one, approximately three or four months later.

It is estimated that the total costs for two one-week programs, together with on-going consultation, including supplies, materials, faculty stipends and expenses, but exclusive of maintenance costs for trainees, will run approximately \$9,000 for a period of one year. Additional training programs will have to be determined and their costs estimated.

B. Creation of Post of Deputy Director for Staff and Program Development

In order to provide staff coordination for the above and to enhance continuing program planning, it is recommended that a second Deputy Director for the Department be appointed. This Deputy Director for Staff and Program Development would have as his primary responsibilities the development of training and educational programs for all personnel as well as assist the Director in program planning. Additionally, it is recommended that the original Deputy Director be assigned primary responsibility in the areas of clinical supervision, field services generally, and supervise the development and implementation of the volunteer program.

These two positions would free the Director from some of his burdensome activities and will provide him with opportunity to devote more time to planning and policy implementation.

C. Creation of a Position of Administrative Assistant

In order to enhance organizational efficiency and to further free the Director from day-to-day operational activities, it is recommended that a position of Administrative Assistant be created in the Central Office. This person would serve as an office or business manager, supervise computer operations and the activities of the clerical staff, as well as assist in budget

development and routine accounting. This person will need to be trained in automatic data processing and computer operations in order to advise the Department on future ADP and statistical operations.

D. Definition of Scope of Domestic Relations Programs

The role and activities of the Department insofar as Domestic Relations programs are concerned, although not ambiguous, nonetheless produce considerable work responsibilities for professional staff. It also appears to be time consuming and, at times, counter-productive to probation supervision activities. As a consequence, it is recommended that a task force be created to examine such activities and statutory responsibilities with the purpose of recommending alternative models for dealing with such cases, especially the matter of collections. It is recommended that the following be represented on the task force: a County Attorney; a Superior Court judge; a probation officer; a court clerk; and a defense attorney. The director of this task force could be the Deputy Director of the Department of Probation, Mr. Casswell.

E. Organization and Management Study

In view of the many systemic and management problems of the Department, it is recommended that the Department seek funds to sponsor an organizational and management study, to be completed by an outside consultative organization with demonstrated competence in such matters. The purposes of this study would be to examine: (1) managerial processes; (2) organizational arrangements; (3) information systems; (4) statutory prerequisites; (5) organizational goals; (6) organizational procedures; (7) personnel problems; (8) budgetary needs; (9) appraisal systems for worker performance; (10) the role of the Board of Probation; (11) job/position descriptions and responsibilities; (12) inter-agency relationships; (13) space needs; (14) long-range planning processes; (15) Domestic Relations issues; (16) continuing training and educational needs of personnel; (17) relationships with the University of New Hampshire and other educational institutions; and (18) the kind and nature of an organizational manual needed by the Department.

The study should address itself to short-range and long-range structural, organizational, and management needs of the Department, including specific recommendations and proposals for immediate and future action -- on the internal as well as external levels of operations. Additionally, the study should concern itself with specific legislative proposals which can be introduced at the beginning of the next session of the Legislature, scheduled for January, 1973.

The organization selected to do the study should have personnel who have substantive knowledge in the field of probation/corrections and demonstrated knowledge in the field of automatic data processing and management. It is estimated that the complete study will take approximately six months. However, the organization should be prepared to submit an interim report concerning specific legislative proposals and any other recommendations which can be implemented by the Department itself without having to wait until the entire report is submitted.

It is estimated that the costs for such a study will approximate \$35,000 to \$40,000, provided that the Department is able to supply minimum staff support insofar as data collection is concerned.

(This recommendation will require an immediate decision if the study is to be expedited so that an interim report containing legislative proposals can be submitted for action prior to January, 1973.)

It is also recommended that the current Scope Committee be enlarged to include other representatives of the Department so that they can serve as a steering committee for both the training programs and the management/systems study. The steering committee should be available to both the training consultant and the management/systems consultants for help in understanding procedures, programs, and concerns.

It is further recommended that the New Hampshire Crime Commission (State Planning Agency for LEAA) be consulted immediately to determine the likelihood of its funding the training and management/systems study of the Department and in order to expedite the initiation of both projects. The training program should commence within the next two months, and the management/systems study by the end of October, 1972, at the very latest.

Sufficient resources exist within the Department of Probation which, when properly utilized, can enable that organization to be an outstanding one in the country. Certainly, the recommended changes and programs will provide measurable improvement in the probation system in the State of New Hampshire and should prove to be worthwhile investments for the State.

END

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