

1019

VERA INSTITUTE
LIBRARY

VERA INSTITUTE OF JUSTICE

SERIOUS **JUVENILE** DELINQUENCY PROJECT

A REVIEW OF PAST AND CURRENT EFFORTS
BY THE CRIMINAL JUSTICE SYSTEM TO COMBINE:
CONTROLS AND SERVICES IN THE HANDLING OF OFFENDERS

by:

Bonnie P. Lewin

September 1979

Table of Contents

	<u>Page</u>
I. Introduction	1
II. Nature of the Conflict Between Treatment and Control	3
III. Origins of the Conflict	9
IV. Implementation of Rehabilitation in Corrections	11
V. Emergence of Community-Based Treatment	18
VI. Current Thought on the Use of Controls and Treatment by the Criminal Justice System	40
VII. Program Implications of Distinguishing Between Controls and Services	43

I.

INTRODUCTION

The Vera Institute of Justice has recently been involved in a planning effort to design a pilot project for juvenile chronic delinquents. [A central concern of ours in the development of this pilot is the need for community protection from in-program offenses committed by program participants.] It seemed to us that often community-based programs which include chronic delinquents primarily emphasize the provision of treatment services. While in the long run, these services might serve to deter illegal behavior through increasing the juveniles' ties to prosocial institutions and increasing their stake in conformity, it is often the case that these services are not effective in the short run for deterring in-program offending. It appears that other mechanisms which could exert a controlling influence over the behavior of juveniles are necessary, as well, in order to address community protection concerns. Such control mechanisms might include intensive supervision between program staff and youths, program rules which restrict certain types of activities, or the use of temporary detention. In effect, these mechanisms would serve to restrain juveniles from committing new delinquent acts while in the community.

Our interest in developing a pilot project which provides sufficient controls over the behavior of juveniles as well as responds to their need for help raises the issue of whether it is possible to mix a treatment orientation and control orientation in the same program. This is not a new issue in the field of corrections. Ever since rehabilitation through treatment was introduced as an additional goal of corrections, supplementing, but not supplanting, the first goal of protecting society through punishment of offenders, the issues involved in merging treatment within a correctional system which is obligated to administer punitive sanctions have been the subject of much debate.

It is maintained by many in the services oriented treatment community that attempting to control behavior while also providing social services and a facilitating relationship produces organizational strain and role conflicts which cannot be overcome. On the other hand, there is some program experience which suggests that it might be possible to combine both aims without unduly sacrificing the effectiveness of either.

In order to more fully understand the issues involved in merging treatment and control functions, we felt it would be useful to undertake a review of the literature regarding past and current practices. Our review includes a discussion of the nature of the conflict between control and treatment functions; a

1) challenged the
 2) said that we
 are not doing
 anything
 3) some
 background
 reasons for
 community-
 based program
 in other words,
 think the program
 should be
 1) Community-based
 programs are needed
 2) Community-based
 programs that
 the community
 3) The reason for
 that insufficient
 attention was
 given to controlling
 program
 that by not
 exerting control
 one domain
 community-
 based program
 and that the
 control can
 that can be
 a second
 second 9,
 which in
 needed in
 who is treated
 - cannot be
 the
 community
 1) 9/2/72

historical review of the origins of the conflict; the experience of merging treatment and controls in institutional settings, probation and parole, and community-based programs; current thought regarding the feasibility of accommodating both treatment and control aims, in the operations of the criminal justice system, and finally, the programmatic implications of simultaneously providing treatment and controls in a program for juvenile offenders.

II.

NATURE OF THE CONFLICT BETWEEN TREATMENT AND CONTROL

Proponents of the view that it is not possible to merge treatment and controls maintain that these two goals are contradictory, and that it is

(Can controls be a goal? I know control can.)

*practically in practice
issues to
since? (if
are logically
issues,
could
of us
children's
activity involves
control and
combination of providing
ices and training
sh, I think, Bonnie jumps
other as "treatment")
at the second sentence
written to practical
faculty not logical
possible!*

logically impossible to combine them. Efforts to merge the two result in organizational strain and produce role conflicts for correctional workers as well as for offenders. The difficulties of merging these two functions have been described from several perspectives.

According to George Mead:

"...the two attitudes, that of control of crime by the hostile procedure of the law, and that of control through comprehension of social and psychological conditions, cannot be combined. To understand is to forgive, and the social procedure seems to deny the very responsibility which the law affirms, and on the other hand the pursuit by criminal justice inevitably awakens the hostile attitude in the offender and renders the attitude of mutual comprehension practically impossible."¹

Paul Lerman, in his book, Community Treatment and Social Control, describes the conflict between control and treatment in terms of the degree of restrictions placed on offenders. In performing its social control function, the correctional system enforces standards and administers negative sanctions. "To the extent that dispositions involve threats or actual restrictions on normal living arrangements, freedom of movement or other deprivations of rights, privileges and resources, they are definable as indications of social control."² He contrasts this with a definition of treatment advanced by Schwitzgebel:

"treatment ... is directed toward producing an enduring change in the behavior of an individual as he lives under conditions in the community. Included within the concept of treatment is the idea of restoration or improvement rather than restriction or disablement."³

The organizational difficulties in merging treatment and controls can be understood as well in terms of compliance theory advanced by Etzioni. This theory emphasizes the relationship between the goals of an organization, the compliance pattern used by the organization to achieve its goals, and the involvement of participants in the organization.

Etzioni specifies three types of organizations--coercive, normative, and utilitarian which vary along the goal-compliance pattern-involvement dimension.

First, coercive organizations such as prisons, custodial mental hospitals, and prisoner of war camps have as their major goal the maintenance of order. This is a negative goal in the sense that such organizations attempt to prevent the occurrence of a certain event rather than producing an object or a service.⁴ Control is achieved by a compliance pattern characterized by force and coercion. Specific control mechanisms include surveillance, regimentation and restriction of movement. Participants in coercive organizations tend to be alienated from the organization.

Normative organizations, such as churches, universities, hospitals, voluntary associations, aim to achieve cultural goals. Cultural goals are concerned with the creation and transmission of new culture, through the sciences and arts; with applying existing knowledge for the purposes of social betterment or with meeting the needs of people for affiliation with groups of their own choosing.⁵ In contrast to coercive organizations, normative organizations rely on normative power as the major source of control. Compliance rests primarily on the internalization of rules that most participants see as legitimate and to which as a result they are willing to make a personal commitment. Participants in normative organizations tend to have a high level of moral involvement and do not experience the alienation found among participants in coercive organizations. The techniques used to achieve compliance rest on learning and socialization, on the quality of leadership, and on the use of rituals, and manipulation of social and prestige symbols.

The third type of organization, utilitarian, emphasizes economic goals. Control is achieved through remunerative means such as the manipulation of wages, fringe benefits, working conditions, and similar rewards.

Etzioni maintains that the effectiveness of an organization is enhanced when the compliance pattern is congruent with the goals of an organization, that is, when order goals are associated with coercive compliance; when cultural goals are associated with normative compliance, and when economic goals are associated with a utilitarian compliance pattern.

*sk a
and
conclusion
included*
Contrawise, Etzioni maintains that the effectiveness of an organization is hampered in instances where the compliance pattern is incongruent with the major goal of the organization and when two different compliance patterns,

each associated with a different goal, are emphasized at the same time over the same subject group. In both of these situations, there will be a waste of power resources through neutralization of compliance patterns, psychological and social tension, lack of coordination, and other signs of ineffectiveness. Also, in situations characterized by an incongruent goal-compliance pattern, the organization will respond by moving in the direction of a congruent goal-compliance pattern.⁶

In the case of coercive organizations such as prisons which have order goals, Etzioni is particularly pessimistic about the possibility of using normative controls to maintain order, and the possibility of embracing both control and treatment goals equally through normative and coercive means. While generally incongruent goal-compliance patterns are feasible, in the sense that an organization with this pattern would be able to fulfill its requirements to exist, but not effective, in the sense of fulfilling the requirements to most ably achieve a goal, in the case of prisons, he maintains: "in short, control by the use of normative power in the prison is in general neither effective nor feasible."⁷

His pessimism stems from the fact that in order to carry out its order goal the prison relies on the application of force and the subordination of inmates. These factors, coupled with the differences in social and cultural background of the staff and inmates result in high levels of alienation among the inmates. Under this circumstance, the implementation of normative controls which rely on high levels of commitment to the organization and identification with the attitudes and values of the staff, are negated by the alienative involvement among the inmates which results from the coercive compliance pattern. The joint use of coercive and normative compliance patterns results in a loss of involvement and increased alienation among the inmates because of the ambivalence they experience in accommodating the conflicting expectations regarding their involvement.

A further impediment to the implementation of normative controls in coercive organizations stems from the level of effectiveness expected by the community. While normative compliance might be effective for a majority of the inmates, prisons, in carrying out the community's expectation that they be one-hundred percent effective in preventing escapes, tend to rely more heavily on coercive controls since they cannot specify the minority of inmates who are not amenable to normative means of control.

While Etzioni has doubts regarding the use of normative controls in coercive organizations, he does suggest that to the extent that the community's tolerance for escapes is increased, less coercion can be applied without a loss of effectiveness. Further, he states that organizations might be able to minimize the conflict between coercive and normative compliance patterns if special mechanisms are developed to reduce the waste of power resources. For example, he suggests that the compliance patterns might be segregated in time. However, he does caution that it is likely that the use of coercion at anytime has some neutralizing effects on normative power and moral involvement, even during the period in which coercion is not applied, despite the segregation in time.

The concerns voiced by Mead, Lerman and Etzioni are reiterated by Lloyd Ohlin in his comment on the correctional system's attempts to merge treatment and control:

"Many of the basic conflicts, failures, and dilemmas of the correctional system are traceable to the delegation to organize personnel, programs, and resources to punish and to treat simultaneously."⁹

On the other hand, there is a school of thought prevalent in the correctional literature of the late 1950s and early 1960s which does not perceive control and treatment as juxtaposed to each other and which does not share Etzioni's concerns regarding the difficulties which result when incongruent goal-compliance patterns are used in organizations. Rather, this school maintains that the diverse functions associated with the dual goals of treatment and control are not inherently in conflict. As stated by Zald:

"A custodial oriented institution, for example, could use techniques usually associated with treatment to achieve discipline and control. Conversely, custodial control may be a prerequisite in some cases for effective rehabilitation."¹⁰

Thus, according to proponents of this perspective, the use of controls and coercion can be justified in terms of their therapeutic value. The use of external controls, such as restrictions on activities and forced participation in treatment, are seen as necessary for rehabilitation, since offenders lack the internal controls essential for conforming behavior as well as the motivation to change. It was felt that in the long run, the external controls could be lifted and coercion would be unnecessary once internalization of the controls

↑
 and discussion
 Etzioni's
 at trying
 choice one
 (order)
 high two
 compliance
 in matrix
 (control)
 waiting
 discussion
 situations
 are there a goal
 at least mention
 Etzioni's view (Does
 think an organization
 have only one goal?
 he never mention the
 us-goal class?)

Having a concern -
 as suggested in this Ohlin
 quote - is not the same
 saying it can't be done.
 Seems to me that unless
 Ohlin later elaborates, this
 quote alone is
 consistent with
 the vera view of
 the issue must
 be handled in
 thought out
 balance
 in some
 in treatment
 that makes
 sense to the
 field. Perhaps
 are overly
 by the
 leaving med.
 (Oh dear, I
 read the next
 page - I am
 alone in my
 judgment?)

had begun. Many of the writers advocating this view analogized it to the parental use of disciplines in the socialization of children.

As stated by Claude Mangrum in his discussion of the use of coercive casework in corrections:

"Social control and treatment are not mutually exclusive or separate entities but entwined, the one impinging upon the other, modifying and shaping, being modified and shaped in turn ..."

"By coercive casework, then, we mean the use of restraining and constraining legal authority in the processes of helping the offender to function in his social environment without resorting to illegal or anti-social behavior ..."

"The goal of course, is to have him internalize these values, making coercion unnecessary. It is the same kind of discipline we enforce with our children as we try to instill within them acceptable standards of conduct."¹¹

This position is reiterated by Robert Carter in his discussion of the use of authority in corrections, and by Studt, in her discussion of the functions of parole. According to Carter:

"Internal control is the goal of therapy. When controls are internalized within the personality they become a part of the operating forces of the individual ... The use of external controls are justified at the initiation of treatment and may continue until the end results of internalization and self-sufficiency are achieved. External controls, such as supervision and confinement, may furnish the offender with a reality reaction to his behavior pattern."¹²

As stated by Studt:

"In parole doctrine, providing controls over the parolee's behavior is itself seen as a service, supporting parolees in maintaining self-discipline as they leave the protected setting of the institution and take on responsibilities of life in the community."¹³

The view that controls and treatment are intertwined, and perhaps one in the same, can be reconciled, at least at a definitional level, with the opposing view that these functions are incompatible. According to Seymour

Halleck, treatment can have a variety of meanings, arrayed on a continuum from those which hold the needs of society paramount to those which hold the needs of the individual paramount.

In its harshest sense, treatment is control of unacceptable behavior with total disregard for the psychological state of the offender. Under this definition, as long as the offender is being restrained from violating the laws of the community, he is being treated. The goal of treatment is simply prevention and the means are irrelevant. Treatment could include incarceration, or physical or chemical restraint. At the other extreme, where the needs of the individual are considered as most important, the goals of treatment are comfort, effectiveness and self-awareness.¹⁴ This definition fits the aims of classical psychotherapy. Falling between these two definitions are two additional definitions of treatment: the first equates it with a quest for internalized control which would enable an individual to voluntarily refrain from committing criminal acts and the second equates it with internalized control which is accompanied by greater personal comfort and effectiveness.

While Halleck's typology does on one level provide a way to resolve the conflict between treatment and control, most would agree that it confuses the analysis of the correctional system's handling of offenders to equate the use of controls as treatment. As will be discussed further, traditionally it has been the tendency of the criminal justice system to label restrictions placed on offenders as treatment. While the issue of whether controls and coercion have some therapeutic value is open to debate, the failure of the criminal justice system to acknowledge them as controls, but rather to call them treatment because of some intended therapeutic value, has resulted in abuses to the rights of offenders and has obscured the system's responsibility to develop procedures to guard against the possible misuse of power inherent in the state's role in administering punitive sanctions.

III. ORIGINS OF THE CONFLICT

- This chapter seems weaker than the others - perhaps because there's less to say. Could it be dropped or combined with the following chapter?

The roots of the conflict between the two functions of control and treatment can be traced back to several related developments in the 19th century. These were, first, the movement to lessen the severity and humanize the conditions of penal punishment which led to such reforms as the abandonment of solitary confinement; second, the emergence of a welfare philosophy that imposed on the state the obligation to provide educational, health and other helping services for those unable to help themselves; and third, the threat to accepted values and established social stratification posed by waves of immigrants and newly liberated slaves.¹⁵

159 does not flow from the previous one - partly, I think c. the first two developments in development mentioned in the previous paragraph.
The dilemma presented for the criminal justice system is that the first two developments represent different state functions and interests which, in protecting society through imprisonment and other forms of punishment is contrary to the offender's self-interest, the state's role is always at least potentially adverse to that of the offender. [Since the state's interest in helping services is devoid of this adversary element; the state is acting in behalf of society for the benefit of the recipient who, in the typical situation, can either accept or reject the proffered help.]¹⁶

in the first development, it seems to be a control/punishment. I know creates a situation, can either accept or reject the proffered help. 16
However, in the correctional context, the interests of the individual and society conflict. Offenders are not only confined against their will, but with the introduction of rehabilitation, they have been forced to participate in treatment. In this situation, the element of coercion transforms treatment into control.

Still shows me to y that imprisonment + punishment place - state's action. s' action. the eyes the crime.
In addition to these three developments in the 19th century, further impetus for the embracement of treatment as a goal of the correctional system came from the emergence of the positive school of criminological thought. This school emphasized the deterministic nature of crime. Behavior was viewed as a product of outside psychological and social forces over which the individual had no control. Since an individual had no control over his behavior, he also was not responsible for it. The offender was viewed as fundamentally different from the law-abiding individual. Rather than punishing an offender for conduct which was not his fault, it was felt that treatment to correct his deficiencies was needed.

This view represented a departure from the notions of crime and criminals held by the classical school of criminological thought. This school stressed the importance of free will in human behavior. An individual was viewed as having the ability to choose various courses of action and thus was seen

as responsible for his conduct. Behavior was based on calculations of the pleasures and pains which would result from their conduct. The classical perspective maintained that "all individuals who violated a specific law should receive identical punishments regardless of age, sanity, position and circumstances. This was justified on the ground that the rights of individuals could be preserved only by treating all individuals alike and also on the ground that the punishment must be definitely determined in advance in order that it might be taken into account in the calculation of pains and pleasures that would result from violations of the law."¹⁷

The rise of the positive school and the repudiation of the tenets of the classical school shifted the focus of the criminal justice system from the nature of the criminal act to the needs of the criminal. Rather than administering punishment according to the severity of the criminal act, offenders would be reformed through treatment individualized to their needs. Implicit in the emergence of the individualized treatment model and the notion that offenders were different than non-offenders is acceptance of the medical model of treatment. Offenders were viewed as sick, their criminal acts symptomatic of the underlying illness. Through treatment, they could be cured. However, since the length of time required for the cure to take place could not be specified in advance, indeterminate sentences were required. Also, since maximum flexibility was required to tailor treatment to the unique needs of each offender, commitment to rehabilitation and individualized treatment gave rise to the need for greater use of discretion by those working in the criminal justice system.

The trend toward viewing offenders as sick rather than bad, as unable to conform rather than as unwilling to conform, also resulted in lessening society's fear of them. This was an important factor in the growth of less restrictive alternatives to imprisonment such as probation, parole and community-based treatment facilities during the 20th century.

their impact on offenders and perhaps more invidious because of the reluctance to acknowledge their existence. Also, it has been suggested that the control-treatment conflict is exacerbated in community-based settings since these programs are usually much less structured than traditional prisons and staff roles are less clearly defined. Whereas institutional staff members usually perform primarily treatment or custodial roles, staff in community-based programs must attempt to perform both roles simultaneously.³⁰

The failure to acknowledge the use of coercive controls in community-based programs, however, has also resulted in a paucity of empirical studies on their uses and consequences. In light of present trends which emphasize the community's need for protection from in-program offending, the lack of an empirical foundation which could serve to inform programs which seek to provide both services and control is unfortunate.

Although, in general, studies on community-based programs have not focused on the use of controls and their relationship to treatment aims, there are five studies in the literature on juvenile community-based programs which shed some light on the control-treatment dilemma and which have contributed to recent thinking on the role of the criminal justice system in accommodating both treatment and control functions. These include:

- 1) the Provo Experiment (Empey and Erickson, 1972);
- 2) the Silver Lake Experiment (Empey and Erickson, 1971);
- 3) Community Treatment and Social Control (Lerman, 1972);
- 4) National Evaluation Program Report on Community-Based Alternatives to Juvenile Incarceration (Rutherford and Bengner, 1976); and
- 5) Designing Correctional Organizations for Youths (McEwen, 1978)

Empey and Erickson's study of the Provo program, implemented in Provo, Utah from 1959 through 1964, sheds light on the issues involved in merging a treatment orientation and a control orientation in a non-residential program for juvenile repeat offenders. The Provo program involved 20 boys, ages 14-18, who during the day attended school or held city paid jobs and participated in daily guided group interaction sessions at the program offices. At night, the juveniles returned to their homes. The program excluded from consideration overly psychotic and severely retarded boys and boys with a record of capital

Although rehabilitation was embraced as a goal of corrections, the control function was not abandoned. Programs promoting rehabilitation through treatment did not replace programs promoting reformation through punishment. The hope of many treatment-oriented reformers that prisons would become hospitals and that "the guard and the jailer will be replaced by the nurse and the judge by the psychiatrist, whose sole attempt will be to treat and cure the individual instead of merely to punish him"¹⁸ did not materialize. Instead, the difficulties of carrying out both functions simultaneously resulted in organizational strain, role conflicts among and between correctional workers, and in the eventual debasement of treatment. Implementation of rehabilitation programs resulted as well, in the substitution of new forms of control, albeit more subtle, but just as coercive in their impact on offenders.

The role conflicts experienced by correctional workers attempting to perform both helping and controlling functions simultaneously as well as between workers whose roles were compartmentalized have been extensively described in the literature from various perspectives.

First, the conflict arises because of the different interests of the state and the individuals. In his discussion of the problems faced by psychiatrists working with involuntary patients, Halleck notes that in a correctional setting the assumption of compatible interests, which is necessary in order for the physician to serve society and the individual, is not justified.

"The psychiatric physician has difficulty in being an agent for the state and for the patient at the same time. The problem with any role which is designed to serve the needs of both at the same time is that it encourages the assumption of compatible interests. This assumption is not always justified."¹⁹

Second, the role conflicts among and between correctional workers has been described, in terms of the different qualities and background required to perform custody and treatment backgrounds. In carrying out the custodial goal of prisons, guards were expected to maintain discipline and closely supervise the behavior of offenders. However, introduction of a treatment emphasis required them, at the same time, to relax discipline and to develop supportive, informal relationships with offenders in order to respond

to their needs for individualized treatment. Guards were expected to change their general attitudes towards inmates from those characterized by suspicion and mistrust to those which were supportive and empathetic in nature. As stated by Donald Cressey:

"They could relax and enter into informal relations with inmates; but they could not give unqualified support to meeting individual inmate needs for a relaxed therapeutic climate. To do this would jeopardize their effectiveness as protectors of society. At the same time, to give unqualified support to a formal system of custodial control at the expense of therapeutic climate would jeopardize their effectiveness as treatment agents."²⁰

Third, in institutions where separate treatment staff were hired to implement new programs of rehabilitation, rivalries and conflicts developed between them and the custodially oriented guards. The treatment staff had different social and educational backgrounds and different value orientations toward the inmates. The practices they tried to implement threatened the guards' relationships with the inmate culture. Over the years, in order to maintain control, the guards had relied on the leaders of the inmate culture to control the behavior of the other inmates in return for certain rewards and privileges. The introduction of treatment staff and practices thus sought to change the decision-making basis regarding the handling of offenders from one based on coercion to one based on amenability to treatment practices. Also, treatment staff resisted attempts by the custodially oriented staff to implement treatment and to develop supportive relationships with inmates. These attempts were discouraged by the treatment staff because they viewed the guards as unskilled in the human services profession.

In addition to the conflicts between custodial staff and treatment staff, treatment practices were usually given less resources and tended to be disconnected from other aspects of the institutional programs. The barriers faced by the treatment staff often resulted in high levels of dissatisfaction and staff turnover.

The introduction of rehabilitation and the individualized treatment model into prisons had other consequences. Treatment staff and practices were often used and exploited by prison administrators and guards for main-

taining institutional control over the inmates. The professional competencies of the treatment staff were often converted to serve custodial rather than therapeutic functions. For example, the diagnostic skills of the treatment staff were used to classify offenders by security risks and their interpersonal influence skills were used to produce client conformity to institutional norms.²¹

The indeterminate sentences and use of discretion, characteristics of the individualized treatment model, also served as tools of control. Eligibility for discharge, in theory a rehabilitative decision, could be manipulated by the custodial staff as a control sanction. The uncertainty in sentence length and the prison administrators' authority in keeping offenders incarcerated indefinitely depending upon institutional behavior served as powerful incentives toward conformity to institutional norms, and obviated the need for harsher forms of control. Struggle for Justice reports that:

This date came as a shock. I thought this chapter was dealing w/ much more recent events. Perhaps some mention of dates earlier in the chapter would be a good idea.

"By 1874 we find one warden reporting with satisfaction that the introduction of indefinite sentences and the mark system reduced the number of cases requiring corporal punishment by 75%." ²²

The use of discretion in tailoring treatment to the individualized needs of the offenders often resulted in a decentralization of decision-making within prisons. However, this decentralization had as one of its consequences the decentralization of punishment. Donald Cressey, in his examination of two institutions which varied in their emphasis on treatment, found that in the treatment-oriented institution guards could not routinely refer inmates to a central court for disciplinary action since this would be evidence of rigidity and poor treatment practices. Since the formal mechanism of control was not available to them, the guards used unofficial rewards and punishments to achieve the conformity they needed. Even if the guards subscribed to the notion that inmates should be understood rather than punished, most guards at various times informally used punishments, such as depriving inmates of recreation privileges, or demoting them from higher status jobs without ever going to a professional treatment specialist or to a disciplinary court.²³

From the prisoner's perspective, participation in treatment was compromised by several aspects inherent in the individualized treatment model, and in institutional life. First, the antagonism that existed between staff and inmates and the resulting high levels of alienation experienced by inmates prevented the inmates from identifying with the attitudes and values of the staff applying treatment. Second, prisoners were forced to participate in treat-

ment programs. The element of voluntariness, which is thought by many to be essential in order for psychotherapy and other forms of counseling to be effective, was absent in prison treatment programs. The coercive nature of treatment led prisoners to be distrustful and suspicious of the motives of the treaters and lessened their commitment to rehabilitation. Third, given the indeterminate sentencing and associated use of discretion by prison authorities, the granting of parole was contingent upon how successfully the prisoners had conformed to institutional expectations, including participation in treatment. Even if the prisoners thought there might be some value to be obtained from participating in treatment, the knowledge that what they might reveal about themselves could be used against them and lessen their chances of making parole prevented their candidness. As a result, prisoners entered treatment programs primarily to manipulate the parole process to their advantage.

While not the intent of the 19th century reformists, the implementation of the individualized treatment model led to a debasement of the intended treatment effects. As stated in the Struggle for Justice:

"For more than a century the [ugliness of this concept] ^{conflict?} ? between the democratic concept of freedom and the force of punishment has been denied by treatment-oriented reformists. We have been led to believe that treatment somehow removes the sting of punishment from penal coercion ... As experienced by the prisoner, imprisonment with treatment is identical with traditional imprisonment in most respects. In both situations there is depersonalization, loss of autonomy, separation from family, denial of privacy and the imposition of all the restrictions inherent in any institution."²⁴

This view is reiterated by Norval Morris in his comment:

"Unwisely we link the time to be served to involvement in, and apparent response to, prison treatment programs. What is launched as an incentive system turns out to be a barrier to the treatment itself. It may be that ... rehabilitation can be given only to a volunteer. We do not know how many volunteers we attract to prison programs. What is sadder, they themselves do not know."²⁵

The problems of effectuating treatment within a system designed to provide control are also evident in the operation of parole, which emerged as well with the implementation of rehabilitation and indeterminate sentencing. It has been suggested by some that, in fact, parole epitomizes the treatment control conflict.

✓
put some punch in
a human or a ...

Theoretically, parole agents are required to simultaneously provide surveillance over the conduct of parolees in order to protect society as well as provide counseling and serve as a broker for other services which might benefit the parolee. However, the requirements of these two functions are diametrically opposed to each other and, as a result, limit the degree to which either can be successfully achieved. The differences between these two activities has been described as follows:

"Surveillance is that activity of the parole officer which utilizes watchfulness, checking, and verification of certain behavior of a parolee without contributing to a helping relationship with him."²⁶

Carrying out surveillance activities requires the agent to be cautious, critical and self-protective in his interaction with others. On the other hand, carrying out helping activities requires the agent to be more empathetic, involved, open, and trusting of the parolees.

The duality in purposes is also illustrated in the mechanism of parole conditions which are placed on all parolees for the purpose of regulating their behavior. On the one hand, conditions serve as tools of control, since their violation by parolees provide the basis for revocation. On the other hand, they help the parole agent in carrying out his service function, since they provide the opportunity to gather information about the parolee which might be useful in the rehabilitation process. It is also maintained that the use of these tools of control constitute a service to parolees. It is thought that rules provide structure to the activities of the parolee and thus assist him in reintegration back into the community. Further, violation reports have a service function since the threat of such a report is thought to control the daily behavior of the parolee and thus help him stay out of prison.

The practical consequences of the conflicts between treatment and control for parole agents and parolees have been documented by Elliot Studt in her study of parole administration. The major findings of her study, which included participant observation of parole officers and parolees, are as follows:

1. While both surveillance and services are seen as the prime functions of parole, in practice the surveillance function is dominant and sets the framework (under) which helping activities occur. The resources

within

required to implement the types of services which might facilitate the reintegration of parolees are usually not available to parole agents.

2. The techniques used in carrying out the surveillance function, including a specified number of contacts with the parolee, the use of surprise visits, and gathering information on the parolee's conduct from his family, friends, and employer, are antithetical to the requirements for the development of a helping, problem-solving relationship between the agent and the parolee. As stated by Studt:

"By establishing requirements suitable for surveillance purposes as the basic design for interaction in every case, the agency essentially removes from the agent's control those critical decisions in problem assessment and case planning on which much of the focus and pace of the helping process depend ... Rarely would an appropriate casework plan include as its primary components a specified number of unscheduled contacts a month, occurring primarily at the initiative of the worker at times when the client is unprepared for problem-solving work ..."²⁷

Further, it is administratively assumed that helping occurs in the course of completing the required number of contacts.

3. The parole agent's authority to initiate revocation procedures for violation of parole conditions corrodes the trust necessary for a helping relationship. From the parolee's perspective, he can never be fully candid with the agent since, at anytime, his behavior may provide the basis for revocation. From the agent's perspective, the tension between his helping role and controlling role means that he cannot commit himself fully to the needs of the parolee. As a result, relationships between the agent and parolee remain at a superficial, bland level. The overriding attention to control by the agency "tends to deflect all interaction between the agent and parolee from the goal of helping the parolee become viably established in the community toward the goal of helping the parolee 'make parole.'"²⁸

4. The strains experienced by the parole agent in balancing these two functions exacerbate the existing amount of discretion afforded him. His concern for protecting society as well as for helping the parolee forces him to develop his own informal guidelines regarding when to initiate violation procedures. From the perspective of the parolee, the arbitrariness in the agent's implementation of rules and violation reports reinforces his cynical view of parole.

5. Observation of and interviews with parole agents indicated that in practice, except when making specific checks on the behavior of a particular parolee, most agents lose awareness that they are performing surveillance functions. In part, this is explained by the fact that information gathering for surveillance purposes is inextricably merged with the general search for information of every kind about the parolee and, except in the extremes, it was hard to discern whether the agent-parolee interaction constituted surveillance or service. Activities undertaken by the agents could be labelled either helping or surveillance depending on the orientation of the agent being interviewed and how he felt about the parole. It appeared that agents who were more control-oriented tended to be more conscious of surveillance activities while the help-oriented agents dropped this function from their consciousness.

The conflicting functions of parole and their consequences on parolees and parole agents have been summarized by Studt as follows:

"The underlying question for the parole agency that seeks to provide effective service concerns the ability of a single agency to operate, on the one hand, as the sponsor and advocate of newcomers into the community and, on the other hand, as the agent of a community that fears and expects protection from the newcomers. When a single agency is charged with two such potentially conflicting functions, it is to be expected that the community will not supply the agency with many of the resources and tools necessary to equip its clients for operation as nonstigmatized "insiders" within the community; that the agency's technology will emphasize processes for watching client behavior, for alerting the community to the presence of potentially dangerous persons, for implementing rules and permissions, and for removing the client from the community in response to complaints; and that the activities of its agents will show much concern that their clients adopt conservatively conventional life styles. It is equally probable that the clients of such an agency will be highly selective about the kinds of help they request from the agency--even where there is no other agency officially responsible for giving assistance to them; and will tend to conceive of the "system" as hypocritical in its service claims, even when they appreciate the specific kinds of help given by an individual agent."²⁹

V.

EMERGENCE OF COMMUNITY-BASED TREATMENT

The difficulties of [merging treatment] within institutions, including custodial staff resistance to performing treatment functions, the dissatisfaction and high turnover rate of treatment staff, and inmate reluctance to participating in treatment, coupled with the growing consensus that rehabilitation could best occur through an emphasis on a reintegration strategy in which offenders could be linked up with community resources, provided the impetus for the expanded use of probation and parole as well as the emergency of community-based noncustodial alternatives to incarceration during the last fifty years. It was felt that in these new settings, staff with workers trained in the helping professions, the traditional sources of conflict which characterized institutional environments and which served as impediments to treatment would be eliminated. New patterns of interaction between staff and offenders would be possible, and would serve to reduce the alienation experienced by offenders. Rather than relying on the threat of force and other types of coercive controls for maintaining order and deterring illegal behavior, compliance would be achieved by normative means, through the development of relationships based on mutual respect and support and through providing offenders with the opportunity to develop legitimate roles in the community. This newest aspect of the reform movement, in which coercive controls were deemphasized, was the logical outgrowth of the trend to view offenders as less fearsome and thus less in need of control.

As community-based treatment evolved, it became evident, however, that the use of coercive controls had not disappeared. Their re-emergence in these settings necessitate a reexamination of the issues prevalent in the literature on institutions regarding the conflicts between treatment and control functions. However, until recently, the controlling aspects of community based-treatment have received minimal attention. While control goals have long been recognized as a part of probation, parole, and institutionalization, the controlling aspects of community-based programs have often been obscured by the treatment emphasis of these programs, and when acknowledged, they have often been labelled as treatment and justified in terms of their therapeutic value. According to many, the emergence of community-based treatment has resulted in new forms of social control. While more subtle and less obvious, they are just as coercive in

should say "merging" unless you're name
the thing (so - either say "merging treat-
with control
within institu-
or "provide
treatment"
with a 195-
tion.')

offense or assaultive behavior. Juveniles eligible for placement in Provo represented 15 percent of all the cases coming before the Provo Juvenile Court during the five years of the study.

By design, the program incorporated the use of normative, coercive and utilitarian controls. First, the normative controls were implemented by the use of the Guided Group Interaction treatment strategy. This intervention strategy was based upon the assumption that since much delinquent behavior was motivated and sanctioned by the offender's peer group, this group should become the target and vehicle of change. The group was given considerable responsibility for decision-making including deciding when one of its members was ready for release; for involving and providing support to its members; for perpetuating the norms of the treatment strategy; and with the staff, for exerting controls, through the administration of rewards and sanctions.³¹

Second, coercive controls were used to reinforce the normative constraints of the Guided Group treatment strategy. At the beginning of the program, three ground rules were established to maintain order and stability. These included a requirement for daily attendance at the group session, a prohibition on the use of physical violence, and an expectation that delinquent behavior would decrease. While it was anticipated that over time, the normative controls of the treatment strategy would prevent in-program offending and strengthen the juveniles commitment to the program, and thus obviate the need for coercive controls, there was a recognition that some coercion might be necessary to reinforce the ground rules, especially in the beginning of the program before the normative controls took hold.

The coercive controls used included special work detail and use of temporary detention, whereby juveniles participated in the program during the day but were detained at night in the juvenile hall. While the program desired to minimize the use of coercive controls, it did feel that the use of these temporary controls served a valuable purpose since they provided a means for avoiding the more drastic alternative of returning the juvenile to permanent incarceration and served to dramatize the importance of becoming involved in the program.³²

Third, the program incorporated some utilitarian features in its design through employment in a paid city work program.

The evaluation design of the Provo Experiment initially consisted of random assignment procedures in which juveniles who the judge considered either eligible for probation or placement in the State Training School were assigned to either Provo or to the traditional alternatives of probation or the State Training Schools. These procedures thus resulted in four groups of juveniles; a probation experimental group of juveniles assigned to Provo; a probation control group of juveniles placed on traditional probation; an incarceration experimental group of juveniles placed in Provo in lieu of institutionalization and an incarceration control group of juveniles placed in the State Training School. While the random assignment procedures were followed for juvenile probationers, by the third year of the experiment, it became clear that there were not enough juveniles in the incarceration group to provide an adequate sample size for comparisons between the incarceration control and experimental groups. This resulted from the judge's preference to most frequently choose the probation alternative even for the more serious offenders. As a consequent, the design was changed for the incarceration group. All juveniles whom the judge indicated were eligible for institutionalization were assigned to Provo and thus became members of the incarceration experimental group, along with the other juveniles who had previously been randomly assigned to this group. A comparison group to serve as the incarceration control group was selected from the Utah State Industrial School. This comparison group thus included offenders from the entire state rather than the Provo Court only.

The evaluation assessed the comparability of the four groups on four measures--offense frequency, offense seriousness, age and socioeconomic status. The findings indicated that the two probation groups were more comparable than the two incarceration groups. For the probation groups, except for age, whereby (the control group members were five months older than the experimental group members) there were no significant differences in the three other measures. However, for the incarceration groups, there were significant differences between the experimentals and controls in terms of age, offense frequency and offense seriousness. While these differences were not large and were a result of a few extreme cases, the authors suggest that the findings for this group should be viewed cautiously.

The evaluation included measures on the frequency of in-program offending and post-program offending for a four year follow-up period. Regarding in-program offenses, the study found that, after controlling for the length of time under supervision, the probation experimental group had significantly fewer new arrests than did the probation control group, whereas the incarceration experimental group had significantly more in-program arrests than did the incarceration control group. While this latter finding is not surprising since the incarceration control group was subjected to more surveillance and contact, even in spite of these restrictions, some boys in the training school did commit new offenses, either when they were on some kind of furlough or when they were charged with unlawful escape from confinement. Thus, even institution placement could not guarantee the community total protection from instances of offending. These findings further suggest that the intensity of program exposure is an important factor in controlling in-program offending. Juveniles who received the least supervision (probation controls) had significantly more new arrests in contrast to juveniles committed to the institution (incarceration controls) who were exposed to high levels of supervision and surveillance and had the lowest number of new arrests.³⁴

Study findings regarding the proportion of each group arrested during exposure to the assigned intervention confirmed again the importance of the intensity of supervision in controlling in-program delinquency. Sixty-eight percent of the probation control group were arrested another time during intervention, followed by the probation experimentals with 48 percent; the incarceration experimentals with 46 percent; and the incarceration controls with 19 percent. It is important to note that while the incarceration experimental group had been more delinquent than the probation experimentals prior to intervention, the proportion of boys in these samples who committed a new delinquent act during the intervention period were almost identical. These findings seem to indicate that their experience in a common program had almost an equal effect upon them.³⁵

Regarding post-program delinquency among the four groups, several measures were undertaken, including comparison of the mean number of arrests for the four years following intervention and comparisons of the rates of offending for each group based on before and after measures. First, compari-

sons of the mean number of post-program arrests for the probation experimental and control groups indicated that the two groups had similar arrest rates. In none of the four time periods did the differences approach statistical significance.³⁶ While Provo was more effective in controlling delinquency in the short run (on measures of in-program offenses), it was not more effective than traditional probation in the long run. However, the study did find significant differences in post-release arrest rates among the incarceration experimental and control groups. For every time period, the rate for the experimentals was significantly lower than for controls. By the end of the third and fourth years, for example, the mean number of arrests for the controls was more than twice as high as those for the experimentals.³⁷

Studying findings regarding differences in offending based on pre-intervention rates and post-intervention rates for each of the four groups indicated that arrest rates following intervention were reduced considerably in three of the groups - 71 percent for the probation experimental group, 66 percent for the probation control group, and 49 percent for the incarceration experimental group versus only 25 percent for the incarceration control group.³⁸ Differences in pre-program and post-program offense rates between the groups were also examined. When the two probation groups were compared, it was found that reductions in offense behavior after one year were significantly greater than in the control group, but that after the first year, the differences were not significant. It appears that the experimental program seemed to have more immediate impact. By contrast, the pattern of differences between the two incarceration groups was just the opposite. After the first year, offense reductions in both groups were considerable, and about equal. Each year, thereafter, however, the differences between the two groups became larger. For the experimental group, with each year, the percentage difference between pre and post offending became greater while for the institutional control group the post-intervention offense rate tended to catch up with the pre-intervention rate. Also, the experimental institutional group had less youths involved in new offenses over time than did the control group.³⁹

The findings regarding the effectiveness of Provo appear to refute the concerns raised by Etzioni regarding the dysfunctional results which often occur in organizations which combine normative and coercive controls. First,

regarding the use of coercive controls, such as unpaid work detail and temporary detention for violation of the ground rules, interviews with the Provo youths revealed that while they often disliked and resented these controls, they also felt that these techniques had a controlling influence on them and served to insulate them from becoming involved in delinquent acts. The youths' perceptions on the utility of these controls were buttressed by the study's findings on in-program offending, which indicated that at least while the delinquents were participants in the experimental program, their delinquent acts were curtailed. Provo's findings regarding the small proportion of experimental juveniles who had to be eliminated from the program for excessive delinquency (13 percent from the experimental probation group and 16 percent from the experimental incarceration group) also refutes Etzioni's contention that participants in organizations which use coercive controls become more alienated and thus less likely to succeed.⁴⁰

Second, Etzioni's suggestion that normative means would be unlikely to work in organizations with order goals, was strongly denied by the Provo youths. The Provo youths indicated that their participation in the group sessions based on the Guided Group strategy helped them to solve their problems, make decisions and even impose controls. In contrast to Etzioni's conclusion that participants would be come less involved and more alienated because of the conflicting expectations which arise when normative means are used to achieve order goals, the Provo youths participation in this organizational component seemed to reduce their sense of alienation and served to promote the development of the normative power of the organization. Their involvement in this component may also be another reason for the low in-program offense rates and dropout rates. This is suggested by the fact that the Provo youths also felt that the presence of the normatively oriented group mechanism provided them with the opportunity to better understand and learn from the occasional imposition of coercive controls. According to the authors:

"Rather than representing wasted means and a lack of coordination, the exercise of both coercive and normative power in the same organization was not entirely dysfunctional. When efforts were made to demonstrate the relation between the two, and to have the boys participate actively in implementing them, they seemed to understand and benefit from them."⁴¹

The authors of Provo do note, however, that Etzioni's concerns regarding the tendency of correctional organizations to rely excessively on coercive controls in order to meet the community's desire for 100 percent effectiveness, were possibly pertinent to the program. While there was relatively little pressure from the community in which Provo was located, both boys and staff tended to rely heavily on coercive methods when normative means did not seem to be working. In the absence of community pressure, it appears that the staff and boys at Provo were responding to their own concerns about the possibility of adverse responses from the community should excessive deviance occur.

The reliance on excessive coercive controls was also hypothesized to have occurred because of Provo's need for social solidarity, which could only be maintained by responding harshly to the youths who did not appear to be as committed to the program. This response was exacerbated as well by the program's lack of positive sanctions to reinforce prosocial behavior. If these mechanisms had been available, the program might have been able to use coercive controls less frequently.

Empey and Lubeck's study of the Silverlake program, a group home for male repeat juvenile offenders, ages 15-17, established in Los Angeles in the early 1960s, provides another view of the issues faced by a community-based program in merging the normative controls and coercive controls.

The Silverlake study had a number of important features: 1) it sought to systematically test a theory of delinquency from which the treatment strategy was designed; 2) it implemented an experimental design to assess the impact of the program on in-program offending and post-program offending whereby eligible boys were randomly assigned to either Silverlake or the traditional program at Boys Republic; 3) it examined interactions within the program, with particular emphasis on the mechanisms developed in response to violations of program rule and in-program delinquency; and 4) it documented the program's relationship with the school, the neighborhood, and the juvenile justice system.

As in the Provo experiment, the program at Silverlake attempted to create a program culture which emphasized collaborative staff-youth decision-making and in which the youths were given a considerable amount of power and decision-making. It was hypothesized that by creating a climate in which boys could better accept the change process, identify themselves with it and grant prestige to those who succeeded in it, the boys might be more effectively insulated from pro-delinquent attitudes and values.

The program included 20 boys at any one time. They resided at Silverlake during the week and attended the local school. They returned to their homes on weekends. A daily group meeting, based on Guided Group Interaction techniques was instituted as the formal mechanism through which attempts at collaboration and problem-solving were implemented. As in the Provo experiment, a set of ground rules was established.

The evaluation findings of Silverlake present a mixed picture regarding its effectiveness in developing a collaborative staff-youth culture, in establishing community linkages and in reducing in-program and post-program offending.

While the experimental group was successful in establishing a collaborative staff-youth culture, this culture, over time, became increasingly control-oriented and punitive. Both staff and youths became less tolerant of the juveniles who violated program rules, committed in-program offenses, or who ran away. The collaborative culture was more included to invoke negative sanctions and was less ~~included~~ to use positive sanctions to reinforce behavior. *inclined?*

At the midpoint of the experiment, in response to a high runaway rate, the program implemented an experimental procedure in which the boys were informed that any boy who ran away would be automatically terminated from the program and recommended for incarceration. While this sanction had an immediate effect, it diminished over time, resulting in a rise in the runaway rate to its prior level. The sanction had its greatest impact on new program participants as reflected by a rise in the rate of early runaways. Over the course of the experiment, the runaway rate was 37 percent for the experimental group and 40 percent for the control group.⁴²

Concurrent with implementation of the runaway sanction, the program staff and youths became increasingly less tolerant of other forms of misbehavior. This was reflected in a rise of the rate of in-program failures, defined as instances in which boys demonstrated persistent incorrigibility or a resistance to treatment. During the first eight months, 11 percent of the boys were terminated, but during the eight months following implementation of the runaway sanction, the in-program failure rate more than doubled, rising to 25 percent. During the final eight months, the in-program failure rate declined to 18 percent.⁴³ As in the case of runaways, the program's more vigorous response to incidents of misbehavior was reflected in a greater number of juveniles being terminated early on in the program. The juveniles who were most often terminated were those who had family problems, poor interpersonal relationships, and tended to repress their emotions. These findings stand in contrast to those regarding the characteristics of the runaways who tended to have serious offense histories. 2

The program's response to critical incidents, defined to include situations of law violations as well as other acts which precipitated interpersonal conflict within the program and conflict between the program and the larger community, also revealed a more punitive orientation as the program culture became established. An analysis of staff and youths preferred responses to critical incidents indicated that both staff and youths felt that negative sanctions should be imposed first rather than responses which first focused on problem-solving and group discussion. Further these findings showed that if anything, the youths were more in favor of negative sanctions than the staff. Whereas two-thirds of the youths and staff preferred the use of negative sanctions, such as restriction or loss of privilege, more of the staff (one-third) than the youths (14 percent) would have liked the first step to involve discussion and problem-solving.⁴⁴ 1

As the control orientation of the collaborative program culture increased, the program did witness a decline in the average number of critical incidents. During the first eight months of the program, the average number per boy was 4.2, during the second eight months, it declined to 1.23, and during the third to .88. Furthermore, along with this decline, proportionately fewer of the incidents were committed in the community and less of the incidents were committed by groups of boys. Also, it was found that a small percentage of the population (11 percent) was responsible for over half of the incidents.⁴⁵

While the decline in the number of critical incidents provides support for the program culture's ability to exert controls over the behavior of the participants, this was accomplished by excluding boys who may have been able to benefit from the program, but were not given the opportunity because of the program's lack of tolerance for their misbehavior.

The control orientation that evolved in the Silverlake program provides documentation of Etzioni's concerns regarding the difficulties in merging normative controls in organizations with order goals. As he suggested, Silverlake responded to these difficulties by moving in the direction of a congruent goal-compliance pattern. While normative means, through the implementation of the Guided Group Interaction strategy, were to serve as the controls for preventing misbehavior and in-program offending, as Silverlake became established, this compliance pattern was replaced by a pattern which emphasized negative sanctions and deemphasized positive sanctions. Although Silverlake was successful in involving boys in the reformation process, according to the authors, "there was little evidence that boys found any greater intrinsic reward in the system."

According to Empey and Lubeck, the evolution of the control orientation at Silverlake can be understood in part by the organization's need to maintain a sense of social solidarity, in order to achieve reformation among the conforming participants. The program could not tolerate excessive deviancy among some of its participants since these acts made it difficult for the conforming participants to maintain their own acceptance of prosocial norms, their own change in role on their own ability to help others.

The difficulties experienced at Silverlake in combining normative and coercive controls stand in contrast to the success of Provo in achieving these goals. It has been suggested by the authors that the problems at Silverlake stemmed from the absence of three organizational features which were present at Provo. First, Silverlake was a residential program, in contrast to Provo which was non-residential. Since people were forced to live together, there was a greater need to establish a stable, cohesive environment characterized by a high level of consensus regarding program norms. In order to achieve this, the group culture rejected those participants who threatened the organization's stability. As stated by Empey and Lubeck,

"It seems to be inherent in the nature of group life that in- and out-group structures develop, with the former rejecting the latter. To expect this particular group of adolescents, along with correc-

tional staff, to overcome a tendency that other non-delinquent groups have been unable to overcome is asking a lot."⁴⁶

Second, while Silverlake was located in the community, the program was not successful at establishing community linkages. The boys were detached, for the most part, from local adults and adolescents rather than involved with them. Even though the boys attended the public school, there was resistance on the part of the school officials to assist them in becoming integrated in school activities. The isolation of Silverlake from the community is similar to that experienced by the control group of juveniles who resided in the institutions. Community linkages would not only have served to facilitate the boys integration but also would have provided a mechanism for the release of some of the tensions inherent in a group-living situation. In contrast to Silverlake, the boys at Provo only spent a few hours a day at the program, and had greater involvement in the community, through their attendance at school and through their participation in a paid city work program. Using Etzioni's characterization of organizations, Silverlake represents a broad scope of organization, whereby the organization provides for all aspects of the participants' life and the activities of the participants of the organization are limited to other participants in the organization, while Provo represents a narrow scope organization, in which the involvement of the participants with each other is more limited.⁴⁷ The scope of the organization affects the saliency and level of tension in an organization. While in Provo, the saliency of the program was less than at Silverlake, and thus theoretically might have had the effect of impacting too little on the lives of the boys, (this does not appear to have been the case), Provo did allow for "natural ventilation" for managing tensions since its participants interacted with other non-participants. However, at Silverlake, the greater scope of the program, and the absence of community linkages, meant that the tensions had to be managed within the program since there were less avenues for their release. Silverlake responded to tension management by creating a climate which did not tolerate persistent deviancy and in which boys either committed themselves to the program culture or were forced to leave. As a result, the program experienced high runaway rates and high rates of program termination.

Third, Provo appears to have taken greater efforts to demonstrate to the boys the relationship between coercive and normative controls. The Guided Group sessions at Provo provided the boys with the opportunity to understand and learn from the occasional imposition of coercive controls. In contrast to Silverlake, it appears that Provo had a greater commitment to the use of the group process for responding to troublesome behavior. This might also have contributed in part to Provo's greater tolerance for deviancy among some of its members.

Finally, in contrast to Provo's use of short term detention, Silverlake did not have a similar intermediate sanction for responding to misbehavior and for diffusing tension. The availability of such a mechanism might have served to increase the program culture's tolerance for deviancy and its retention rate.

The evaluation findings on the effectiveness of the program focused on four measures: 1) completion rates; 2) rates of in-program offending; 3) post-program recidivism, and 4) relative costs.

First, both Silverlake and the control program experienced high run-away and program failure rates. At Silver Lake, while 46 percent of the boys graduated, 37 percent of the boys ran away and 17 percent were program failures. At Boys Republic, these figures were respectively, 50 percent, 39 percent and 11 percent.⁴⁸

Second, the Silverlake program was relatively successful in protecting the community from new offenses. Over the life of the program, the number of critical incidents declined from a high of 4.2 per boy to .88 per boy.⁴⁹ Also, proportionately fewer of the in-program offenses were committed outside the residence over time. Further, the program was successful in detecting the majority of in-program offenses through group discussions. Fewer of the offenses were detected by the police.

Third, when post-program arrests during a 12 month follow-up period were examined, it was found that Silverlake was no more successful than Boys Republic. Whereas 40 percent of the Silverlake boys committed at least one offense, the comparable figure at Boys Republic was 44 percent.⁵⁰ The graduates at both programs had fewer subsequent arrests than did the runaways and program failures. Analysis of before and after arrest rates indicated that both programs achieved substantial reductions. At Silverlake, there was

an 85 percent reduction among the boys who successfully completed the program, and a 63 percent and 64 percent reduction, respectively, for the runaways and the failures. At the control program, the respective rates were 85 percent, 52 percent and 68 percent.⁵¹

Finally, analysis of the comparative costs of each program indicates that while the average monthly cost for both programs were almost the same, since the average length of stay at Silverlake was only about half of that of the controls, the costs of Silver Lake per boy came to about 40 percent of the costs per boy at Boys Republic.⁵²

In contrast to the Provo and Silverlake studies in which coercive controls were intentionally incorporated into the initial program design, Leman's work, Community Treatment and Social Control, documents the problems which arose in California's Community Treatment Program (CTP) as a result of the program failure to initially plan for the use of coercive controls and its subsequent failure to distinguish its controlling activities from its treatment activities. The initial program design of the CTP called for providing individually programmed, intensive treatment services in the community in lieu of institutionalization. However, as the program evolved, it made increasing use of short-term detention for reasons that did not pertain to renewed delinquency. The reasons given included violations of treatment expectations, accommodations to community complaints, administrative convenience, diagnostic purposes and the prediction and prevention of "acting out" behavior. As a consequence, the program actually resulted in delivering more control than treatment services to the youth. Juveniles in the CTP experimental group received more detention stays than juveniles in the regular California Youth Authority parole unit. Also, the extensive use of detention for juveniles in the CTP resulted in the youths receiving more detention than direct services. A comparison of the average number of days detained per ward for a sixteen-month period as compared to the average days available for direct service indicates a ratio of 9.8 days of detention to one day of direct service. When this ratio is computed in terms of detention days for non-criminal offenses (juvenile status and technical violations), as compared to days of direct service, it becomes 6.1:1.⁵³

While the use of detention was recognized as a method of control, it was justified in terms of its rehabilitative value. As a result, this restriction was redefined as a treatment technique. As stated by the California

Youth Authority Task Force, convened to assess the use of detention in CTP and another program:

"Temporary detention is one method of control which has been effective with many wards. More importantly, it is the only method of control which has proven effective with some wards. This treatment technique is vital to community programs ..."⁵⁴

Moreover, the CTP parole agents exercised considerable discretion in their handling of the youths and defined delinquency much more broadly than the control organization. There was considerable evidence that the CTP agents could place a youth in detention without any regard to elements of due process. According to Lerman, "CTP argued that society's harshest sanction for youth-deprivation of liberty-need not be perceived as a social control measure as long as it was guided by the rehabilitative intent."⁵⁵

Lerman's evaluation of the effectiveness of the CTP program in comparison to the traditional CYA parole unit focused on two areas--analysis of new offenses committed by the youths and the system's responses to these offenses and analysis of the comparative costs of the two programs.

Four measures were examined to determine the extent of delinquency and the system's response to renewed delinquency: reported offenses, as measured by recording of parole suspensions for alleged violations of juvenile statutes, penal statutes, parole organizational rules and individual agent control treatment norms; parole revocations by offense; formal agency recommending revocation; and official rates of revocation, as measured by the percentage of youth that were committed to a CYA facility or received a dishonorable discharge.

In terms of reported offenses, calculated as rates per 100 youth, there were no significant differences between the CYA youth and the control group for offenses against the person, property offenses, auto theft offenses, and petty theft. However, the experimental group had a higher rate of new offenses for status offenses and technical violations. Lerman explains these differences in terms of the different referral sources for allegations of violations of the penal code and for allegations of status and technical offenses. In instances of criminal violations, citizens were more likely to lodge complaints with the police rather than parole agents, particularly if the citizens were unaware of the juvenile's legal status. For these types of offenses, which are the closest measure of actual youth behavior, CTP did not demonstrate more effectiveness than the control program. However, since the

status offenses and technical violations were primarily detected by the parole agents acting as peace officers, the difference in rates between the two groups resulted from the increased time and resources available to the CTP parole agents to engage in surveillance activities and to establish control networks. As such, Lerman concludes that the differential rates for these type of offenses is probably due to the organizational mandates and discretionary behavior of the adults.

Analysis of the two groups in terms of parole revocations by offenses indicates that whereas the experimental group had higher rates of parole suspensions for status and technical offenses, they had lower rates of parole revocations for these offenses as well as for auto theft and petty offenses. Only in response to personal offense allegations were the parole revocation rates for both groups similar.

Analysis of the formal agency recommending revocation indicated that the CTP parole agents recommended far fewer revocations than the regular parole officers. However, the local courts did not always agree with the CTP's decisions not to recommend revocation. As such, a greater percentage of the CTP youth were revoked by court decision as compared to the control youth. However, analysis of the final measure, official revocations, indicated that the CTP group had lower official revocation rates than the control group. According to Lerman, these cumulative measures indicate that while there were no differences between the CTP and control group in youth behavior, within certain limits, CTP was able to influence the return of their wards to the community to a far greater degree than the regular parole officers could influence that of the controls. In effect, CTP changed adult behavior rather than youth behavior.⁵⁶

Comparison of the relative costs of CTP and the traditional parole program indicated that CTP was a more costly program than that of the control group. This cost differential was a result of a change from the original design in the length of time juveniles were to remain in CTP. At the outset of the experiment, it was expected that the youth would remain in the program for eight months. However, as the program evolved, CTP offered its intensive services for an average of two and a half years. The actual costs per CTP youth were \$6,408 as compared to the proposed costs of \$2,380. The costs for the control youth were \$4,075. Lerman remarks that the increased costs for CTP youth might have been worthwhile if the programs had proved effective in changing the behavior of the youths. However, since the program did not demonstrate behavioral changes, but did demonstrate some changes in attitudes

of the youths on pre- and post-scores, it is unlikely that policymakers would favor the additional expenditures to change attitudes when changes in behavior could not be demonstrated.⁵⁷

The National Evaluation Program study on Community-Based Alternatives to Juvenile Incarceration included a review of the literature on community-based programs which serve as an alternative to incarceration and an examination of 15 programs undertaken through field research. The study documented that, to varying degrees, all of the selected community-based programs used five types of controls similar to those used in institutions. These include achievement systems, the threat of incarceration, peer pressure, program regimentation, and surveillance.⁵⁸ Further, the study indicated that many of the concerns raised by Lerman are pertinent to the activities of the community-based programs. From the field research, there was a strong impression that the program personnel viewed community-based programs primarily in terms of treatment services rather than control. Although the programs used various types of controls, they did not make distinctions between the activities related to the provision of treatment services for youths and those that serve a control purpose. Also, a number of instances were observed whereby programs used a treatment rationale to justify increased control over youths. In some of these situations, youths ended up spending more time in the alternative program than they would have spent in the state training school.

Although this study documents the use of controls in selected community-based programs, the findings are limited by the lack of discussion and empirical measures regarding the impact of these controls on the organization, on staff, and on youths.

McEwen's study, Designing Correctional Organizations for Youths, examined the inmate systems in 23 varied correctional settings in Massachusetts. These settings included traditional training schools, group treatment programs, and open programs in the community. His study documents that variations in the organization features of correctional settings are primarily responsible for variations in inmate social structure, subculture and behavior. Differences in the composition of the inmate population are secondary factors. McEwen's focus on the inmate systems stem from the important role that these systems play in either impeding or contributing to rehabilitation.

McEwen's approach to the issues involved in merging treatment and controls represents a different perspective from the previously discussed studies. Rather than examining the practices of the programs on the basis of the degree to which control and treatment are goals of the organization, he focuses on four dimensions including community contact, equality, participation and supervision. This approach was selected in favor of the traditional reliance on goal typologies because it is often the case that different organizational structures exist among organizations with similar goals, and that these organizational mechanisms, rather than the goals, are the shaping influences on informal inmate systems. Moreover, McEwen maintains that not only is the correlation between organizational goals and organizational structure imperfect, but the causal relationship between the two is doubtful. Implicit in the goal typology model is that organizational leaders decide upon goals, select the best means of implementing them and then design the organizational structure accordingly. While this type of rational planning is conceivable, it also appears that in some organizations, goals and organizational structures develop almost simultaneously and in interaction with one another, but are not wholly dependent on one another. While goal typologies serve adequately when there is a high concomitance between goals and specific structures among organizations, as it is increasingly the case in corrections, when the correlation between goals and specific structures decline, goal typologies lose their power.⁵⁹

The four dimensions of community contact, equality, supervision and participation were selected because they each describe an aspect of the way an organization interacts with or acts upon its clients and they directly influence the perceptions inmates have of the organization, one another, and themselves, as well as the way they perceive the opportunities they have for action within the organization. These dimensions may thus be viewed in terms of the degree to which they restrict in some way the opportunities for youths to generate their own adaptations to the organizations and the extent to which they create opportunities for staff members to influence the form of individual and collective adaptation made by youths.⁶⁰ Community contact measures the extent to which the organizations allows and encourages contact between youths and the surrounding community. Equality reflects the organization's openness toward, and

encouragement of, informal contact and relationships between inmates and staff members. It provides opportunities for staff to influence inmates rather than to coerce them. The equality scale also measures the extent to which organizations promote consistency and coordination among staff members. Participation refers to the extent to which the program encourages or requires the participation of most or all youths in the work and decisions of the organization. Finally, supervision measures the extent to which the organization keeps track of, and orders the relationships among youths. By engaging the youths in attractive but officially sanctioned and carefully monitored activity, the opportunity for informal interaction to occur among youths is decreased. Data on these dimensions was collected through observation and questionnaires.

The major findings from McEwen's study, for each of the four dimensions, are as follows:

First, any effort to direct the development of inmate systems within a correctional program must begin with the establishment of relatively high levels of staff-offender equality; other fundamental changes in correctional organizations can be achieved only in the context of relatively high levels of equality. High levels of equality are associated with increases in the mutual respect between staff members and youths and with less instances of troublesome behavior, defined as violations of program rules.

However, equality by itself, is not sufficient for redirecting the inmate social system. While the youths may respect and trust the staff, without accompanying rises in community contact or in supervision or participation, staff's ability to control in-program troublesome behavior is reduced. While equality coupled with increased participation and supervision serves to enhance the control that staff have over youths and thus reduces the need for coercive controls to ensure security, McEwen notes that the threat of coercion does serve a real purpose in even egalitarian programs. Programs which respond, for example, to runaway incidents by refusing to allow the youth back into the program and by having the youth assigned to a less attractive program serve to enforce some degree of commitment to the organization. As stated by McEwen:

"To accept those legal threats is to say that the current program is preferable to some other unknown or known alternative, and such a statement of preference involves at least a minimal commitment to the program. In this subtle fashion, youths were

drawn into egalitarian programs rather than set against them. A youth's awareness of a program's openness, combined with a recognition of the highly predictable consequence of running, can act as a far more secure barrier than fences and locked doors and screened windows." 61

The value of possible coercion in increasing the youth's commitment to the program receives further support from the Provo program.

The equality dimension also focused on the extent to which staff were differentiated in programs. Programs in which inequities existed between staff appeared to foster inconsistencies and conflicts in the staff administration of rules and to drive a larger wedge between staff and youths than did staff-youth inequality itself. Staff inequality was high in programs in which counseling functions were separated from rule enforcing functions. Programs which encouraged all or most staff members to take on a counseling role encouraged greater staff equality and coordination.⁶²

Second, community contact had significant effects on the correctional organization's ability to alter the inmate social system. While community contact has some valuable features, including facilitating a youth's reintegration into prosocial institutions and, in Etzioni's term, providing a mechanism for natural ventilation of stresses and conflicts which arise in group situations, it also results in reducing the program's saliency and control over the behaviors of the youth. As community-contact increases, youth are provided with the opportunity to develop relationships with others outside the program. These new relationships can potentially lessen the importance of the youth's interactions with the program and can provide reinforcement for attitudes and perspectives which are inconsistent with the views that the program is trying to promote. McEwen found that as community-contact increased, the control that staff exercised through rewards and punishments decreased. Staff were less inclined to use negative sanctions to respond to troublesome behavior and often overlooked misconduct for fear that they would lose the respect of the youth and push the youth to reject beliefs or practices for which they receive support elsewhere. The need to appeal to the youths on their own terms, however, does serve to elevate the level of equality within a program and fosters positive staff-youth participation.⁶³

The high level of community contact also made it more difficult for the staff to provide group supervision and opportunities for participation. Moreover, the staff were unable to alter youth values and subcultures. While high levels of community contact reduced the likelihood of troublesome behavior occurring within the program, the staff were limited in the extent to which they could assure that troublesome behavior did not occur in the community. The challenge for programs with high levels of community contact becomes one of attempting to influence the kinds of people in the community with whom program members associate as opposed to managing the relationships of members inside the program. According to McEwen:

"The particular costs of a community-contact strategy- reduced leverage over youth values and decreased internal program control must be balanced against these possible advantages in humane treatment and potential reintegration."⁶⁴

In response to the problems faced by programs in impacting the substance of the informal inmate system in light of high levels of community contact, McEwen suggests that a more useful intervention strategy might be one which focuses on one-to-one programs where there is little or no interaction among offenders. Under this approach, counselors or advocates would have frequent contact with youths who live at home or in foster care. This approach would provide the opportunity to plan and establish quality contacts in the community- "with full youth participation on an individual level that is difficult to achieve on a collective level."⁶⁵

Third, programs which had the highest levels of participation had the greatest impact on youth values and self-conceptions. In general, these programs also successfully controlled the behavior of their members within the program and kept their members from running away, despite the absence of physical security. However, participation was achieved at the expense of community contact. To the degree that reintegration is facilitated by maintaining community ties, programs must weigh the benefit of high participation with the costs associated with the loss of community contact. Also, supervision must accompany participatory programs to ensure that informal peer pressures do not serve as subtle controls on the behavior of the participants.⁶⁶

Fourth, programs with high levels of supervision were able to provide a structure to guide youth interactions and relationships. Supervision served to decrease the opportunities for youths to engage in troublesome behavior and served to decrease the possibility of youths abusing and exploiting each other. Troublesome behavior occurred most frequently in the institutions where structured activity was uncommon and the youths had more available free time. However, high levels of in-program supervision were difficult to achieve in programs which also had high levels of community contact.⁶⁷

McEwen's study provides many valuable insights into understanding how organizational features impact on the nature of informal inmate systems. The four dimensions of equality, community contact, participation and supervision provide a framework for designing programs to meet certain aims. While McEwen's emphases on analyzing programs according to specific aspects of organizational structure, as opposed to goal typologies, permits a clearer understanding of operational practices and the trade-offs which necessarily occur in programs with sometimes competing features, as he notes, this emphasis does tend to obscure the "goal grouped" identities of programs. It is difficult to categorize programs including features such as supervision and participation along a control-treatment continuum. Although this approach frees programs from becoming involved in the difficult conceptual issues of determining whether specific practices constitute treatment or control, McEwen does note the importance of viewing program practices in terms of the major goals they seek to address, regardless of the imperfect correlation which often exists between goals and organizational variations. As stated by McEwen:

"Although in a broad sense organizational goals such as rehabilitation, custody, or community reintegration are not very useful in defining the organizational variations that relate to differences among inmate systems, these goals are extremely important in understanding the process of correctional change and the general direction of correctional systems and organizations."⁶⁸

VI.

CURRENT THOUGHT ON THE USE OF CONTROLS AND TREATMENT
BY THE CRIMINAL JUSTICE SYSTEM

The documentation of the use of controls in community-based programs and the tendency of program administrators to deny their existence or, if acknowledging them, to label them as treatment provides further evidence of the difficulties faced by the criminal justice system in accommodating both treatment and control goals. The failure of the community-based program movement to resolve the treatment-control dilemma, coupled with other developments over the last decade, has forced the criminal justice system to reexamine its use of control and treatment.

Beginning in the later 1960's and continuing through this decade, there is a growing body of works and legal precedents which have challenged and set limits on the manner in which the state can coercively intervene in the lives of offenders in the name of treatment. At the same time, there is a related movement which calls for renewed attention ^{to} on the role of the criminal justice system in providing coercive controls. While both of these trends are a result of the dissatisfaction with implementation of the rehabilitative ideal, they reflect different interests. The former emphasizes the rights of offenders while the latter emphasizes the needs of society to be protected from crime. However, both trends have coalesced and have resulted in a greater recognition of the need to distinguish control efforts from treatment efforts. The works of Paul Lerman, Norval Morris, Robert Martinson, and most recently, Charles Silberman have been influential in shaping the current thinking on the role of the criminal justice system in accomodating both treatment and control goals.

In response to the widespread use of discretion by the correctional system in implementing individualized treatment and indeterminate sentencing, and the associated abuses to the constitutional rights of offenders, limits have been placed on the extent to which restrictions can be placed on offenders in the name of treatment. The difficulties of effectuating treatment at all levels of the criminal justice system and the recognition of the inherent coercion in the individualized treatment model, whereby the length of time served has been inextricably linked with parti-

cipation in treatment, have led many to advocate that treatment should cease to be a formal goal of corrections. As stated by Morris:

"It is not that there is something inherently wrong with the rehabilitation idea, the individualized treatment model, for in fact human behavior can be changed in collaboration with others assisting him in that change. Rather, the fallacy lies in its coercive application outside the proper constraints of a due respect for human rights."⁶⁹

The writings of Morris and Silberman advocate that while the prime purpose of correctional intervention should be for punishment, the system should still make treatment services available on a voluntary basis. According to Morris,

"We should abandon the notion that offenders are sent to prison for treatment. Rather we should distinguish between punishment for rehabilitation and facilitation of rehabilitation efforts during punishment, and recognize that provision of services occurs within the defining framework of punishment. Facilitated change would be substituted for coerced cure."⁷⁰

The increased recognition of the role of corrections in providing punishment as a tool of social control has received support as well from those whose disillusionment with rehabilitation rests not only with its failure to protect the rights of offenders, but also with its failure to reduce crime. The rise in crime in the late 1960's and early 1970's and the associated rise in fear of crime have led some to argue that not only should the sole purpose of criminal justice intervention be to provide control and custody over offenders but moreover, that the criminal justice system should provide no treatment services at all. The views of Robert Martinson are illustrative of this position. He maintains that since treatment is largely impotent in reducing the crime rate and incarceration is too costly and damaging, offenders should be placed under surveillance in the community, whereby they would be watched by restraining agents who would have no direct contact with the offender. As stated by Martinson:

"In effect, each restrainee will be assigned his own private policeman. These restraining agents will have one and only one function -- reporting to the police whenever a restrainee is observed committing a criminal offense."

While the issues pertaining to the appropriate role of treatment, that is whether it should remain a formal goal in corrections or even be offered at all by the criminal justice system, are still a subject of debate, these developments have been important forces in making the criminal justice system recognize that if it is ever going to accommodate both treatment and control goals, it must first be forthright in distinguishing between them. Acknowledging the social control functions of intervention removes the need to disguise the use of restrictions as treatment and forces the criminal justice system to recognize its responsibility to develop procedures to guard against abuses in delivering sanctions. As stated by Lerman in discussing the impact of the Community Treatment Program on juveniles:

"It is extremely difficult to hold correctional organizations accountable for the manner in which they execute the police powers of the state when they verbally deny that they are involved in a coercive social institution The issue is not whether, on reasonable grounds, wards should ever be locked up. The issue is whether a correctional agency like CTP can accept the responsibility for depriving youth of rights and privileges -- and then can forthrightly address the issues associated with the administration of sanctions. If the conceptual distinction between social control and treatment is not made, the responsibility for organizing a non-arbitrary administration of sanctions is not likely to occur . . . and it is possible to conveniently label all intended treatment effects as examples of treatment regardless of the coercive impact on wards of the state."⁷²

In addition to limiting and regulating the criminal justice system's use of discretion, it is expected that the movement to conceptually distinguish between controls and services and to remove the coercive element from treatment will result in a reduction in organizational strain and role conflicts which have traditionally characterized correctional efforts to merge these two aims.

VII.

PROGRAM IMPLICATIONS OF DISTINGUISHING BETWEEN CONTROLS
AND SERVICES

The recent trends advocating that the criminal justice system begin to distinguish between the purposes of control and rehabilitation and remove the coercive element from treatment have been influential in making the system revise its procedures for handling offenders. It is expected that the movement to conceptually distinguish between control and services will in practice not only result in limiting and regulating the system's use of discretion, but will also result in reducing the organizational strain and role conflicts traditionally experienced by correctional workers.

While there is now substantial agreement that the criminal justice system must conceptually distinguish its control efforts from its service efforts, and must separate help from punishment, the current writings are rather vague regarding how the conceptual distinction between these two efforts is to be operationalized in program approaches, particularly in programs such as we propose which attempt to simultaneously provide controls and services to juveniles. The available literature on program practices which reflect this conceptual distinction primarily address changes occurring now in probation and parole operations for adult offenders. While some of these changes are pertinent to our proposed pilot, there are limitations in transferring these findings to a program for juvenile offenders which is to serve as either an alternative to incarceration or as an adjunct to aftercare. Beyond the studies on community-based programs for juveniles, reviewed previously, there is a paucity of new information reflective of the recent trend to conceptually distinguish between controls and services to guide the development of community-based alternative for juvenile offenders which aim to provide both controls and services.

Currently, the conceptual distinction between control and services has been operationalized in three different ways: 1) in probation and parole, one portion of the caseload of offenders is identified as requiring only control, achieved through the use of surveillance and conditions restricting certain behaviors; 2) the remaining individuals in the caseloads

are identified as requiring services which are largely provided on a voluntary basis; and 3) where both controls and services are provided simultaneously to offenders either on probation, parole, or while institutionalized, services are provided, often voluntarily, under the general framework of control and punishment.

The first two directions, by concentrating solely on one function or the other, have eliminated the possibility of role conflict and organizational strain. Agents who are more control-oriented and who are good in limit setting can specialize in supervising those offenders who require surveillance and who manipulate authority, while agents who are more comfortable with a facilitative role can work with offenders who request services. This singular purpose approach for handling offenders has received support from the National Advisory Commission on Criminal Justice Standards and Goals which calls for differentiating caseloads based solely on either surveillance or helping functions. In this regard, the Commission states:

"Some parolees do require fairly intensive and effective supervision caseloads. Caseloads can be differentiated as caseloads for surveillance rather than for counseling or support. The parolee may not be in a position to see the relevance of the services offered, but he can respond positively to the knowledge that his daily whereabouts and activities are under careful scrutiny."⁷³

Although the Commission does not address the issue of whether individuals in the caseloads identified for assistance can choose not to accept services, the authors of the Program Models document, Promising Strategies in Probation and Parole, indicate that there is a growing trend among probation and parole to make services available on a voluntary basis. In this regard, the practices of the Seattle Probation Department and the Fresno Probation Department are cited. In Seattle, the Probation Department sees its prime function as a service broker. "The surveillance function has all but disappeared from this role definition."⁷⁴ In Fresno, one portion of the caseload has been identified as requiring surveillance while the remaining caseload is provided service on a voluntary basis.

With the increased acceptance of the view that the purpose of imprisonment is control, there is a related movement to eliminate the surveillance function entirely from parole. It is felt that since imprisonment is

such a severe penalty, it should not be augmented by any additional sanction for the same offense. Parole would be restricted to providing services on a voluntary basis. In this regard, the Program Models document cites the use of summary parole in California whereby parolees receive neither surveillance or services unless they initiate requests for assistance.⁷⁵ Related to this view of parole, it has been suggested that the authority to initiate revocation procedures should be removed from parole agents and placed in the hands of the police. It is felt that the development of a supportive, trusting relationship between the agent and parolee can only occur if the authority to initiate revocation is removed from the agent. According to the authors of the Connecticut study on parole administration:

"If parole officers were deprived of their authority to invoke sanctions, most of the structural obstacles to rehabilitation would disappear. The officers could then pursue more effectively the rehabilitation work they wish to do. Parole revocation could become more judicial, for those who would revoke parole -- the Parole Board -- would function as decision-makers in an adversary process. Parole officers would represent the state's interest in rehabilitation and the prosecutor and police its interest in deterrence, while the parolee and his lawyer would advocate the parolee's interest."⁷⁶

The movement to differentiate caseloads based on surveillance or helping functions has also served to remove the ambiguity and conflict in the dual purposes served by conditions of probation and parole. Traditionally, these conditions were seen as both tools of control and as tools for casework. They served as tools of control since failure to abide by them provided the basis for revocation. As tools for the rehabilitative process, they served as devices for legitimizing the agent's inquiries into areas of the parolee's life which were thought to bear on his rehabilitation and also were viewed as providing structure in the offender's life which was necessary for the promotion of law-abiding conduct. However, if the sole purpose of supervision is surveillance, then the use of conditions can clearly be seen as serving as controls over the behavior of the offender. On the other hand, if services provided by probation and parole are voluntary,

and particularly if revocation authority is eliminated, there may be no need for conditions pertaining to rehabilitation. Again, according to the Connecticut Parole study:

"The use of parole conditions to compel disclosure of this information is not, however, necessary for effective casework: once a parolee trusts the officer and sees him as an advocate, information will flow willingly. Eliminating the fear that information will be used as a basis for revocation will facilitate a relationship of trust, and a full and free flow of information will enable the parole officer to be more effective in his guidance function."⁷⁷

While there is some disagreement in the field over whether any conditions of release should be placed on offenders, there is substantial consensus that the broad use of vague conditions proscribing various kinds of activities are not appropriate. Traditionally, the breadth of these conditions served only to invite violations since they were so restrictive that few persons could abide by all of them, and exacerbated the agent's use of discretion, since he had to selectively enforce some and not others. The current trend is to limit the kinds of conditions and to make them simple and realistic and as close as possible to those demanded of other citizens.⁷⁸ According to Morris, other than the obligation to report or be available for supervision or not to leave a geographical area, the use of other behavioral conditions should be related to the offense history of the individual.⁷⁹

The third manner in which the conceptual distinction between controls and service has been operationalized, by providing services under a defining framework of control, has the most relevance to our proposed pilot since it does reflect the desirability of providing both controls and services to offenders. Programs operating according to this scheme have accepted the views advocated by Lerman, Silberman and Morris, which urge that the criminal justice system must be forthright in acknowledging that the purpose of criminal justice sanctions is social control rather than rehabilitation. While these writings still maintain that it is appropriate for the criminal justice system to provide services, they argue against the traditional practices of placing restrictions on offenders under the guise of rehabilitation and of using the coercive power of the state in delivering treatment. As stated by Silberman, in his discussion of the juvenile justice system's handling of juvenile offenders:

"Juveniles should not be incarcerated, or their liberty restricted in other ways, for the purpose of rehabilitation. But once the decision to punish a youngster has been made, there must be a serious attempt to provide whatever help he needs to become a productive member of society."⁸⁰

and by Morris:

"Only if the offender is free not to accept the support and assistance of the probation and parole officer can he be free to accept such assistance."⁸¹

In effect, these views have resulted in making treatment secondary to the larger purposes of control.

While this third trend provides a conceptual framework under which both services and controls can be provided to juveniles, unlike the previous two operationalizations of the conceptual distinction between controls and services which concentrate solely on one function or the other, the programmatic issues involved in merging both controls and services, even after having distinguished between them, are considerably more complex. Unfortunately, the current writings addressing this area provide little operational guidance for translating this conceptual framework into viable program procedures. In part, this is a result of the fact that the focus of these writings has been on the goals of the criminal justice system as opposed to the organizational variations necessary to achieve the goals. Further, the current writings appear to underestimate the difficulties involved in separating the two aims of services and controls and balancing these two aims in practice. While some guidance can be derived from the literature on prior criminal justice efforts to combine a control orientation with a service orientation, many of the findings pertinent to program development present contradictory directions. At this point, a set of issues related to the design and management of programs incorporating both aims can be set forth. However, firmer conclusions regarding optimal approaches can only be derived through further exploration and experimentation. These issues are as follows:

1. Feasibility of Mixing Controls and Services

We have seen that traditionally, efforts to mix a control orientation and a service orientation in correctional institutions were not successful for a variety of reasons. These factors included a lack of organizational

support for treatment, insufficient staff and financial resources for treatment, rivalries and conflicts between custodial and treatment staff, contradictory expectations and job requirements placed upon custodial staff expected to perform treatment, and the debasement of treatment because it was coerced upon offenders. It appears that Etzioni's concerns regarding the dysfunctional results of merging incongruent compliance patterns are applicable to these settings. The overriding need to provide the community with 100% protection from escapes forced, even the most treatment oriented institutions, to place an overriding emphasis on custody and control goals.

While the community-based correctional movement also encountered some of the same difficulties experienced in correctional organizations, the evidence in this arena is less definitive on the problems of mixing controls and services. On the one hand, the California Treatment Program documents how the failure to acknowledge and plan for the use of controls resulted in a community-based program delivering more controls than services to juveniles, with no differential impact on recidivism than the traditional program. On the other hand, the Provo and Silverlake experiments, which did conceptually distinguish between controls and services, as well as McEwen's study in Massachusetts, which approached these issues from a different perspective emphasizing supervision, equality, participation and community contact, provide partial support for the feasibility of mixing the two orientations in practice.

Both Provo and the Massachusetts study emphasize the importance of coercive controls, such as the use of short-term detention, or a back-up system of more restrictive facilities, as mechanisms for reinforcing program expectations and rules and for enforcing some degree of commitment to the on-going program. Further, Provo provides conclusive evidence on the effectiveness of combining coercive controls and normative controls in reducing the in-program offending rate among program participants in comparison to the control group. Likewise, McEwen's study showed that programs with high levels of supervision, and participation, both of which can be considered as control mechanisms, also prevented troublesome behavior and kept juveniles from running away.

However, these studies, and in particular, the findings from Silverlake and the Community Treatment Program, indicate that once programs

incorporate coercive controls, there is a tendency to overemphasize their use. It appears that programs face difficulties in fashioning positive sanctions which, were they available, might lessen the need for coercive controls. The overreliance on coercive controls appears to be more of a problem in residential programs which seek to change the nature of the inmate culture and which provide fewer avenues for the release of tensions which naturally occur in group settings. In order to maintain social solidarity and group cohesion in support of prosocial behavior, group programs tend to become less tolerant of troublesome behavior which threatens the organization's stability.

It has been suggested that the use of intermediate control sanctions, such as short-term detention or unpaid work detail, and increased community contact are possible mechanisms for tension management and for increasing a program's tolerance for misbehavior on the part of a portion of the participants. However, at least based on McEwen's findings, there is also the danger that high levels of community contact, which serve to reduce the saliency of the program, can also result in creating competing influences which might promote delinquent behavior outside the program. Programs allowing for community contact must thus weigh the benefits of increased opportunities for reintegration into prosocial institutions and increased avenues for tension management against the danger of less program control over the behavior of juveniles in the community.

In contrast to residential programs which combine a control and service orientation and in which there is a need to change the nature of the inmate culture, it has been suggested by McEwen that non-residential programs which provide intensive supervision to juveniles through low staff-juvenile ratios are a more valuable approach since there would be little or no interaction among offenders. An intensive supervision approach would provide a mechanism for reducing the opportunities for in-program offending since the juveniles' behavior would be closely monitored and circumscribed. There are however, certain limitations in this approach.

The nature of the contact between a youth worker and a juvenile called for under this approach might set limits on the certain kinds of

helping activities and on the juvenile's reintegration into the community. First, if the purpose of the contacts is primarily surveillance, this activity tends to become the defining framework under which helping occurs. As stated by Studt:

"The most important fact about surveillance is that its requirements determine the basic patterns for all work done by agents with parolees. Helping, when it occurs, must be performed within a framework for interaction that has been designed primarily to serve the purposes of surveillance."⁸²

The activities undertaken to fulfill surveillance requirements, including a specified number of contacts and surprise visits, are antithetical to the helping process in which there is joint decision-making between the agent and offender regarding frequency and place of contacts and areas to be examined. Second, an underlying assumption of the community based treatment movement is that social control inheres fundamentally in ongoing social relationships. If an intensive supervision approach consists only of continuous contact between a youth worker and a juvenile, it would fail to provide the juvenile with the opportunity to strengthen his ties to the community, schools and peers, all of which might serve to promote prosocial behavior. While in the short run, a supervision approach with a high level of intensive, continuous contact would prevent the juvenile from committing new offenses and thus would address the community's need for protection, in the long run, it would set limits on the juvenile's opportunity to become enmeshed into a network of social relationships which might insure a more enduring commitment to law abiding conduct.

2. Role Conflicts in Merging Services and Controls

The literature on past efforts to merge a control orientation and a service orientation in correctional settings and in probation and parole operations provides support for the notion that mixing these two aims produced role strain and conflicts among and between workers. Among workers expected to perform both roles simultaneously, the contradictory attitudes, values and task expectations resulted in workers choosing one orientation over the other. In settings where separate staff were hired to perform treatment and custodial functions, rivalries developed between the staffs, treatment staff practices

helping activities and on the juvenile's reintegration into the community. First, if the purpose of the contacts is primarily surveillance, this activity tends to become the defining framework under which helping occurs. As stated by Studt:

"The most important fact about surveillance is that its requirements determine the basic patterns for all work done by agents with parolees. Helping, when it occurs, must be performed within a framework for interaction that has been designed primarily to serve the purposes of surveillance."⁸²

The activities undertaken to fulfill surveillance requirements, including a specified number of contacts and surprise visits, are antithetical to the helping process in which there is joint decision-making between the agent and offender regarding frequency and place of contacts and areas to be examined. Second, an underlying assumption of the community based treatment movement is that social control inheres fundamentally in ongoing social relationships. If an intensive supervision approach consists only of continuous contact between a youth worker and a juvenile, it would fail to provide the juvenile with the opportunity to strengthen his ties to the community, schools and peers, all of which might serve to promote prosocial behavior. While in the short run, a supervision approach with a high level of intensive, continuous contact would prevent the juvenile from committing new offenses and thus would address the community's need for protection, in the long run, it would set limits on the juvenile's opportunity to become enmeshed into a network of social relationships which might insure a more enduring commitment to law abiding conduct.

2. Role Conflicts in Merging Services and Controls

The literature on past efforts to merge a control orientation and a service orientation in correctional settings and in probation and parole operations provides support for the notion that mixing these two aims produced role strain and conflicts among and between workers. Among workers expected to perform both roles simultaneously, the contradictory attitudes, values and task expectations resulted in workers choosing one orientation over the other. In settings where separate staff were hired to perform treatment and custodial functions, rivalries developed between the staffs, treatment staff practices

were often subverted to achieve custody goals and, in general, there was less organizational support and resources for treatment aims. It appears, however, that the problems which arose in these settings were in part a function of the manner in which treatment goals evolved. Rather than integrating both goals from the outset, rehabilitation aims were added to organizations which had a long history of commitment to order goals. As such, it could be expected that there would be substantial resistance to performing new functions which potentially represented radical changes in the way offenders were to be treated. Further, the criminal justice system's failure to clearly distinguish treatment aims and control aims added to the problems of effectuating treatment in correctional settings.

At present, the recent writings appear to be more optimistic about the criminal justice system's present ability to have correctional workers perform both roles with minimal conflict. It is felt that the problems noted in the past were a function of particular historical conditions which are no longer applicable. However, the available evidence is mixed regarding whether the conflicts can be minimized by specialization of roles or by integration of roles.

Morris suggests that workers will be able to combine both roles simultaneously in their dealings with offenders if a conceptual distinction is made between the two. He states:

"Only if there is a clear distinction between the probation or parole officer's supervisory (police) role and his supportive (social welfare) role, can he be free to relate usefully to such offenders as may gain from his assistance to them."⁸³

However, Morris does not indicate how the agent is to maintain this distinction in his interactions with offenders. We have seen from Studt's examination of parole that while parole philosophy has always maintained a distinction between the goals of surveillance and service and has recognized the different and contradictory postures required to implement each goal, in practice, except in the extreme, the two intertwine in a way which prevents either from being clearly discernible. Studt observed that when agents were questioned about the nature of their activities, agents labelled the same activities as either help or surveillance, depending upon their orientations.

Additionally, Studt found that the difficulties of carrying out both functions simultaneously caused the agents to select the role they felt most comfortable with to guide their interactions with offenders. While all agents performed surveillance functions, the help-oriented agent often dropped this function from his awareness except when he dealt with specific parole difficulties which required investigation, while the control-oriented agent tended to be more conscious of such duties. However, Studt also found that in general agents lose awareness that their accustomed work patterns constitute surveillance:

"The practices of dropping by a parolee's home without appointment, maintaining a certain frequency of contacts, stopping to say hello at the place of employment, and talking to anyone who happens to be available about the parolee, are so ingrained in the agent's work patterns, as well as in the patterns of those who work around him, that he does not notice that he is performing surveillance any more than an experienced driver notices the habitual motions he performs in starting a car."⁸⁴

There are some differences, however, between the parole practices Studt observed and those currently used in probation and parole which would appear to make it easier for an agent to maintain the conceptual distinction between services and surveillance in practice. First, current service approaches in probation and parole emphasize the agent's role as a service broker who arranges for specific types of assistance such as education and employment which are aimed at facilitating the offender's reintegration into the community. This stands in contrast to the helping activities undertaken by the agents in Studt's study which consisted largely of the agent offering his personal advice and counselling. Second, the current trend to limit the use of conditions de-emphasizes the view in Studt's study that these controls constituted a service and thus lessens the ambiguity in distinguishing helping aspects from the controlling aspects of worker-offender contacts. However, the kinds of helping activities observed by Studt are still prevalent in some programs, and along with the need for specific types of services are viewed by many as essential in aiding the offender to understand his needs. Thus, to the extent that workers provide the kinds of helping activities which tend to be of a counselling, personal advice nature, while at the same

time provide surveillance, the difficulties noted by Studt in distinguishing between the two functions in practice would still appear to be present.

Also, while Morris's recommendation that there be a clear distinction in the worker's role may result in better assistance, it is still not clear how this distinction will reduce the role strain traditionally experienced by workers who combine both roles simultaneously. While distinguishing between the two roles introduces an element of honesty into the actions of the worker, as long as the worker has the authority to initiate revocation procedures or to recommend program termination, it would appear that the same problems we have traditionally seen in mixing the two roles are still present. The offender's fear of revocation or program termination corrodes the trust he can place in the worker and limits the offender's candidness in certain situations. The use of 24-hour surveillance is one suggested approach which could reduce the offender's fear of the worker's authority to initiate revocation procedures and could encourage candidness since the offender's opportunities for involvement in delinquency would be eliminated. However, if the surveillance consists of worker interaction with the offender, in contrast to the surveillance approach suggested by Martinson whereby the offender is surveilled by an anonymous worker, one has to question how long the worker would be able to maintain the surveillance posture in face of such extensive contact with the offender. Balancing the surveillance requirements with the natural tendency to become empathetic with the offender under these circumstances would still appear to be an arduous task.

Charles Silberman, in his discussion of the Salt Lake City Probation Department, describes another approach which he feels permits the probation officer to combine both a supportive role and an enforcement role without destroying the trust and rapport established with the juvenile. This is possible because of the way that the terms of probation are established and reviewed. This department uses a contract which specifies various conditions and which the child, his parents, the probation counselor and the judge sign in a formal ceremony. The juvenile's progress is reviewed

by the judge at periodic hearings. The probation officer can continue to play the "cop" role if the juvenile violates the terms of probation without losing the juvenile's respect or trust because the juvenile understands that the probation officer's performance is also under review since he signed the contract. As stated by Silberman:

"The probation contract, together with periodic judicial review of a probationer's progress, puts probation counselors in a different relationship with their probationers. Juveniles know that their counselor will be asked whether they are fulfilling the terms of the contract; they also know that while a little bending of the truth may be possible, outright lying to the judge is not. Hence, counselors can say to a youngster, "Look, I might be willing to overlook what you're doing, but I signed the contract, too; when the judge asks me how you're doing, my job is on the line." This makes it a good bit easier for counselors to enforce the terms of probation without losing their probationers' respect or trust."⁸⁵

While the use of contracts might represent one solution to the control-services dilemma, the success of this approach would seem to depend on the skills of the probation officer, the organizational support for and credibility of the contract. The value of contracts has often been diminished in program practice. Conditions of the contract are often manipulated by program workers and juveniles and programs do not respond to instances of violations of the conditions in a consistent manner.

In contrast to the integrated role approach, some of the current writings maintain that approaches which separate the service function from the control function through specialization of roles appear to be better-suited for operationalizing the distinction between the purposes of control and service and for reducing the role strain among program workers. Programs attempting to combine services and control would have separate staff, some of whom perform the surveillance and monitoring functions while other staff perform the service functions. The Program Models document suggests the use of a revocation specialist who would be responsible for investigating violations and determining whether violations should result in program termination. This position would not only ease the conflict between the agent's helping

role and policing role, but would also assure greater consistency across cases. The use of team supervision, in which the responsibility for a group of offenders is delegated to a group of workers, is another way in which the role conflicts can be minimized. This approach also assures greater consistency and objectivity across cases; lessens the likelihood of an individual worker's bias, whether protective or punitive, from becoming critical in case disposition; and reduces the emotional strain among individual workers.⁸⁶

On the other hand, there is some evidence which supports the utility of integrating these roles in programs in which juveniles spend all or a large portion of their time. McEwen's Massachusetts study found that programs which separated the counselling functions from the rule enforcing functions were characterized by high levels of inequities among the separate staffs. These inequities appeared to foster inconsistencies and conflicts in the staff administration of rules. This view has recently been reiterated by Vachss and Bakal in their book, The Life-Style Violent Delinquent, which sets forth a design for a secure treatment unit for violent juvenile offenders. They advocate that all staff must be responsible for, and participate in, both treatment and security. In order to overcome the traditional problems which arose when custodial staff were expected to perform treatment functions, and when separate treatment staff were added, Vachss and Bakal argue that all staff would be hired at the same time to ensure relatively equal seniority, and no former civil servants from other institutions would be eligible. Further, they call for rotating the integrated staff through the various shifts to prevent the development of competing attitudes and activities which have traditionally arisen among separate shifts. McEwen's study lends further support for this view. He found that staff communication and coordination were severely limited by shift divisions because each shift had its own character and problems and because staff members seldom had the time or opportunity to communicate information across shifts.

3. Voluntary Provision of Services

An essential component of the recent trend to distinguish services and controls is the view that if the criminal justice system is to provide services, they must be offered on a voluntary basis. This view

is based on two assumptions. First, at least regarding psychotherapy, and probably as well in other areas of social functioning, it is maintained that changes in attitudes and behavior can only be effectuated if the client enters into the relationship out of his own volition. Second, it is maintained that individuals will take advantage of services if the services are good enough. As stated in the Struggle for Justice: "when real services are available, those in need literally line up at the door."⁸⁸

However, the degree to which participation in services provided under the auspices of the criminal justice system can be truly voluntary is a difficult issue. While there may be greater acceptance of the notion that offenders can reject services when incarcerated and when on parole because of the acknowledgement of the view that imprisonment is a severe sanction undertaken for purposes of control, this situation is not exactly analogous to a program for juveniles which might serve as an alternative to incarceration. The juvenile's motivation to initially participate in the program might certainly be compromised by his knowledge that the alternative to not participating is incarceration. Also, his continued participation in program services might as well be shaded by his knowledge that successful completion of the program may be predicated on his serious involvement in program activities. The concern voiced by Morris, in his discussion of the use of performance contracts, is equally applicable here:

"Release on parole contingent upon performance of certain activities is subject to more than a hint of duress and may constitute an offer which the negotiating party can hardly afford to refuse."⁸⁹

Related to the problem of the voluntariness in the juvenile's decision to participate in an alternative program, is the issue of what happens to the juvenile if he fails to adhere to program expectations regarding participation in services. At what point, if at all, does a program decide that the juvenile's failure to participate in treatment provides the basis for returning the juvenile to the court and rejecting him from the program?

Presumably, this issue could be avoided by the program if steps are taken to assure that the services are sufficiently attractive to the juveniles and if the program can assure the availability of appropriate services to meet his needs. Obviously, this is a key challenge to be faced by programs working along these lines.

BIBLIOGRAPHY

- Carter, Robert M. "The Authority Problem Revisited." Federal Probation, December, 1961: 52-56
- Corrections, Report of the National Advisory Commission on Criminal Justice Standards and Goals. U.S. Department of Justice. Washington, D.C.: U.S. Printing Office, 1973.
- Cressey, Donald R. "Achievement of an Unstated Organizational Goal." Prison within Society, edited by Lawrence Hazelrigg, 50-67. Garden City, New York: Doubleday & Co., Inc., Anchor Books, 1968.
- Empey, Lamar T. and Lubeck, Steven G. The Silverlake Experiment. Chicago: Aldine Publishing Company, 1971.
- Empey, Lamar T. and Erickson, Maynard L. The Provo Experiment. Lexington, Massachusetts: D.C. Heath and Company, 1972.
- Etzioni, Amitai. A Comparative Analysis of Complex Organizations. New York: The Free Press, 1961.
- Halleck, Seymour. Psychiatry and the Dilemmas of Crime. New York: Harper and Row, 1967.
- Lerman, Paul. Community Treatment and Social Control. Chicago: University of Chicago Press, 1975.
- Mangrum, Claude T. "The Function of Coercive Casework in Corrections." Federal Probation, March, 1971: 26-29.
- Martinson, Robert and Wilkes, Judith. "Is the Treatment of Criminal Offenders Really Necessary?" Federal Probation, March, 1976: 4-9.
- McEwen, Craig A. Designing Correctional Organizations for Youths. Cambridge, Massachusetts: Ballinger Publishing Company, 1978.
- Morris, Norval. The Future of Imprisonment. Chicago: University of Chicago Press, 1974.
- Nelson, E. Kim; Ohmart, Howard; and Harlow, Nora. Promising Strategies in Probation and Parole. U.S. Department of Justice. Washington, D.C.: U.S. Printing Office, 1978
- Ohlin, Lloyd E., ed. Prisoners in America. American Assembly Columbia University. Englewood Cliffs, New Jersey: Prentice-Hall, Inc., 1972

- Orland, Leonard. Justice, Punishment, Treatment. New York Free Press, 1973.
- Rutherford, Andrew and Bengur, Osmond. Community-Based Alternatives to Juvenile Incarceration. National Evaluation Phase I Report. Washington, D.C.: U.S. Printing Office, 1976.
- Scott, Ronald J. Treatment-Custody Role Conflict in Community-Based Correctional Workers: Causes and Effects. San Francisco: R & E Research Associates, Inc., 1977.
- Silberman, Charles. Criminal Violence, Criminal Justice. New York: Random House, 1978.
- Struggle for Justice. Prepared for the American Friends Service Committee. New York: Hill and Wang, 1971.
- Studd, Elliott. Surveillance and Service in Parole. Los Angeles: University of California Institute of Government and Public Affairs, 1972.
- Sutherland, Edwin H. and Cressey, Donald R. Criminology. Philadelphia: J.B. Lippincott Company, 1970.
- Vachss, Andrew H. and Bakal, Yitzhak. The Life-Style Violent Juvenile. Lexington, Massachusetts: D.C. Heath and Company, 1979.
- Vinter, Robert and Janowitz, Morris. "Effective Institutions for Juvenile Delinquents." Prison within Society, edited by Lawrence Hazelrigg, 180-198. Garden City, New York: Doubleday & Co., Inc., Anchor Books, 1968.
- Zald, Mayer N. "The Correctional Institution for Juvenile Offenders: An Analysis of Organizational Character." Prison within Society, edited by Lawrence Hazelrigg, 229-246. Garden City, New York: Doubleday & Co., Inc., Anchor Books, 1968

FOOTNOTES

1. Edwin H. Sutherland and Donald R. Cressey, Criminology (Philadelphia: J.B. Lippincott Co., 1970), p. 348.
2. Paul Lerman, Community Treatment and Social Control (Chicago: University of Chicago Press, 1975), p. 10
3. Ibid.
4. Amitai Etzioni, A Comparative Analysis of Complex Organizations (New York: The Free Press, 1961), pp. 72-73.
5. Ibid., p. 73.
6. Ibid., p. 87.
7. Ibid., p. 85.
8. Ibid., p. 57.
9. Lloyd E. Ohlin, ed., Prisoners in America, American Assembly, Columbia University (Englewood Cliffs, New Jersey: Prentice Hall, Inc., 1972), p. 4.
10. Mayer N. Zald, "The Correctional Institution for Juvenile Offenders: An Analysis of Organization Character," Prison within Society, ed. Lawrence Hazelrigg (Garden City, New York: Doubleday & Co., Inc., Anchor Books, 1968), p. 231.
11. Claude T. Mangrum, "The Function of Coercive Casework in Corrections," Federal Probation, March, 1971, p. 27.
12. Robert M. Carter, "The Authority Problem Revisited," Federal Probation, December, 1961, p. 55.
13. Elliott Studt, Surveillance and Service in Parole (Los Angeles: University of California Institute of Government and Public Affairs, 1972), p. 140.
14. Seymour L. Halleck, Psychiatry and the Dilemmas of Crime (New York: Harper and Row, 1967), pp. 233-234.
15. Struggle for Justice, Prepared for the American Friends Service Committee (New York: Hill and Wang, 1971), p. 26.
16. Ibid., p. 27.
17. Sutherland and Cressey, p. 50.
18. Ibid., p. 343.

19. Halleck, p. 231.
20. Donald R. Cressey, "Achievement of an Unstated Organizational Goal," Prison within Society, p. 61.
21. Robert Vinter and Morris Janowitz, "Effective Institutions for Juvenile Delinquents," Prison within Society, p. 191.
22. Struggle for Justice, p. 28.
23. Cressey, p. 61.
24. Struggle for Justice, p. 25.
25. Norval Morris, The Future of Imprisonment (Chicago: The University of Chicago Press, 1974), p. 15.
26. Studt, p. 70.
27. Ibid., p. 77.
28. Ibid., p. 167.
29. Ibid., p. 192.
30. Ronald J. Scott, Treatment-Custody Role Conflict in Community-Based Correctional Workers: Causes and Effects (San Francisco, R & E Research Associates, Inc., 1977), p. 1.
31. Lamar T. Empey and Maynard L. Erickson, The Provo Experiment (Lexington, Massachusetts: D.C. Heath and Company, 1972), pp. 6-7.
32. Ibid., p. 40.
33. Ibid., p. 28.
34. Ibid., p. 81.
35. Ibid., p. 85.
36. Ibid., p. 183.
37. Ibid., p. 184.
38. Ibid., p. 209.
39. Ibid., p. 222.
40. Ibid., p. 257.
41. Ibid., p. 258.

42. Lamar T. Empey and Steven G. Lubeck, The Silverlake Experiment (Chicago: Aldine Publishing Company, 1971), p. 214.
43. Ibid., p. 246.
44. Ibid., p. 202.
45. Ibid., p. 195.
46. Ibid., p. 302.
47. Etzioni, pp. 161-162.
48. Empey and Lubeck, p. 254.
49. Ibid., p. 195.
50. Ibid., p. 255.
51. Ibid., pp. 259-260.
52. Ibid., p. 309.
53. Lerman, p. 40.
54. Ibid., p. 43.
55. Ibid., p. 102.
56. Ibid., pp. 60-64.
57. Ibid., pp. 68-69.
58. Andrew Rutherford and Osmond Bengur, Community-Based Alternatives to Juvenile Incarceration, National Evaluation Program Phase I Report, U.S. Department of Justice (Washington, D.C.: U.S. Printing Office, 1976), p. 19.
59. Craig A. McEwen, Designing Correctional Organizations for Youths, (Cambridge, Massachusetts: Ballinger Publishing Company, 1978), pp. 34-35.
60. Ibid., p. 31.
61. Ibid., p. 177.
62. Ibid., p. 72.
63. Ibid., p. 194.
64. Ibid., p. 196.

65. Ibid.
66. Ibid., p. 198.
67. Ibid., p. 202.
68. Ibid., p. 35.
69. Morris, p. 27.
70. Ibid.
71. Robert Martinson and Judith Wilkes, "Is the Treatment of Criminal Offenders Really Necessary, " Federal Probation, March, 1976, p. 6.
72. Lerman, p. 83.
73. Corrections, Report of the National Advisory Commission on Criminal Justice Standards and Goals, U.S. Department of Justice (Washington, D.C.: U.S. Printing Office, 1973), p. 413.
74. E. Kim Nelson, Howard Ohmart and Nora Harlow, Promising Strategies in Probation and Parole, U.S. Department of Justice (Washington, D.C.: U.S. Printing Office, 1978), p. 32.
75. Ibid., p. 33.
76. Leonard Orland, Justice, Punishment, Treatment (New York: Free Press, 1973), p. 496.
77. Ibid., p. 495.
78. Nelson, Ohmart and Harlow, p. 11.
79. Morris, p. 42.
80. Charles E. Silberman, Criminal Violence, Criminal Justice (New York: Random House, 1978), p. 356.
81. Morris, p. 42.
82. Studt, p. 74.
83. Morris, p. 42.
84. Studt, p. 78.
85. Silberman, p. 361.
86. Nelson, Ohmart and Harlow, p. 32.

87. Andrew H. Vachss and Yitzhak Bakal, The Life-Style Violent Juvenile, (Lexington, Massachusetts: D.C. Heath and Co., 1979), pp. 109-110.
88. Struggle for Justice, p. 98.
89. Nelson, Ohmart, and Harlow, p. 6.