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CRIMINOLOGY

ADMINISTRATIVE AND PROFESSIONAL CONFLICTS IN MODERN CORRECTIONS

PAUL TAKAGI*

In one large state correctional system, the confined adult prison population has increased from 18,000 inmates in 1964 to over 27,000 inmates.¹ The system has experienced a corresponding increase in the number of new correctional institutions. Considering the state's population increase, perhaps this enormous growth is not surprising. The growth in the number of inmates may also be attributed to greater efficiency in law enforcement, as well as to the apparent increase in lawlessness in a more technological society. There is, however, a peculiarity in the mushrooming prison population—the number of newly committed inmates entering the state's prison system has tended to be relatively constant.

Approximately 5,500 inmates were admitted to the prisons of this state in 1958 and the number of new admissions each year through 1964 has not exceeded 5,800. Since the state has shown a large population increase during these six years, the figures suggest that the growth of a prison system is not just a function of an increase in the state's population; however, it does not rule out the possibility that there has been an increase in the offender population which has and is being diverted to other agencies such as probation.

Since the rate of new admissions has been constant, what factors are contributing to the growth of the prison population? First, there has been a greater use of probation. This usage has probably resulted in incarceration being restricted to categories involving more serious offenses. Since these offenders are less likely to receive early parole, they remain incarcerated longer. Second, certain types of offenders are being sentenced to longer terms. During the 1960's, there was a growing concern over crimes of violence and narcotics. As a result,

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¹ California prison admissions, resident population, and releases to parole and returns to prison, began to shift dramatically in 1968. The net effect has been a sharp decrease in the state prison population from a high of 28,000 to around 20,000 in 1972.

evidence shows heavier sentences being imposed upon people convicted of narcotics offenses and those identified as "potentially violent." Third, the characteristics of the resident population show a steady increase over time in the proportion of inmates who have been returned to prison for technical violations.

There are three major ways in which persons are committed to prison in California: 1) The "New Commitment" (NC), or First Admission, comprising those people convicted of a felony and sentenced to prison by the Superior Courts; 2) "With New Term" (WNT), comprising parolees who are convicted of a new felony and sentenced to prison by the Superior Courts while under parole supervision; and 3) "To Finish Term" (TFT), comprising parolees who are returned to prison by administrative decree. The TFT's or technical violators, who concern us here, are parolees whose behaviors and sometimes attitudes are judged by correctional workers to require cancellation of parole supervision. The number of people committed to prison under New Commitment and With New Term have remained relatively constant over the years, whereas the number of technical parole violations have increased enormously.²

The purpose of this paper is to examine the possible cause for the steady increase in the number of parolees who, as shown in Figure 1, become technical violators.

The most obvious explanation that comes to mind is that the characteristics of the inmate-parolee populations have changed over the years

² The parole violation rate (WNT's and TFT's) began a downward trend around 1966. The explanation for this is quite complex, having to do in part with the introduction of probation subsidy and changes in administrative policy regarding parole violations. Technical parole violations, however, remain a critical problem for adult women on California parole. Over 40 percent of the admissions at Corona Institution for Women (California's prison for women) are for technical violations. CALIFORNIA BUREAU OF CRIMINAL STATISTICS, CRIME AND DELINQUENCY IN CALIFORNIA 37 (1969).

SHIFTING COMPOSITION OF CALIFORNIA PRISON

INTAKE POPULATION (ADULT MALE FELONS)

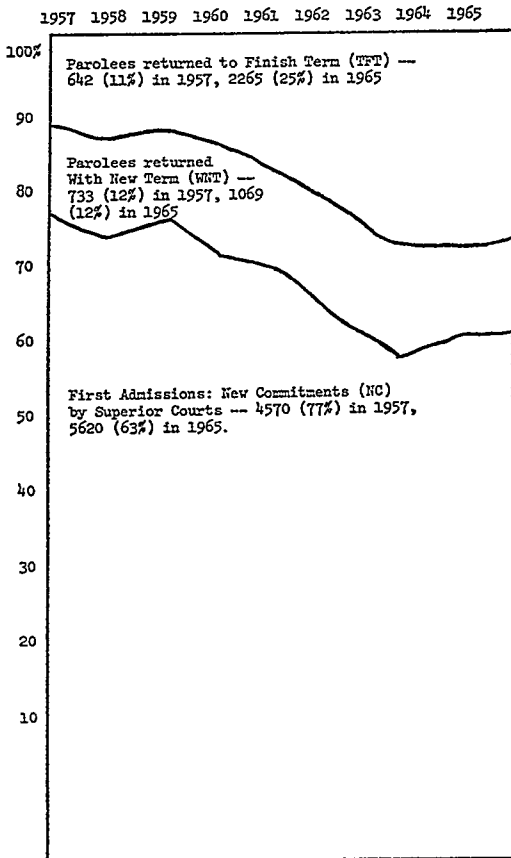


FIGURE 1

SHIFTING COMPOSITION OF CALIFORNIA PRISON
INTAKE POPULATION (ADULT MALE FELONS)

whereby more "poor risk" offenders are now committed to prison. If this were the case, we would expect a higher rate of parolee recidivism (returns to prison). Yet, the rate remains at around 50 percent after two years of parole supervision, the same as in the past. Moreover, while we would expect the distribution of base expectancy scores to be skewed, this expectation is not completely borne out by the data.³

Correctional officials, when confronted with these statistics, argue that since the overall recidi-

³ The mean Base Expectancy scores of men released on parole from 1962 through 1970 were as follows: 43.4 (1962), 41.8 (1963), 40.6 (1964), 39.9 (1965), 39.7 (1966), 38.6 (1967), 38.6 (1968), 38.8 (1969), and 39.4 (1970). D. Jaman, *Parole Outcome of Male Felons Released to California Parole* (Research Measurement Unit, CDC Research Division, Dec. 1971).

vism rate (WNT's and TFT's) remains at around 50 percent for two years of supervision, parole officers are actually doing a better job detecting potential WNT's and handling them as technical violators. The argument is intuitively appealing, since parole workers within the last decade have experienced, at least, in California, a reduction in caseload size, internal and external training, tighter supervision by the reduction in the span of control, and increased reliance upon supplemental programs, such as nalline tests of opiate addicts and placements of parolees in semi-custodial settings as in a half-way house. These developments have undoubtedly increased the amount of information the worker obtains, creating situations whereby the worker must decide whether to continue the case on parole or return him to prison.

The difficulty with the official view is that studies of parole officers indicate that when given the same case information (stimuli), the way in which the cases are handled (responses), vary according to worker attributes and the office setting in which he operates; and the responses to the experimental task coincide with the actual TFT rates of the offices.⁴ The conclusion to be drawn from these findings is that "technical violations" is a variable phenomenon almost totally controlled by officials.

It is probably true that public concern over crimes of violence and narcotics may have initially produced a higher rate of technical violations, but the steady increase beginning around 1958 suggests a phenomenon far more complex than simply a direct response to public pressures.

THE EMERGENCE OF A BUSINESS IDENTITY

In many ways, the period under discussion represents the "coming of age" for California's correctional enterprise. Young men who began their careers as entry level workers during the post-World War II period were now in positions of middle and top management. These new leaders, through their readings and part-time course work, learned about management techniques, and implemented programs such as sensitivity training and "management by objectives." The dismal results from the exceedingly expensive experimental treatment programs conducted during the 1950's by the California Department of Corrections;⁵ the

⁴ Robison & Takagi, *The Parole Violator: An Organization Reject*, J. RESEARCH ON CRIME AND DELINQUENCY, Jan. 1969, in PROBATION AND PAROLE 233-54 (R. Carter & L. Wilkins, eds. 1970).

⁵ The following experimental-control designed

expansion in the number of prisons, programs and personnel; and the several little "Hoover Commission" reports on agency operations all pointed to the need for rationalizing operations, and in some sense, led to the re-discovery of Taylor's "scientific management school."⁶

Some of the ideas expressed in Taylorism became very much alive in the administration of the parole agency. It will be recalled that the most prominent element in scientific management is the idea of task, whereby the worker receives complete written instructions, describing the task in detail. Such instructions specify not only what is to be done, but also the manner by which, and the time limit within which, such task is to be completed. Taylor also recommended the establishment of rules and procedures to replace the individual judgments of workmen. Taylorism in the parole agency is illustrated by the following rule governing case conferences:

For effective training, professional development and growth, and to obtain maximum casework effectiveness and efficiency in job performance, it is necessary that a practical 'on the job' program of Agent-Supervisor Conferences be maintained. The Supervisor's activities in relationship to the Agent should be directed toward assisting the Agent in how to organize his time, plan his work, and make the most effective use of his energies and skills. . . . These conferences will be held at regularly scheduled times and will be of approximately one hour duration.⁷

In this way, the managerial view began to increasingly govern correctional operations in the 1960's.⁸ Tasks were routinized and work performances governed by administratively defined criteria called "minimum standards." Supervisors and superiors evaluated subordinates on the basis of these standards, and in the process, organizational *efficiency* became confused with organizational *effectiveness*.⁹ In the face of these controls, services

studies were conducted in the 1950's and early 1960's, and reported in CALIFORNIA DEP'T. OF CORRECTIONS, RESEARCH DIVISION, Research Monographs SIPU I, II, III, and IV; NTCP I and II; IT I and II, ICE.

⁶ Taylor, *Scientific Management*, in THE SOCIOLOGY OF ORGANIZATIONS 45-52 (O. Grusky & G. Miller, eds. 1970).

⁷ CALIFORNIA DEP'T. OF CORRECTIONS, PAROLE AGENT MANUAL Sec. PA III-10 (1964).

⁸ Public education experienced a similar incorporation of a business identity. See Grabiner, *Corporate Involvement in Elementary and Secondary Education*, 2 NEW SCHOOL Ed. J. 46 (1971).

⁹ The modern probation/parole officer is becoming more and more an office worker. A major portion of his

to clients became corrupted, and clients sacrificed via technical violations. Thus, the "crisis" in modern corrections results from an administrative structure in which the worker becomes diverted from the primary task of serving the client in favor of an inordinate concern with the administration of the organization's regulations.

ADMINISTRATIVE VERSUS PROFESSIONAL CONFLICTS

Many persons engaged in the field of corrections have experienced or encountered feelings of conflict in attempting to meet administrative requirements which appear to be contrary to the needs of the offender. One source of conflict is the practice of holding a worker responsible for an offender's behavior, even when the worker has little influence or control over it. Another is having to comply with requests of law enforcement agencies, requests which may be at odds with the best interests of the offender. These conflicts can be seen as arising from a lack of integration of administrative and professional roles. In corrections, the services performed by the worker are in some respects similar to those of other professions, such as medicine and law. In each of these professions, one of the role expectations is to provide services which will contribute to the client's welfare. When a patient or a client sees a physician or a lawyer, the services provided tend to be concrete or visible. The patient may receive a prescription for drugs or the client is advised of his legal rights. Similarly, a parole agent may use his administrative power for the benefit of the offender. He can recommend an early termination of the offender's sentence and period of supervision, as well as recommend restoration of his civil rights to marry, purchase a home, or sign contracts.

There are, however, a number of problems regarding the correctional worker's professional role. One problem stems from the worker's desire to render treatment services such as individual and group counseling, and group psychotherapy. As is the case with other professions, clients contact the correctional worker for administrative services; however, they tend to resist the worker's efforts to render treatment. The distinction here is similar to

time is devoted to record keeping, collecting, and transmitting information upwards. The State of Washington probation/parole officer spends approximately 10 percent of time in face-to-face contacts with the clients in the field. Takagi & Carter, De-professionalization in Correctional Work, 1971 (tentative title, unpublished manuscript, School of Criminology, University of California).

the role definitions of the engineering and clinical models among the applied social sciences.¹⁰ When a client contacts a worker for administrative services, it is assumed that he wants to solve the problem of which he complains. In this case, the worker's role definition is that of an engineer. In the clinical model, the client frequently does not define the problem. Instead, the worker makes his own independent diagnosis of the client's difficulties and assumes he possesses treatment skills which can benefit the client. The latter model is defined as being one of the goals of a correctional organization; the engineering model is defined solely in terms of administrative responsibilities.

The difficulty for the probation officer or the parole officer is that the engineering model does not enhance his professional role image. Administrative-type activities in a line position are often viewed by the occupants as being mechanical or clerical in function. The clinical model, on the other hand, incorporates a sophisticated audience of peers, such as psychiatrists or psychologists, who are often hired as consultants by the agencies. Hence, the worker's identification with, and use of, a specialized body of knowledge helps to enhance his role image.

While the administrative apparatus of the correctional agency does not formally emphasize the status of clinician, it is nevertheless expected that the clinical role will be used as one of the means to achieve correctional goals. The clinical model sometimes becomes de-emphasized by pressures upon an agency. In such instances, there is an increased emphasis upon the engineering model. Organizations such as public schools and correctional agencies appear to be more vulnerable to external pressures than organizations such as public health or legal aid. One dimension which seems to differentiate an organization's sensitivity to external pressures is the visibility of performances. In the public schools, the children report teacher behavior and the content of classroom education to their parents, while in the correctional agency, offender crimes are reported over the mass media. Such exposure results in a tendency for these organizations to focus and to rely upon rules and behavior which are defined by administrative regulations.

The dilemma for the correctional worker, involving an administrative and professional dichotomy, may be traced in part to structural ambigu-

ties. The role definition of the engineering model is governed by the agency's definitions of and *established procedures* for correctional worker's activities in administrative areas. The role definition of the clinical model is related to the expectations of the agency and is based upon an identification and the use of a professional body of knowledge. The agency's clinical role, however, is not accorded significant status, and its tenuous place in the structure contributes to ambiguities for the worker in obtaining a stable role definition.

CONFLICTS IN THE OBJECTIVES OF CORRECTIONAL SUPERVISION

There is a lack of agreement between first-line supervisors and parole officers on the objectives of parole supervision. In a recent survey of 260 parole officers,¹¹ about 60 percent (153) indicated that they conceived the primary objective of supervision to be the protection of society's interests. The secondary objective stated was the attempt to discover specific ways by which the parolee may be helped to remain in the community.¹² In short, the majority of the parole officers subscribe to the officially stated goals of the organization (i.e., the protection of society and the rehabilitation of the offenders—in that order). But when the officers were asked to rank the order of objectives which the supervisor emphasizes in day-to-day operations, "to serve the interests of society" was mentioned first, "to satisfy the minimum standards of supervision" came second, and the offender's interests were placed third. The consequence of this situation is again an administrative versus professional conflict for the workers.

Administrative requirements for correctional workers produce another problem. For example, an important minimum standard in parole supervision is the number of monthly field contacts. Usually parolees are classified into three major categories: maximum, medium and minimum. The number of required field contacts is based upon this classification scheme.

¹¹ The sample of 260 represents all members of the parole agency. The questionnaire was designed to obtain the usual demographic characteristics plus items on organizational behavior where the findings have been reported elsewhere. The research staff of the California Department of Corrections assisted in the data collection which was completed in six weeks.

¹² For an analysis of conflicts between the first line supervisor and the worker see: P. Takagi, *Evaluation Systems and Deviations in a Formal Organization, 1967* (unpublished Ph.D. dissertation, Department of Sociology, Stanford University).

¹⁰ Gouldner, *Exploration in Applied Social Science*, in *APPLIED SOCIOLOGY* 5 (A. Gouldner & S. Miller, eds. 1965).

In meeting administrative standards for number and type of parolee contacts, the officer is required to produce a certain number of work units per month. This minimum standard is, in effect, a quota requirement. The importance of satisfying the quota is shown in responses to a questionnaire recently administered to both parole officers and their supervisors. The responses of 37 supervisors to one question are as follows:

Would you say that the officer who comes closest to meeting standards is one of your most capable men?	
Strongly Agree	11
Agree	22
Disagree	2
Strongly Disagree	2
	—
	37

Thus, 33 of the 37 supervisors (87 percent) value highly those officers who satisfy standards. Of greater significance is the fact that the supervisors' evaluative criterion is communicated to the workers, as shown by the responses of 259 parole officers to the question of maintaining minimum standards:

Is your supervisor insistent about maintaining minimum standards?	
Almost Always	74.0%
Most of the Time	21.0
Some of the Time	4.0
Almost Never	1.0
	—
	100.0%

Seventy-four percent of the officers perceive a high value in satisfying minimum standards. From this we can assume a greater emphasis would be placed on the administrative role of the officers than on the clinical objective of supervision.

THE PROBLEM OF PREDICTION

Predicting client behavior and supervision-outcomes are other problems in administration and supervision. A number of prohibitions and requirements—conditions of parole—are imposed upon the offender. Among the restrictions imposed are prohibitions against changing either residence or employment, drinking alcoholic beverages to excess, driving a motor vehicle, leaving the county of residence, and associating with felons. Under these conditions of supervision, the client must cooperate with the parole officer at all times. The client's failure to comply with the officer's directives can

be construed as non-cooperation, which can lead to a violation of parole.

These conditions constitute the criteria for evaluating client performance. Supervisors generally focus attention on employment status and violations of the law, both conditions being difficult to control. Some offenses or violations have certain predictable consequences, (use of alcohol or narcotics), while other behavior may not (domestic problems leading to homicide). It is equally difficult to identify with any degree of accuracy the offender who will commit a robbery or a burglary. Unfortunately for the worker, uncontrollable behavior by the offender may be the major determinant in an evaluation of whether the worker is doing a good job.

The problem of prediction is a source of great conflict for many correctional workers, since unfavorable outcomes may lead to an administrative investigation. Indeed, the major threat to the worker emerges from antisocial acts of the client. An administrative investigation consists of a review of the worker's activities regarding the case, such as the nature and quality of contacts, and the extent to which relevant information about the parolee has been recorded. Investigations are relatively rare, and most offender failures are handled routinely. Although about half of the parolees become violators in a given two-year period, only a small number of cases result in administrative investigations. A small percentage of the cases attract unwelcome public attention. Officially, this is known as a case becoming "newsworthy," and unofficially, as "blowing up." When a case does "blow up," it means the mass media not only exposes the worker and the supervisor, but the entire agency. Naturally, all concerned with the agency are sensitive to this criticism.

Accountability for the client's behavior creates considerable pressures upon the members of correctional organizations, since there can be no absolute control on the basis of present-day knowledge. The uncertainty in predicting behavior of clients forces the agency to rely on indicators which may not correspond with the officially stated goals of the organization. Therefore, accountability within the correctional organization appears to be related to the degree to which the achievement of organizational goals are measurable. In organizations where precise measures of efficiency do not exist, administrative control devices, such as the minimum standards in the parole agency, are emphasized by the first-line supervisors.

A RELEVANT PUBLIC

The role of the police in defining correctional workers' activities is another problem in administering the parole agency. Since the worker's contacts with clients seldom total more than two hours per client per month, the agency must depend upon other sources for information about offender activities. When the police arrest a parolee for a violation of the law, the police report becomes the basis for the parole officer's emergency report. A review of over a thousand emergency reports prepared by parole officers concerning parole incidents shows that over 70 percent of the reports are based upon information compiled and furnished by law enforcement agencies. The findings of the review are shown below:

Source of information for emergency reports	
Police	71.2%
Narcotics	14.1
Family, etc.	9.4
Parole Officer	2.9
Parolee	2.4
	100.0%

The narcotics category refers to an administrative program for detecting opiate use through chemical testing. In many parole areas, this procedure, known as the "Nalline Test Program," is conducted by police departments. In combining the first two categories, it is evident that the police provide 85 percent of the information for emergency reports.

Nine percent of the emergency reports are based upon information received from the parolee's family, his employer or his friends. Less than three percent are based upon information collected by the agent, with only two percent emerging from the parolee's voluntary admission of illegal activities.

The correctional worker's dependence upon law enforcement agencies as a major source of information is crucial. A good relationship with the police permits the worker to obtain information on a case before the story can be reported over the mass media. In this fashion, the worker can quickly prepare the members of the agency for newsworthy cases. Thus, accountability in correctional organizations includes being prepared to answer queries on newsworthy cases. (This is referred to as "sitting on top of the case.")

A good relationship with the police benefits the members of the parole agency in another way. The

police are at least potentially the most severe critics of the correctional concept. The public at large appears only mildly interested in the internal workings of modern organizations. However, if the public were more interested, there is no method by which it could obtain information directly. The parole agency knows that the police are aware of the shortcomings of parole work. This knowledge is evidenced by the number of parolees who get into trouble, an aspect of parole about which members of the parole agency are extremely sensitive. As a result, district supervisors emphasize cooperation with the police, as can be seen in the responses of 259 parole officers to the question of cooperation with law enforcement agencies:

Is your supervisor concerned about cooperating with law enforcement agencies?	
Almost Always	78.0%
Most of the Time	18.0
Some of the Time	3.7
Almost Never	.3
	100.0%

Most correctional workers cooperate with the police in exchanging information about the parolee's activities. Not all officers agree that cooperation with law enforcement agencies is all-important. These officers support informal norms of society, avoiding the label "informer." The extent to which the correctional agency and law enforcement agencies should cooperate divides the correctional workers into two antagonistic camps: the "cops" and the "social workers."

The cops are those workers who play the roles of protectors of community morals by engaging in police-type activities, (*e.g.*, "stake-outs," and routine searches of parolee premises). The social workers are those who see themselves as representing the parolee's interests, (*e.g.*, acting as a buffer between society and the "dis-enfranchised" client). The designation "social worker" is a reference to an approach rather than a reference to professional training in social work. The two types of correctional orientations reflect a fundamental conflict for members of correctional organizations, as both orientations receive support and are seen as legitimate roles.

SUMMARY

A parole officer works under a role conflict imposed on him by the organizational needs of the agency on the one hand, and the personal welfare

of the client on the other. The officer has almost total control over whether an offender is to be returned to prison. He is aware that he will undergo administrative review only if he errs in allowing the parolee a continuance of his freedom. Under these conditions it is highly probable that the parole

officer will choose the safe course and, when in doubt, have the parolee returned to prison.¹³

¹³ Hughes, *Mistakes at Work*, 17 CAN. J. ECON. 322 (1951); R. Carter, *The San Francisco Project: Decision-making and the Probation Officer*, June, 1966 (School of Criminology, University of California).