Volume 71 Number 1

Federal PROBATION
a journal of correctional philosophy and practice

Probation and Parole Officers and Discretionary Decision-Making: Responses to Technical and Criminal Violations [1]

Mark Jones, East Carolina University
John J. Kerbs, East Carolina University

IN A RECENT ESSAY Chris Eskridge (2004) identified four necessary elements in the dispensation of perfect justice:

- the absolute ability to identify law violators;
- the absolute ability to apprehend law violators;
- the absolute ability to punish law violators; and
- the absolute ability to identify the intent of law violators.

However, Eskridge recognized that the criminal justice system is far from perfect and that there are few if any absolutes. In this vein, Eskridge noted that multiple factors inhibit the creation of a perfectly just system of justice administration. For example, the innocent are occasionally punished, while the guilty escape punishment. Additionally, the guilty are sometimes punished more severely or punished less severely than necessary.

The administration of justice is largely dependent upon the actions of individual human beings who are subject to making procedural and/or mechanistic mistakes in the course of doing their jobs. Police officers may do a poor job of gathering physical evidence; thereafter, prosecutors may make strategic errors in handling a case. Finally, correctional officers may fail to take proper security precautions that result in injuries or escapes.

Human error is not the only reason that the administration of justice is non-uniform in its application. A much larger factor is human *discretion* or the use of personal decision-making and choice when criminal justice professionals carry out their respective duties and responsibilities. While discretion is utilized by all criminal justice professionals engaged in professional decision-making, this paper examines how probation and parole officers (PPOs) working within community-based corrections utilize decisions.

A number of factors that may significantly affect PPO discretion include:

- differing philosophical orientations to criminal justice goals like rehabilitation versus

retribution;
- scholarly interpretations of the law;
- formal organizational and/or community practices; and finally
- personal preferences.

This study focuses on the fifth factor (personal preferences) for PPOs. More specifically, this study examines PPO's preferred responses to probationers and parolees who breach the conditions of their community supervision by committing technical and/or criminal violations. Because there is a limited but emergent body of literature on discretionary decision-making by criminal justice practitioners, we begin this article with a brief chronology documenting the use of discretion among criminal justice professionals to include police officers, court-related personnel, and correctional staff. Thereafter, we present the results and policy implications of a national survey of discretionary decision-making among members of the American Probation and Parole Association (APPA). Ultimately this study aims to take a modest but important step towards understanding PPO preferences for responding to community-supervised offenders who violate the conditions of their probation/parole.

back to top

Literature Review

Police Discretion

Police discretion plays a large role in determining if a person is released without action, cited or arrested for an alleged infraction of the law. The first recognition of police officer discretion in criminal justice writings appeared in 1963. Herman Goldstein, then an executive assistant to Chicago Police Chief O.W. Wilson, wrote on the topic of discretion. He documented the officers' routine use of discretion when deciding whether to make an arrest or issue a ticket (Goldstein, 1963). Considered cutting edge at the time of publication, Goldstein's article contained information and ideas that are common knowledge in policing circles today—namely that officers routinely ignored or issued warnings for certain minor offenses, and these offenses were alternately enforced or ignored because of certain precinct practices and individual officer discretion.

While writing about police discretion, Ho (2004) noted that discretion is a manifestation of selection bias, which rests upon many factors to include the individual exercising discretion. Wortley (2003) examined two views on the durability of discretion. The first view represented an enlightened and flexible (*service-oriented*) way of dealing with social problems: in contrast, the second view represented a selective (*legalistic*) approach to enforcement, and one that ultimately allowed officers to define justice in accordance with their own priorities and individual prejudices. Wortley also wrote on the difficulty of measuring discretion since criminal justice decisions are seldom based on a single rationale, such as race, gender, or age. In fact, many variables enter a police officer's mind when making the decision to take formal action against an accused offender. Finally, Wortley highlighted the need for policies and procedures to be in place to insure the appropriate use of discretion. This is easier said than done. The use of individual discretion is an inevitable part of the justice system process, which ultimately informs the generation of citations and arrest reports for alleged infractions that are subsequently processed by prosecutors and judges.

back to top

Discretion with Court-Related Personnel

The use of discretion among court-related personnel is perhaps most evident among prosecutors and judges. With regard to prosecutorial discretion, a highly visible use of their discretion is found within plea negotiations, the process of deciding which cases to present before a grand

jury and which cases should receive priority in prosecuting. Plea negotiating or plea bargaining was not recognized as a significant part of America's criminal justice system until after the American Civil War (1865), and it has been studied and analyzed repeatedly since then (Alschuler, 1979; Bond, 1975; Friedman, 1979; Durose & Langan, 2005). Ultimately, the decision to plea bargain cases rests on (among other things) a mix of prosecutorial and judicial priorities and how crowded court calendars are on any given day. When court calendars become crowded or bogged down, judges can put pressure on prosecutors to plea cases quickly. Thus, prosecutors do not act in isolation when it comes to plea bargaining.

Judges, by the very nature of the job they perform (i.e., potentially depriving people of their liberty or their life), have always been viewed as the ultimate decision makers in the criminal justice system. For this reason citizens in democratic societies would like to think that judges possess, at a minimum, the characteristics of fairness and wisdom. In spite of the recognition that judges must utilize discretion when handing down their sentences, the past three decades have brought structured sentencing to many jurisdictions. Structured sentencing serves as an obstacle to a judge's ability to fully exercise discretion and can limit a judge's ability to select and hand down certain types of sentences. Structured sentencing was also designed to help control and limit prosecutorial discretion because grand juries have often been dominated by prosecutors and have served as rubber stamps for prosecutors. Despite the limits that structured sentencing places upon prosecutorial and judicial discretion, academics, researchers and policy makers agree that discretion will always play a role in the judicial system because judges will always consider many different and contextual factors (organizational, occupational, and situational) before rendering a decision (Davis, 1969; Gelsthorpe & Padfield, 2003).

back to top

Discretion and Corrections

Once courts sentence guilty offenders, correctional personnel use their discretion to coordinate the court-ordered supervision of offenders in community-based programs and secure settings such as jails and prisons. Prison and jail officers have exercised discretion in deciding when to write disciplinary reports. Infractions or perceived infractions may be perceived differently among various prison staff and disciplinary measures for similar infractions may be treated differently, even within the same institution (Poole & Regoli, 1980; Tischler & Marquart, 1989).

Once released from jails or prisons, most offenders report to probation or parole officers in the community. Like all other officials in the criminal justice system—police, prosecutors, judges, and correctional officers—probation and parole officers use their discretion as they provide community-based supervision. Historically, parole was imported to the United States from Australia, Great Britain and Ireland in the 19th century and was designed to remove political considerations from prison release decisions by vesting such authority in an independent board instead of governors, because governors were subject to political pressure and cooptation (Friedman, 1992). Parole achieved that result, but it did not eliminate individual discretion from release decisions (Abadinsky, 1978; Dershowitz, 1976; Jones, 2004).

Today community corrections officers exercise discretion in multiple domains, from pretrial decisions to post-sentence supervision. Pretrial officers utilize discretion in making pretrial release decisions. Officers who conduct pre-sentence investigations utilize discretion in deciding what to include in a report and, most importantly, what sentence to recommend. Community corrections officers have some discretion in setting reporting requirements and the strictness of supervision; however, the mandatory use of risk and need assessment instruments in recent years has limited the amount of discretion available to community corrections officers (Schneider et al., 1996). Perhaps the most important exercise of discretion for a community corrections officer is deciding when to initiate formal proceedings that would potentially deprive someone of his/her liberty (Jones, 2004).

Whether the liberty of an offender under community supervision is revoked can often depend upon which officer is supervising the case. There have been many instances in which "Offender

A" commits an infraction and has formal action taken against him/her, while "Offender B" commits the same infraction and receives no formal action. Instead, "Offender B" receives a warning and clearly benefits from an officer, who, when exercising discretion, believes a warning to be the better intervention.

As early as 1975, McCleary wrote about the significant impact that personal preferences have upon the professional decisions of individual parole officers. In fact, McCleary believed that individual personal preferences were as likely to inform decision-making as were standard structural or organizational factors (McCleary, 1975). Differential outcomes for similar violations are most visible in multi-state studies. In a recent four-state study of parole violators by Burke (2004), she found that regardless of the state examined there was "a similar percentage of those on parole involved in technical violations—75 to 80 percent" (p. 4). Nonetheless, all states differed dramatically in how each responded to violations. For example, depending on the degree to which violations were handled in the community, "admissions to prison as a result of parole violations ranged from 3 percent to 45 percent" (Burke, 2004, p. 4).

While the exercise of individual discretion has many drawbacks, it also has its advantages. The use of discretion provides a counterpoint to a system embedded in a rigid set of rules; furthermore, an individual's ability to think critically and to make an informed individual choice is at home in a society that seeks to balance individual rights with public safety. In a study conducted by Slabonik and Sims (2002), 78 percent of a total of 61 probation officers in Pennsylvania agreed that probation officers use their discretion in a manner that is consistent with public interest; however, this belief was more predominant among White than African- American probation officers. A larger percentage of female officers viewed discretionary decisions as based upon an officer's personal preferences rather than public interest. Only 23 percent of the total sample (61 probation officers) agreed that probation officers should be allowed extensive discretion in dealing with violations (Slabonik & Sims, 2002).

Currently the literature does not provide even a single study on the role discretion plays in the initiation of judicial action that may result in the offender's incarceration. Moreover, studies have yet to examine the role that personal preferences play in the decision-making process exercised by probation and parole officers. Professional decisions significantly impact the offender and can lead to revocation of probation or parole. Therefore, it is important for criminal justice scholars and practitioners to study how professional decisions are ultimately made.

back to top

Study Population

This article is based on a survey of members from the American Probation and Parole Association (APPA). More specifically, this survey targeted *line officers* and *middle managers* who supervised *adult* offenders under pretrial release, probation, parole, or post-release supervision. A membership list was obtained courtesy of the American Probation and Parole Officers Association. This list included all APPA members as of October, 2003. At that time the APPA had 2,895 members. The APPA membership roster included the member's name, job title, agency name, and address (personal or work, whichever the member preferred). The member's job title and address were used to help us select whom we targeted and whom we excluded from the survey. Members were excluded from this survey if they were listed in the APPA roster as: 1) holding a strictly administrative or research position; 2) working for educational institutions; 3) practicing within a federal or private agency (most probation and parole officers work within state or county/municipal systems); or 4) working *solely* with juvenile offenders (the inclusion of officers who worked solely in the juvenile system would have taken the study in a very different direction given the differences between the criminal and juvenile justice systems). A few cases were also included due to missing data.

A detailed description of the surveyed respondents is presented in Table 1. Although 417 community corrections officers returned surveys for analysis (a 39.7 percent response rate), we only examined 332 surveys from respondents in 40 states after cases were excluded because of

missing data and the reasons noted previously. This resulted in a 31.6 percent response rate for the final analysis. The socio-demographic backgrounds of the respondents were proportionally congruent with other national studies of the probation and parole workforce in the United States. Proportionally speaking, a majority of the sample (56 percent) was male, while a somewhat smaller segment (44 percent) was female; these findings were fairly consistent with the proportion of males (48 percent) and females (52 percent) surveyed by Camp and Camp (2002) in their 24-state study of probation and parole staff. The racial breakdown of our sample indicated that a relatively small proportion of respondents were non-white (10.5 percent), while the vast majority of study participants were white (89.5 percent). Again, these results were fairly congruent with the findings of Camp and Camp (2002), who found that the vast majority of their sample was also white (80 percent). About half (51 percent) of the sample had a four-year college degree or less, and the remaining 49 percent had graduate-level educations.

The average officer had worked for 13.3 years in probation and/or parole; furthermore, there was a wide range of experience with some officers being in their first year of employment while others reported a maximum of 37 years on the job. As for position titles, most respondents were "regular line-level officers" (62 percent), but slightly more than a third were "middle managers" (38 percent), which makes sense given the near majority of respondents with graduate-level educations. With respect to caseloads, most community corrections officers (65 percent) worked exclusively with probationers, but a fourth (26 percent) worked with parolees only or with parolees *and* probationers; the remaining 9 percent worked with pretrial defendants only. With caseloads that contained an average of 141 offenders and a maximum of 4000 offenders, most officers (86 percent) worked exclusively with adults, but a small minority of respondents worked with both adults and juveniles (14 percent). In terms of the organizational characteristics of the respondents' respective workplaces, there were fairly similar proportions of study participants in the Northeast (15 percent), South (22 percent), and West (19 percent), but a larger proportion came from the Midwest (44.0). This may be due to the fact that the membership roster was obtained in the fall of 2003, and the 2003 APPA annual Training Institute was held in Cleveland, Ohio. APPA institute attendees are typically disproportionately from the area where the institute is being held.

In terms of agency funding sources, the majority of agencies were funded by counties and municipalities (53 percent), while the remaining agencies were state funded (47 percent). Given that a majority of the officers surveyed (65 percent as noted previously) oversaw caseloads that consisted of probationers only (i.e., offenders who were supervised by agencies commonly administered at the county level), it makes sense that a majority of agencies were funded by counties and municipalities (Jones, 2004). The sample's high proportion of probation caseloads was also consistent with the majority of respondents indicating that they worked in judicial settings (52 percent) as compared to the proportion (48 percent) working in correctional departments or in parole authorities, the latter being more traditionally oriented towards parolees. Finally, 43 percent of respondents worked in urban settings, 35 percent worked in rural settings or small towns, and the remaining 22 percent worked in suburban settings. On average, each agency had approximately 40 probation and/or parole officers, but there was a wide range. Some agencies had only one officer and some had as many as 800 officers.

Within the officers' work environment, there were policies and social pressures that may have affected the making of discretionary decisions. For example, about 11 percent of all respondents reported that they worked in agencies that had policies to *inhibit* formal actions for certain violations. At the same time, a majority of respondents (63 percent) reported that their agencies had policies that *required* formal actions for certain violations. Hence, it would appear as if respondents were more likely to work in agencies that have policies to mandate rather than suppress formal action.

This study also documented a certain amount of social pressure that affected officers' discretionary decisions. To determine if an officer had ever been socially pressured to inhibit formal actions against an offender, this survey asked the following question: "*How often do you want to take **formal action** against an offender, but do not because you feel pressured by someone in your agency or an official outside your agency*?" About 67 percent said "never," but

28 percent said “occasionally” and 5 percent said “often.” Hence, in the aggregate, about 33 percent had been pressured against taking formal actions against offenders. This survey also asked about pressure to take formal actions as follows: “*How often do you want to **withhold** taking formal action against an offender, but take action anyway because you feel pressured by someone in your agency or an official outside your agency?*” About 57 percent said “never,” but 40 percent said “occasionally” and 3 percent said “often.” Thus, in the aggregate, about 43 percent had been pressured to take formal action. In sum, it would appear as if a larger proportion of respondents were pressured to take formal action as compared to inhibiting formal actions (43 percent versus 33 percent, respectively).

Beyond the effect of policies and pressures in the discretionary decision-making process, this study also asked officers to state their preferred response to scenarios for technical and criminal violations (see Table 2). For each scenario, the surveyed officers indicated whether they supported *administrative* or *judicial* interventions. Administrative interventions were defined as approaches that required the officer to handle the violation by himself or herself as an agency-based response (e.g., a verbal or written reprimand, increased reporting requirements, required counseling, or some other “in-house” sanction that represents an officer’s administratively initiated/controlled sanction). Judicial interventions were defined as court-based responses (e.g., requesting an arrest warrant or setting up a formal hearing and recommending that a formal sanction be imposed).

All scenarios in the tables were presented in order of increasing support for judicial interventions. For example, in the first four scenarios, only a minority of all respondents supported judicial interventions in situations involving technical violations where an offender: 1) failed to secure employment (26 percent); 2) missed meetings with supervising officers (29 percent); 3) failed to perform community service (34 percent); and 4) registered a .15 BAC on a breathalyzer test administered while under supervision for an alcohol-related offense (40 percent). In contrast with the first four scenarios, the fifth scenario represented a line in the sand where a majority of officers (53 percent) supported judicial interventions for those under electronic house arrest who violated curfews three times in the past month. A majority of officers also supported judicial interventions with offenders who directly disobeyed an officer’s verbal warnings to: 1) avoid associations with a co-defendant (63 percent); or 2) attend substance abuse treatment after submitting positive urines for marijuana (71 percent). Thus, the surveyed officers had little tolerance for probationers and parolees who ignored verbal warnings.

Finally, the vast majority of surveyed officers supported judicial interventions with offenders who picked up new charges for: drunken driving (76 percent), felony shoplifting (78 percent), and/or felony vandalism (90 percent). Conversely, even when new misdemeanor or felony charges were present (see questions 8-10), there was still a sizeable minority of officers who would prefer to handle such criminal violations with administrative interventions for drunken driving (24 percent), felony shoplifting charges (22 percent), and felony vandalism charges (10 percent). This suggested that some officers were comfortable using administrative sanctions when faced with offenders who pick up new charges that have merit.

back to top

Discussion

This study has several limitations that should be noted. First, this survey experienced a “words versus deeds” challenge. Officers could only predict what they would do give a certain scenario. What they would actually do may have been another matter. Second, the scenarios that were presented were very brief and many other factors not presented could have been relevant in decision-making. Third, this survey did not present officers with any choices about what sort of formal intervention they might have taken. Merely stating that the officer would have initiated formal sanctions or actions did not indicate whether such action would have included a recommendation for incarceration or some lesser sanction. Fourth, these results cannot be generalized because this study did not utilize a random sample; moreover, the APPA membership may not have been representative of all probation and parole officers in the United

States, largely because the APPA roster (as evidenced by database examined herein) is top heavy with administrators and is short on line-level officers. Hence, future research should aim to replicate and advance these findings with random samples that can be generalized to the county, state and/or federal funds.

Despite these limitations, there are a few policy implications that stem from this analysis. For example, this study found that only a small proportion (10.5 percent) of probation and parole officers were non-white (a finding that was congruent with past multi-state studies as discussed previously). Given that Glaze and Palla (2004) found that minorities represented 45 percent of all probationers and parolees in 2004 (i.e., minorities were overrepresented in the system), continued efforts are needed to diversify the current workforce of line-level officers who oversee community supervision. Such cultural diversification would help to maintain current efforts aimed at advancing the cultural sensitivity of community supervision in the United States.

This study also documented the presence of high caseloads for some probation and parole officers. With average caseloads of 141 offenders and maximum caseloads of 4,000 offenders, policy makers and other advocates for community safety should be concerned about this system's capacity to properly supervise offenders and maintain public safety. This finding suggests that continued efforts are needed to reduce the size of caseloads, which would enhance the quality of community supervision.

Finally, this study has philosophical implications for community corrections officers. Given that sizeable proportions of the sample reported that agency staff and/or people outside of their agency pressured them to inhibit or initiate formal action against offenders, one must question whether internal or external pressures help or hinder their discretionary decisions regarding the inhibition or initiation of formal actions.

back to top

Conclusion

The United States incarcerates its citizens at a rate that is now the highest in the world (The Sentencing Project, 2005). As of the midyear for 2004, U.S. jails and prisons incarcerated 2,131,180 persons (Harrison & Beck, 2005). In terms of incarceration rates for 2004, the U.S. had 726 inmates per 100,000 U.S. residents, and this figure was far greater than the rate for Russia, which came in second place with 532 inmates per 100,000 residents (Harrison & Beck, 2005). Interestingly, a significant number of inmates in U.S. jails and prisons were imprisoned due to probation and parole violations for criminal offenses or technical infractions (i.e., rule violations like drug use, failing to avoid contact with other offenders, failing to maintain employment, and missing meetings with probation or parole officers). For example, 16 percent of the more than two million adult probationers discharged from probation supervision in 2003 were incarcerated due to criminal or technical violations (Glaze & Palla, 2004). Such figures highlight the importance of this study and the need to critically examine the revocation process for probationers and parolees who transgress the terms and conditions of their community supervision.

We do not argue for a uniform system of enforcement, even at a state level, let alone a national level. Not only would this be an impossible task to accomplish, but it would be undesirable as well, because a uniform system of enforcement would eliminate individualized justice. The results of this study should inspire local probation officers and administrators to be sensitive to the possibility that there may be great discrepancies in the exercise of officer discretion in their agencies; with deprivation of freedom and the safety of the public at stake, the importance of these decisions cannot be overestimated.

back to top

References

Published by the Administrative Office of the United States Courts www.uscourts.gov
Publishing Information

Table 1: Descriptive Statistics for the Sample of Respondents from the American Probation and Parole Association (n=332 Cases After List-Wise Deletion)

Variable Description	Percent	Mean	SD
Gender			
Male	55.7%		
Female	44.3%		
Race			
White	89.5%		
Non-White	10.5%		
Educational Background			
4-Year Degree or less	50.9%		
Graduate-Level Education	49.1%		
Avg. Years of Exp as Officer (Range 1-37)		13.3	8.3
Officer's Job Title			
Regular Line-Level Officer	62.3%		
Middle Manager	37.7%		
Type of Caseload			
Pretrial Defendants Only	9.3%		
Probationers Only	64.8%		
Parolees Only or Parolees and Probationers	25.9%		
Age of Caseload			
Adults Only	85.8%		
Adults and Juveniles	14.2%		
Average Number of Offenders Supervised (Range 0-4000)		141.0	385.2
Agency Region			
Northeast	15.4%		
South	21.7%		
Midwest	44.0%		

West	19.0%		
Agency Funding			
County/Municipal	53.0%		
State	47.0%		
Agency Administrative Setting			
Judiciary	52.4%		
Correctional Dept. or Parole Authority	47.6%		
Community Setting			
Rural or Small Town	34.9%		
Suburban	21.7%		
Urban	43.4%		
Number of Officers (Range 1-800)		39.5	97.7
Policy to Inhibit Formal Actions for Certain Violations (% Yes)	10.8%		
Policy Requiring Formal Actions for Certain Violations (% Yes)	62.3%		
Social Pressure to Inhibit Formal Action for Certain Violations (% Yes)	32.8%		
Social Pressure to Take Formal Action (% Yes)	42.8%		

Table 2: Percent of Respondents Supporting Administrative or Judicial Interventions with Offenders who Violate the Conditions of their Community Supervision (N=332 After List-Wise Deletion)

Question	% Supporting Admin. Intervention[1]	% Supporting Judicial Intervention[2]
Question 1: The offender is required to work at suitable employment to the best of his/her ability. The offender has been unemployed ever since being placed under your supervision and makes no effort to seek or obtain employment, despite being physically able to do so.	78.3	26.2
Question 2: An offender has been instructed to report to your office once each month. The offender has missed two consecutive appointments with no attempt to explain the absence. No other violations have come to your attention.	71.4	28.6
Question 3: An offender ordered to perform community service work each Saturday has failed to appear for work for the past three Saturdays without explanation. When you confront the offender, no legitimate excuse is offered.	66.0	34.0
Question 4: An offender who has been under supervision for an alcohol-related offense for two months reports for the second office visit smelling of alcohol. You administer a Breathalyzer and the offender registers .15 BAC.	60.2	39.8
Question 5: An offender under electronic house arrest has violated curfew three times during the past month, with no other known violation.	47.3	52.7
Question 6: Despite a court order and a verbal warning not to associate with a former co-defendant, you have seen an offender in the company of the former co-defendant three times. Once, the two came to your office in the same car.	37.3	62.7
Question 7: The offender has been under supervision for possession of cocaine for nine months. The offender had no known violations for the first six months, but within the past three months has twice tested positive for marijuana. After the first positive test, the offender was instructed to submit to substance abuse treatment and did not.	29.2	70.8
Question 8: The offender has been under your supervision for six months, with no known violations. The offender has now been arrested for drunk driving (.14 BAC). Assuming the new charge has merit, which action would you take?	24.4	75.6
Question 9: The offender has been under supervision for a misdemeanor traffic offense for three months with no known violations. The offender is arrested for a felony shoplifting charge. Assuming that the new charge has merit, which action would you take?	22.3	77.7
Question 10: The offender has been under your supervision for two months and has missed one bi-weekly appointment and has tested positive for marijuana on one occasion. Now the offender has been arrested on a felony vandalism charge. Assuming that the new charge has merit, which action would you take?	9.9	90.1

[1] An administrative intervention means that the officer would handle the violation by himself or herself as an agency-based sanction (e.g., a verbal or written reprimand, increased reporting requirements, required counseling, or some other “in-house” sanction that represents an officer’s administratively initiated/controlled sanction).

[2] A judicial intervention would entail a formal sanction (e.g., requesting an arrest warrant or setting up a formal hearing and recommending that a formal sanction be imposed).

Ross, R.R., E.A. Fabiano, and C.D. Ewles (1988) “Reasoning and Rehabilitation” *International Journal of Offender Therapy and Comparative Criminology*. 32:29-35

Salmivalli, C., A. Kaukiainen, L. Kaistaniemi, and K. Lagerspetz (1999). “Self-Evaluated Self-Esteem, Peer-Evaluated Self-Esteem and Defensive Egotism as Predictors of Adolescents’ Participation in Bullying Situations.” *Personality Social Psychological Bulletin*, 25:1268-1278.

Smith, E.J. (1982) “The Black Female Adolescent.” *Psychology of Women Quarterly*. 6(3).

Spon, R. (1999) *Corrective Thinking Treatment Manual: Charting a New Course Curriculum*.

Sutherland, I. and J. Shepard (2002). “A Personality-Based Model of Adolescent Violence.” *British Journal of Criminology*, 42:433-441.

Sweet, A. and A. Loizeaux (1991). Behavioral and Cognitive Treatment Methods: A Critical Comparative Review. *Journal of Behavioral Therapy and Experimental Psychiatry*. 22, 159-185.

VanVoorhis, P. (1997) “An Overview of Offender Classification Systems.” In P. VanVoorhis, M. Braswell, and D. Lester (eds.) *Correctional Counseling and Rehabilitation*. Cincinnati, Anderson Pub.

Walitzer, K. and K Sher (1996). “A Prospective Study of Self-Esteem and Alcohol Use Disorders in Early Adulthood: Evidence for Gender Differences.” *Alcoholism: Clinical Experience Research*, 20(6):1118-1124.

Webster, G.D. and L.A. Kirkpatrick (2006). “Behavioral and Self-Reported Aggression as a Function of Domain-Specific Self-Esteem.” *Aggressive Behavior*, 32, 17-27

Yochelson, S. and S.E. Samenow (1976) *The Criminal Personality Volume 1: A Profile for Change*. New York: Jason Aronson.

back to top

Probation and Parole Officers and Discretionary Decision-Making: Responses to Technical and Criminal Violations

Abadinsky, H. (1978). “Parole history: An economic perspective.” *Offender Rehabilitation*, 2(3), 275-278.

Alschuler, A.W. (1979). “Plea bargaining and its history.” *Law & Society Review*, 13(2), 211-245.

Bond, J.E. (1975). *Plea bargaining and guilty pleas*. New York, NY: Clark Boardman Co.

Burke, P.B. (2004). *Parole violations revisited: A handbook on strengthening parole practices for public safety and successful transition to the community*. Washington, DC: National Institute of Corrections.

Camp, C.G., & Camp, G.M. (2002). *The Corrections Yearbook 2001: Adult Systems*. Middletown, CT: Criminal Justice Institute, Inc.

Davis, K.C. (1969). *Discretionary justice: A preliminary inquiry*. Baton Rouge, LA: Louisiana State University Press.

Dershowitz, A.M. (1976). “Criminal Sentencing in the United States: An Historical and Conceptual Overview.” *Annals of the American Academy of Political and Social Science,* 423,

117-132.

Durose, M.R., & Langan, P.A. (2005). *State court sentencing of convicted felons, 2002: Statistical tables (NCJ 208910)*. Washington, DC: Bureau of Justice Statistics.

Eskridge, C.W. (2004). "Justice and the American Justice Network." In C. W. Eskridge (Ed.), *Criminal justice: Concepts and issues* (pp. 8-14). Los Angeles, CA: Roxbury Publishing.

Friedman, L.M. (1992). Crime and Punishment in American History. New York: Basic Books.
_____ (1979). "Plea bargaining in historical perspective." Law & Society Review, 13(2), 247-259.

Gelsthorpe, L., & Padfield, N. (2003). "Introduction." In L. Gelsthorpe & N. Padfield (Eds.) *Exercising discretion: Decision-making in the Criminal Justice System* (pp.1-28). Portland, OR: Willan Publishing.

Glaze, L.E., & Palla, S. (2004, July). *Probation and Parole in the United States,* 2003. Washington, D.C.: U.S. Bureau of Justice Statistics.

Goldstein, H. (1963). "Police discretion: The ideal versus the real." *Public Administration Review*, 23, 140-148.

Harrison, P.M., & Beck, A.J. (2005, April). *Prison and jail inmates at midyear 2004.* Washington, D.C.: Bureau of Justice Statistics.

Ho, T. (2003). "The influence of suspect gender in domestic violence arrests," *American Journal of Criminal Justice*, 27(2), 183-195.

Jones, M. (2004). *Community Corrections*. Prospect Heights, IL: Waveland Press.

McCleary, R. (1975). "How Structural Variables Constrain the Parole Officer's use of Discretionary Powers." *Social Problems*, 23(2), 209-225.

Poole, E. D., & Regoli, R. M. (1980). "Race, Institutional Rule Breaking, and Disciplinary Responses: A Study of Discretionary Decision-making in Prison." *Law and Society Review*, 14(4), 931-946.

Schneider, A.L., Ervin, L., & Snyder-Joy, Z. (1996). "Further Exploration of the Flight from Discretion: The Role of Risk/need Instruments in Probation Supervision Decisions." *Journal of Criminal Justice*, 24(2), 109-121.

Slabonik, M.L., & Sims, B. (2002). "Controlling Discretion in Bureaucratic Agencies: A Survey of Adult Probation Officers." *Corrections Compendium*, 27(9), 1-5, 22-23.

The Sentencing Project. (2005). *New incarceration figures: Growth in population continues*. Washington, D.C.: Author.

Tischler, C.A., & Marquart, J.W. (1989). "Analysis of Disciplinary Infraction Rates Among Male and Female Inmates." *Journal of Criminal Justice*, 17(6), 507-513.

Wortley, R.K. (2003). Measuring Police Attitudes Toward Discretion," *Criminal Justice and Behavior*, 30(5), 538-558.

back to top