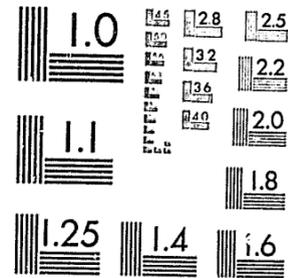


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Federal Probation

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Preventing Inmate Suicides: A Case StudyJay S. Albanese

"Desperate Alternative"John A. Moccia

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JUNE 1983

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Federal Probation

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This Issue in Brief

The "Effectiveness" Issue Today: An Overview.—An unsettled atmosphere exists regarding the effectiveness of rehabilitation or habilitation, asserts California researcher Ted Palmer. Neither the global optimism of the 1960's nor the extreme pessimism of the middle and later 1970's seem justified, and neither view in fact prevails. The author describes two slightly more moderate "camps" which have replaced them, and underscores the substantial but far from complete disagreement which exists between these two.

Targeting Federal Resources on Recidivists: An Empirical View.—INSLAW researchers report results of a study of recidivism among Federal offenders and Federal policy for dealing with repeat offenders. The central question examined is whether Federal prison populations or crime rates, or both, can be reduced through the use of a strategy of increased focus by U.S. attorneys on cases involving recidivists. Analysis of Federal recidivism patterns indicates substantial opportunity to identify dangerous, repeat offenders prospectively using a simple statistical assessment procedure; analysis of survey data on current Federal prosecution policy reveals an absence of any explicit prosecutorial guidelines that attempt to do so.

A Radical/Marxist Interpretation of Juvenile Justice in the United States.—This article by Catherine M. Sinclair reflects the history and development of the juvenile justice system tracing the growth, nature, and perspective of radical/Marxist criminology. According to the views of the radical/Marxist criminologists, although youthful misconduct is extremely widespread throughout society, a vast amount of behavior that is defined as delinquent is strictly the result of social labeling—differentially applied to those youths from the lowest socio-economic classes who are caught and formally processed through the juvenile justice system.

The Emergence of Determinate Sentencing.—Besides exploring some of the prominent

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All phases of preventive and correctional activities in delinquency and crime come within the fields of interest of FEDERAL PROBATION. The Quarterly wishes to share with its readers all constructively worthwhile points of view and welcomes the contributions of those engaged in the study of juvenile and adult offenders. Federal, state, and local organizations, institutions, and agencies—both public and private—are invited to submit any significant experience and findings related to the prevention and control of delinquency and crime.

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Using Volunteers in Adult Probation

BY PATRICIA M. SHIELDS, PH. D., CHARLES W. CHAPMAN, PH.D., AND DAVID R. WINGARD
Southwest Texas State University, San Marcos

THE FISCAL crisis of the 1970's and 1980's has led governments to increase their use of volunteers.¹ Often the decision to use volunteers is influenced or required by a higher authority. For example, adult probation administrators in Texas were mandated by the legislature to use volunteers in the provision of services.² In some departments, confusion over how to best utilize volunteers became evident. This research was begun with the purpose of improving the use of adult probation volunteers in Texas. Given the budgetary constraints facing local govern-

ments across the country and the similarities in their adult probation programs, it is presumed that our research will be useful to a wider audience.

Drawing upon the experience of Texas Adult Probation Volunteer Coordinators and the literature, this study will examine the potential for volunteerism in adult probation. A special emphasis is placed on ways probation departments might use volunteers in achieving objectives.

Arguments for the Use of Volunteers

There are three major arguments in support of the use of volunteers in adult probation: (1) cost effectiveness, (2) enhancing agency public relations, and (3) benefits to the probationer.

¹Kerry Allen, *Worker Volunteering: A New Resource for the 1980's* (New York: Amacom, Inc., 1980), p. 27.

²TEX. CODE CRIM. PROC. ANN. art. 42.12.

Cost Effectiveness

Unquestionably, the most prevalent argument put forth by the proponents of volunteerism simply states that volunteer programs, when managed effectively, are cost effective.³ The provision of efficient and effective services, a priority for all public agencies, is particularly critical for adult probation departments, given the correctional and casework nature of such programs.⁴ However, it is generally agreed that, given the large caseloads presently managed by adult probation officers, the present needs of probationers far exceed the available resources of courts and probation departments.⁵ Thus, the use of volunteers is viewed as a partial solution to this dilemma.

Public Relations

Another major argument favoring the use of volunteers by public agencies states that well-managed volunteer programs are a strong public relations strategy, proving to be an important and potentially strong link between the community, the client, and the agency itself.⁶ Adult probation, as a correctional alternative offered to some offenders, is frequently misunderstood and at times perceived by the general public with skepticism and/or cynicism. Moreover, such misunderstanding often leads to negative stereotypes of probation services generally and agency staff and clients, specifically. In essence, it is argued that a well-managed volunteer program may serve to bridge the gap of misunderstanding and skepticism that may exist between agency goals and the community's perception and acceptance of those goals.⁷

Benefits to the Probationer

Ultimately, the principal determinant of effective adult probation is whether the services provided have had the desired effect on client behavior.⁸ This should be the most important criterion for using volunteers.

The probationer's perception of a volunteer is not unlike that of the general public. As a nonpaid caseworker, volunteer intent (i.e., motivation) is often viewed less skeptically when contrasted with services provided by paid agency staff.⁹ In theory, being perceived as helping "simply because one wants to" often facilitates the type of relationship conducive to positive counseling and guidance — considered essential to effective behavior modification.

The literature reveals that skepticism and/or cynicism which may be associated with a probationer's attitude toward agency services often is related to the inherently dichotomous role imposed on the professional probation officer. Although probation, in essence, represents a casework service "geared to meet the probationer on an individual basis,"¹⁰ it nevertheless remains a correctional alternative "wherein society, through the courts, is allowed to determine whether its welfare will be enhanced or endangered by the presence of the offender."¹¹ As such, the professional probation officer is forced to perform a dual function. In one instance, he or she represents a caseworker who is required to provide assistance, counseling, and positive direction to offenders. Alternatively, the adult probation officer represents a legal authority "who holds out the prospects of surveillance, investigation, and possible rearrest."¹² Based upon this apparent contradiction of purpose the probationer may be unable to clearly differentiate between these dual roles.

As a practical matter, in those instances when a probationer is in most need of counseling and assistance from the probation officer, he is reluctant to confide in the probation officer since the circumstance of such need may directly fall within the conditions of his probation, as established by the court. For example, when a probationer has committed a minor criminal offense or has lost his job, he may be wary of so informing his probation officer. Not being burdened with the role of officialdom, the volunteer is free to assume the role of a guiding, directing caseworker motivated only by what is, hopefully, perceived as genuine concern.¹³

Using Volunteers in Adult Probation

Volunteers in adult probation can, if used properly, increase agency efficiency. On the other hand, a poorly trained or placed volunteer can increase the workload of a probation officer. In order to determine how volunteers can best be utilized, extensive personal interviews were conducted with 10 current and past district volunteer coordinators in Texas. Further, an extensive search of documents and

literature was conducted. (Table 1, at the end of this article summarizes the results of the interviews.)

One-to-One Counseling

Since the 1950's, the major emphasis for volunteers in probation has been in juvenile programs. The objective of one-to-one counseling is to establish a "warm, stable, and support-friendship type relationship,"¹⁴ conducive to positive behavior modification. The relatively recent emphasis placed on volunteers in adult probation has also placed one-to-one relationships as a primary program activity.

In a national survey conducted in 1975 on volunteers in courts and corrections, Cook and Scioli found that one-to-one programs represent "the core program activity of practically all volunteer programs."¹⁵ It was not surprising, therefore, when volunteer coordinators surveyed for this study indicated moderate to strong reliance on one-to-one programs. Nevertheless, the research indicates several drawbacks associated with heavy use of volunteers in a one-to-one setting.

Fundamental to the one-to-one concept is the development of a reliable and valid screening and selection technique. Since the one-to-one volunteer affects both the probation officer and the probationer, care should be taken that both are receptive to the role of the volunteer. Good screening, therefore, serves not only to assure quality volunteer selection, but to properly match that volunteer to a receptive probation officer and probationer as well.

Some drawbacks associated with heavy reliance on one-to-one programs in adult probation include:

(1) Putting together the proper team.—

The one-to-one program is strongly based on a team concept. Theoretically, the volunteer role is designed to provide extended services to the probationer that professional staff would not otherwise have time to provide. Thus, regardless of the volunteer's desire to assist, there will be little benefit derived without strong support from professional staff (i.e., the probation officer) and the probationer. Even with reliable and valid screening techniques, putting together a workable team remains largely a matter of subjective judgment, intuition, and luck.

(2) Agency liability.—

Any information becoming part of a probationer's file is considered confidential. This is particularly

true of information pertaining to criminal history or participation in specialized treatment programs (i.e., drug and alcohol treatment programs, etc.). Any unauthorized release of such information, either intentionally or unintentionally, could easily place the agency in a legally vulnerable position. Therefore, volunteers should be cautioned in any orientation program on matters of confidentiality. Several departments urge volunteers to sign a waiver of liability release to reinforce the importance of adhering to confidentiality standards.

(3) Additional burden for probation officer.—

As previously discussed, a major argument for volunteerism is to alleviate professional staff shortages. Nevertheless, several volunteer coordinators interviewed indicated one-to-one programs often increased the work of the probation officer. Simply put, the probation officer now has to monitor both the activities of the probationer and the volunteer. As a result, some volunteer coordinators indicated professional staff are reluctant to participate in such programs.

(4) Susceptibility/Vulnerability of the volunteer.—

In an overzealous attempt to establish a helping friendship role with the probationer, the volunteer may become susceptible to manipulation. Firm guidelines should be established against the loaning of money, home visits, breach of probation conditions, use of car, etc.

Summary of One-to-One Programs and Recommendations

Due primarily to the past record of success that one-to-one programs have enjoyed in juvenile programs, many adult programs, when initiating volunteer programs, place heavy emphasis on the one-to-one concept. Although it can be argued that there often exists a strong need for the juvenile offender to be exposed to a volunteer "role model," such a role is acceptable in relatively few adult probation cases. As a result, care should be taken not to overemphasize this method of volunteer utilization when beginning volunteer programs.

Volunteers who show strong potential as one-to-one counselors should be allowed a period of time to observe interviews and group sessions. Additionally, they should be allowed access to folders for those clients in whom they have an interest. In this way, volunteers may naturally match up with clients who have specialized problems which they may feel in a position to help solve. Examples might include

³ U.S. Law Enforcement Assistance Administration, *Volunteer Services* (Washington, D.C.: U.S. Government Printing Office, 1975), p. 3.

⁴ Texas Adult Probation Manual, Office of the Governor, Texas Adult Probation Manual, State of Texas, p. 12.

⁵ Page 12, Article 4, Section 10, *Statutes of the State of Texas*, Texas State University, Center for Community Services, North Texas State University, p. 4.

⁶ U.S. Law Enforcement Assistance Administration, p. 3.

⁷ Thomas J. Cook and Frank P. Scioli, Jr., *The Effectiveness of Volunteer Programs in Courts and Corrections: An Evaluation of Public Research* (Chicago: University of Illinois at Chicago, 1975), p. 107.

⁸ *Statutes of the State of Texas*, Texas State University, Center for Community Services, North Texas State University, p. 4.

⁹ Texas Adult Probation Manual, p. 12.

¹⁰ Missouri Board of Probation and Parole, *Volunteer's Manual*, Appendix, 1973, p. 12.

¹¹ *Statutes of the State of Texas*, Texas State University, Center for Community Services, North Texas State University, p. 4.

¹⁴ Volunteer Job Description for the One-to-One V.I.P. Program.

¹⁵ Cook and Scioli, Jr., p. 70.

G.E.D. Certification, obtaining a commercial driver's license, improving client employability, family counseling, and alcohol and drug rehabilitation.

Presentence Investigation

Presentence investigation represents an important component of adult probation. Such reports are a requirement of the law, serving to advise the court regarding pleas for probation entered by the defendant. Over the years, presentence investigation has become very standardized, incorporating formalized criteria for determining probation eligibility. This is represented by the use of standardized forms, which are designed to objectively determine the risks associated with granting a defendant probation.

Most volunteer coordinators interviewed indicated some limited use of volunteers in presentence roles. However, such positions are not well suited for most service-oriented volunteers.

Generally, it is recommended that such positions be offered to persons desiring a career in criminal justice, or those anticipating a career change. Otherwise, retention of volunteers in the positions may become a problem. Additionally, several coordinators indicated that senior volunteers may be well suited to this task. This is particularly true if the volunteer has had past experience in information-gathering and/or interview related professions.

Advanced computerization and centralization of records has resulted in less reliance on outside interviews with neighbors, employers, etc. When occasionally required, however, the volunteer should not be allowed to make such contracts alone. Otherwise, agency liability issues could arise should the volunteer conduct himself in a negligent or willfully harmful manner.

Clerical Volunteers

Probation departments face increasing paperwork as the probation function becomes more formalized. As a result, clerical positions are normally available to volunteers. This is further supported by the fact that all volunteer coordinators interviewed indicated some experience in using volunteers in clerical roles.

Using volunteers in clerical roles demonstrates the need for good screening techniques. Because clerical roles are often thought of as mundane and unexciting, it would obviously be unwise to assign

volunteers to such positions unless it was their expressed preference.

Several coordinators interviewed discussed the use of community volunteer action agencies or a similar type of local volunteer clearinghouse. This was particularly true when temporary clerical help was needed. Occasional mention was also made of the Retired Senior Volunteer Program (RSVP) as a possible resource. It should be noted that use of selected community restitution probationers in clerical positions remains an untapped resource.

Clerical volunteers, as with all adult probation volunteers, are privy to confidential information about probationers. As such, confidentiality standards should be emphasized in any volunteer orientation program. Moreover, volunteers should be asked to sign a waiver of liability release form, indemnifying the probation department and its employees from any civil liabilities that might result from any breach of confidentiality by the volunteer.

Courtroom Assistance

Courtroom assistance and presentence investigation are traditionally cited as separate roles for volunteers in probation. In reality, there exists substantial overlap. The reason is that presentence interviews frequently take place in the courtroom. As a result, many of the same drawbacks associated with employing volunteers in the presentence stage apply when using volunteers to assist in the courtroom.

As in the case with presentence, volunteers assisting in the courtroom should ideally be individuals planning a career in social work or criminal justice. Pure service-oriented volunteers would normally be ill-suited for such positions. Moreover, volunteers would normally be ill-suited for such positions. Moreover, volunteers should possess good communication skills since this position requires both interviewing, making accurate notations, and writing reports.

Auxiliary Volunteers

Auxiliary volunteers, used primarily in a subsidiary capacity, provide services not directly related to the duties of professional staff.¹⁶ Moreover, they are characterized by independence from the agency.¹⁷

Typically, auxiliary volunteers are drawn from civic clubs (e.g., Lions and Jaycees), fraternal associations, professional organizations (e.g., doctors, psychologists, optometrists, dentists), churches

and philanthropic organizations. Additionally, the professional background, past experience and/or specialized knowledge possessed by some individuals make them ideally suited to the auxiliary volunteer role.

The literature reveals that effective use of auxiliary volunteers is largely contingent upon the initiative and creativity of the volunteer coordinator. Customarily, this requires the ability to create a job to fit the individual, rather than matching a person to an existing job.¹⁸

Finally, effective use of auxiliary volunteers requires active and aggressive recruiting by the volunteer coordinator. As such, the individual filling this position must possess the natural ability to "sell" the merits of probation as a community-based correctional alternative.

Volunteer Probation Officer Aid

One-to-one counselor, presentence investigation, clerical assistance, auxiliary volunteers, and courtroom assistance represent the traditional ways probation agencies utilize volunteers. With the exception of auxiliary volunteers, each represents a major component of an adult probation officer's job. Surprisingly, little or no mention is given to integrating these positions into a comprehensive job design for volunteers.

Bexar County, a geographical area and governmental jurisdiction that encompasses San Antonio, Texas, and several other smaller municipalities, uses volunteers in this manner extensively. In assuming this role, Bexar County volunteers receive exposure to all facets associated with adult probation services. Specifically, the volunteer assists an assigned probation officer in his or her caseload management. This necessarily includes interviewing, presentence investigation, counseling and courtroom assistance.

Obviously, such a position is best suited to the individual planning a career in criminal justice or social work. Normally, this includes college interns (both undergraduate and graduate), as well as other individuals anticipating a career change.

College interns at the graduate level are typically students interested in criminal justice who are in law schools, graduate criminal justice programs and social work programs, and paralegal or lawyer's assistants programs. Graduate students in these programs are often willing to exchange their time and efforts as volunteers for the practical experience

which they can gain in the criminal justice system, a system in which they foresee they will be forging their professional careers once they have received their graduate credentials.

Also, although it is unfortunate that this country is witnessing an explosion of crime, this phenomenon is having a significant effect on the criminal justice job market, generating many professional positions, of varying types and responsibilities, as governmental entities are forced to increase their professional manpower to cope with the deluge of criminal defendants and convicted criminals. In this time of national economic adversity, with many unemployed professionals in non-criminal justice fields, the expanding criminal justice system job market provides these unemployed professionals with an opportunity for professional employment, albeit in a different field. Working as a volunteer in the criminal justice system can give the unemployed professional the practical work-experience and many of the prerequisite skills and knowledge necessary for the transition from a noncriminal justice field.

Volunteers used as a probation officer assistant typically assume a large portion of the probation officer's workload. As a result, professional staff are more positively oriented towards volunteerism. In addition, the ever-present problem of volunteer retention is significantly reduced in that most interns are assigned grades for their service. Finally, career motivated volunteers receive much needed experience. As the Bexar County program confirms, most probation departments prefer to hire within when permanent paid positions become available. As a result, agency volunteers with proven skills become likely candidates.

As with all volunteer programs, a standard for selection of volunteers must exist. First, a reliable and valid screening technique should be employed to assure that only quality volunteers are selected. Conversely, negative or negligible volunteers should be screened out. Additionally, a strong orientation and inservice program should be developed. Such a program should emphasize agency procedures, confidentiality standards, and all relevant aspects of the probation program. Finally, constant monitoring of volunteers is necessary. This will better assure an enriching experience for the volunteer while at the same time measuring agency benefits.

Conclusion

It seems apparent that financially strapped governmental entities in this country are going to continue to be faced with the problem and the

¹⁶Dollarhide, p. 22

¹⁷Ibid

¹⁸Ibid, p. 60.

pressures of a burgeoning criminal justice system and a corresponding need to administer that system in an effective manner at the least cost to taxpayers.

Based on the research discussed in this article, we suggest that local governments could best approach the problem in the area of adult probation administration by using volunteers, but in a well-managed way. But, we conclude, the use of volunteers has no hope of being well-managed unless a serious attempt is made at attracting and selecting individuals of the highest quality and potential to the volunteer program. Resource areas for such potential volunteers would be law schools, graduate criminal justice and social work programs, and paralegal or lawyer's assistants programs. Also, unemployed professionals from noncriminal justice fields would form an appropriate target group for volunteer recruitment efforts. Most, if not all, of these individuals would have undergone previous careful scrutiny of character in order to be admitted to their preprofessional program or profession. Furthermore, one can expect that they will also have the necessary basic educational and learning abilities to master the requirements of working effectively as a volunteer in adult probation administration.

A prerequisite to successful selection of quality volunteers, we conclude, is a reliable and valid screening technique. In developing such a technique, the administrator might appropriately work with available university faculty knowledgeable in

the construction of testing and assessment instruments. Certainly, probation administrators should seek the development of screening instruments which will permit them to select the applicants most psychologically adapted to the position of volunteer, as well as those who are educationally and experientially well-equipped.

As we have pointed out, once the volunteer has been selected, his performance in the position must be monitored. Proper monitoring will ensure that the volunteer, the probation department, and the probationer are benefiting from the efforts of the volunteer. The construction of a valid monitoring technique is another area in which the adult probation administration can beneficially interact with available university faculty knowledgeable in the area of monitoring and evaluation methodology.

Finally, we propose that the increased use of volunteers who have been carefully selected, assigned, and, thereafter, properly monitored in their performances will not only be cost-effective for the criminal justice system but will bring an influx of new and fresh perspectives, mental attitudes, and experiences which will serve to broaden and improve the view which the adult probation officer and the probationer have of each other and will facilitate the achievement of the principal objective of adult probation—the modification of the behavior of the probationer toward that which will be beneficial to society.

TABLE 1.—The Uses of Volunteers in Adult Probation: Responsibilities, Reservations and Recommendations

Identified Volunteer Use	Summary of Responsibility	Reservations/Drawbacks	Recommendations
1. One-to-One Volunteer Counselor	<ul style="list-style-type: none"> Serves as an extension to the adult probation officer. Provides services to the officer that the officer does not have time to give. Ideally, serves as support to a probationer in need of more comprehensive skills in the area of interpersonal development. Most popular method for use of volunteers in probation. 	<ul style="list-style-type: none"> Additional work for the probation officer. Agency liability. Difficulties in putting together a proper team. Constant monitoring necessary. Potential for volunteer manipulation. Lack of professional staff support. 	<ul style="list-style-type: none"> Necessitates a valid and reliable screening technique. Waiver of liability release would be signed by volunteer. A police check on potential volunteers is advisable. Strong orientation and in-service program should be developed. Assignment of volunteer to probationer should generally follow a period of observation of contacts between the probation officer and probationers.

Table 1 (Continued)

Identified to Volunteer use	Summary of Responsibility	Reservation/Drawbacks	Recommendation
2. Presentence Investigation	<ul style="list-style-type: none"> Assists probation officer in the investigative procedure used to consider an applicant referred by the courts for probation, e.g., contracting references, compiling data, and assisting in the preliminary writeup towards a presentence report. 	<ul style="list-style-type: none"> Few volunteers will want to specialize in this area. Confidentiality standards. Agency liability. 	<ul style="list-style-type: none"> Individual must have good communication skills. Ideally suited to someone planning a career in social work or criminal justice. Retirees and nonworking women may be suited to this position. Volunteers should sign a waiver of liability release. Volunteer should not be allowed to make any personal contacts with neighbors, relatives, home visits, work visits, etc. except when accompanied by officer.
3. Clerical	<ul style="list-style-type: none"> Works in probation office performing both routine and nonroutine clerical tasks such as receptionist, answering phone, filing, typing, processing correspondence, etc. 	<ul style="list-style-type: none"> Difficulty keeping volunteers motivated. Confidentiality standards. 	<ul style="list-style-type: none"> Draw from community volunteer action agencies, RSVP, volunteer bureaus, and all available volunteer clearinghouses. Assign varying duties, gradually increasing responsibility. Volunteers should sign a waiver of liability release.
4. Courtroom Assistance	<ul style="list-style-type: none"> Assists officers in filling out legal probation papers and referral slips. Handles any and all matters to facilitate court procedures for the officer in attendance. Must be able to accurately record case materials. 	<ul style="list-style-type: none"> Inability to recruit volunteers wishing to specialize in this area. Confidentiality standards. 	<ul style="list-style-type: none"> Volunteers must possess good communication skills. Ideally suited to someone planning a career in social work or criminal justice. Retirees and nonworking women may be suited to this position. Volunteers should sign a waiver of liability release.

Table 1 (Continued)

Identified to Volunteer Use	Summary of Responsibility	Reservations/Drawbacks	Recommendations
5. Auxiliary Volunteers	<ul style="list-style-type: none"> - Provide "Specialized" services based on present or past professional training or resources. Utilized in an infinite number of ways to provide both direct and in-kind contributions to probation departments (e.g., money, materials, medical, facilities). Services not directly related to duties of professional staff. 	<ul style="list-style-type: none"> - Requires active aggressive recruiting efforts on the part of the volunteer coordinator. - Requires substantial creativity on the part of the volunteer coordinator. - Agency may have less control of "auxiliary" volunteers than "service" volunteers. 	<ul style="list-style-type: none"> - Use civic clubs, churches, philanthropic organization, universities, volunteer agencies, fraternal and professional organizations as a base. - Volunteer coordinator must possess good communication skills and have the ability to "sell" the merits of probation. - Often requires the ability to create a job to fit the individual or organization. - Represents a good alternative for rural departments.
6. Volunteer Probation Officer Aid	<ul style="list-style-type: none"> - Assists probation officer in <i>all</i> facets of caseload management, including courtroom assistance, presentence investigation, interviewing, counseling, clerical, etc. 	<ul style="list-style-type: none"> - Defining bounds of authority. - Agency liability. - Professional staff support. - Requires close proximity of department to a university. 	<ul style="list-style-type: none"> - Necessitates a valid and reliable screening. - A police check on potential volunteers advisable. - Constant monitoring necessary. - Waiver of liability release should be signed by volunteer - Strong orientation and inservice programs should be developed. - Should initiate as a "pilot program." - Ideally suited to someone planning a career in social work or criminal justice, or anticipating a career change. - Volunteers should first be assigned to misdemeanor unit. - Volunteer should not be allowed to make any home visits unless accompanied by probation officer. - Volunteer should possess good communication skills.

Source: Interviews with selected volunteer coordinators in Texas.

END