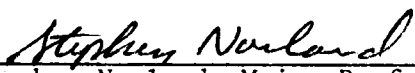


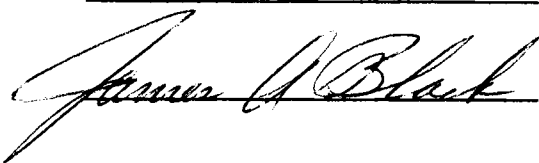
To the Graduate Council:

I am submitting herewith a thesis written by Priscilla J. Bell entitled "Conditions Under Which Probation and Parole Officers Initiate Official Action on Male and Female Clients." I recommend that it be accepted in partial fulfillment of the requirements for the degree of Master of Arts, with a major in Sociology.

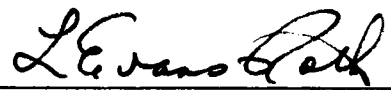

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recommend its acceptance:


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Accepted for the Council:


Vice Chancellor
Graduate Studies and Research

Thesis
D
A
C

CONDITIONS UNDER WHICH PROBATION AND PAROLE OFFICERS INITIATE
OFFICIAL ACTION ON MALE AND FEMALE CLIENTS

A Thesis
Presented for the
Master of Arts
Degree
The University of Tennessee, Knoxville

Priscilla J. Bell

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ABSTRACT

Contemporary writers are beginning to discuss differential treatment of men and women within the criminal justice system. Freda Adler (1973: 240) remarked that the criminal justice system, as a result of its differential treatment of men and women, "serves the woman ill, sometimes well, but always serves the criminal justice system poorly." Adler is referring to the differential treatment of males and females in the area of arrest, court practices, sentencing, prison and jail, and some community-based after-care programs, such as work release. This research will focus on that area of the criminal justice system which has been ignored, the adult probation and parole system.

This study is an exploratory research project looking directly at the traditional images of men and women as a factor which may determine the course of the probation and parole experience. The constant comparative method was utilized as the method of data analysis. For this exploratory investigation, violation reports for the years 1975, 1976, and 1977 were examined. Interviews with thirteen probation and parole officers were conducted for the purpose of interpretation of patterns that arose in the comparisons.

Comparisons were made to determine if differences in revocation patterns could be related to the support of contemporary sex roles in society. Differential role expectations were explored in the areas of criminal behavior and technical violation. Of particular interest were the structurally determined differences in opportunity to commit crimes

for males and females. Role expectations concentrated on the areas of parenting, employment, moral conduct, alcohol and drug involvements, and associates. The violation reports revealed that men were violated primarily for the new felony arrest of burglary and larceny. Technical violations were predominately for absconding and failure to work. The possession of a weapon, use of an automobile, and use of alcohol were related to the new arrest for males. On the other hand females were violated primarily for shoplifting and forgery. Technical violations were primarily for absconding and associates.

Probation and parole officers' perceptions of roles of men and women were found to be a factor in the revocation process. Additional factors related to the nature and rates of revocation of males and females were structurally determined factors related to sex roles, discretion of law enforcement agencies, discretion of judges and parole boards, and bureaucratic demands. The general conclusion of this research project is that this area should be explored in future research projects, since sex role criteria has been ignored in previous studies of revocation. This project magnified the scope of discretionary powers of probation and parole officers based on their attitudes and perceptions of male and female clients. Future research should not ignore these powers as a variable effecting the probation and parole client's experience within this system.

TABLE OF CONTENTS

CHAPTER	PAGE
I. STATEMENT OF THE PROBLEM	1
II. LITERATURE REVIEW	3
III. METHOD	13
IV. FINDINGS	18
Arrest	18
Technicals	25
Probation and Parole Officers' Perspectives on Male and Female Roles	32
Bureaucratic Demands	39
Summary and Conclusions	45
BIBLIOGRAPHY	50
APPENDIXES	53
Appendix A	54
Appendix B	56
Appendix C	59
Appendix D	61
VITA	62

CHAPTER I

STATEMENT OF THE PROBLEM

The purpose of this research is to determine whether there are differences in the likelihood of revocation of probation and parole for women and men. The specific focus of this study is on the initiation of revocation proceedings. A second purpose of this study is to determine if there are differences in revocation of probation and parole for males and females and, if so, can these differences be related to the support of contemporary sex roles in society. The interest in this study will be on the conditions under which revocation of probation and parole are begun.

This particular topic has been chosen for several reasons. First, this research problem is one that has been virtually untouched. Recently, the Tennessee Correctional Journal devoted an entire issue to women in corrections. There was no attention given to the woman on probation or parole. The literature generally has not focused on probation and parole. One research article was found that dealt with this particular interest. Velemisis (1975: 104) refers to a study conducted by Barcoccia and Barcoccia. The study revealed that women were less likely to be violated on new charges than were men. The revocation rate for women was approximately one third the rate for men. However, the rate of females returned for technical violations was consistently higher than for males. No explicit explanation was given to account for these results.

Secondly, the area of differential treatment and sex roles is a timely subject in that equal treatment and equal opportunities are becoming realities in many areas and currently receiving widespread attention.

Thirdly, by doing this research, awareness of possible differential treatment of women and men within the probation and parole system may be increased. Also, a broader understanding of the operations of this part of the justice system may be gained by both probation and parole officers, as well as the general public. For changes in program orientation, administration, and personnel practices, one needs facts, not ideas, feelings, or suspicions. Through this research the intention is to obtain these facts. This study's results may provide grounds for an evaluation of present practices.

CHAPTER II

LITERATURE REVIEW

Female offenders, in general, have received minimal attention in the literature. Adult female offenders within the probation and parole system have received virtually no attention. The bulk of contemporary literature addresses its remarks to the female offender in prison or within the court system, with probation and parole discussed as an aside (Adler, 1973; Klein and Kress, 1976; Simon, 1975; Female Offender Report, 1976; Velimesis, 1975). A few articles focus attention on the female offender within the probation and parole system. However, these articles were directed at issues surrounding casework supervision (Cunningham, 1963; Payak, 1963; Devault, 1965; Webb and Riley, 1970). Further evidence that the adult female offender within the probation and parole system is truly the forgotten offender was revealed in a series of recent texts related to this field of study (Galliher and McCartney, 1977; Quinney, 1978). No mention was made of possible differential treatment by sex within the probation and parole system. Other literature did, however, address issues surrounding the status of the female offender in the juvenile system (Chesney-Lind, 1973; Kratcoski, 1974). Portions of this literature are pertinent to this research in that various dimensions of the responses of the justice system to males and females are examined.

One of the first studies to reveal differential treatment of males and females within the justice system focused on juvenile courts

(Chesney-Lind, 1973). The study revealed that girls are referred to the courts more frequently than boys for offenses which, if committed by adults, would not be crimes. Female delinquency was generally underestimated, but females' involvement in sex and sex-related offenses was overestimated. Differential treatment of adolescent males and females was found in several areas: the differential administration of physical examinations, differential detention policies, and variance between official and unofficial versions of male delinquency. Girls were detained longer in institutions than boys despite the fact that their offenses were less serious. She states that the severity of sanctioning received by females as well as the sexualization of female offenses acquire meaning when placed within the context of the juvenile court's role in enforcement of adolescent morality. According to Chesney-Lind (1973: 58):

To the extent that the court is committed to the traditional notions of familial authority and adolescent morality, it has little choice but to view female delinquency as indicative of greater moral lassitude and in need of more drastic treatment than male delinquency. Further, since adolescent females occupy a crucial and vulnerable role in the system of sexual inequality, the courts symbolic affirmation of old style morality by punishing adolescent females who violate, or might violate, the double standard serves as an important affirmation of the property status of women.

Later studies by Anderson (1976) and Kratcoski (1974) revealed the same picture as presented by Chesney-Lind (1973). Kratcoski (1974) found that more females than males were held in detention, even though the latter committed more delinquent acts. Kratcoski interviewed court personnel and law enforcement officers. These interviews revealed the

feeling that females needed to be detained for safety and well-being. Further, Kratcoski (1974) found, as did Chesney-Lind (1973), that females were referred for more minor offenses than males, but the males were more likely to be released for the same offense.

These studies suggest that the response of the juvenile justice system to females' misbehavior is related to other factors besides violation of the law. These data suggest that females who threaten the taken-for-granted role of female are more severely sanctioned.

The processes in adult courts are not the same as those in juvenile courts. In criminal court women seem to fare better than men. Klein and Kress (1976: 42) report that women are more likely than men to receive acquittal for violent crimes, especially murder. They report this same bias of leniency towards women holds for property crimes as well. Klein and Kress (1976) offer two explanations for these circumstances. First, due to the insignificant number of women charged with violent crimes, judges may tend toward leniency. Secondly, since many women commit crimes of passion, the courts are traditionally more forgiving to the women. It then follows that as a result of this leniency women are committed to state and federal institutions at a lower rate than men. This has occurred despite the proportional rise in arrest rates. Klein and Kress (1976) suggest that it is women who do not represent the role of "ladies" that are the ones being sent to prison.

Regarding court practices in which women receive prison sentences rather than acquittal, Gail Armstrong (1977) provides a comparison of

male and female sentencing and paroling practices. Sentencing status in Iowa and Maine were two examples given by Armstrong (1977: 110):

Iowa law allows women to be confined up to five years for a misdemeanor, but unless an exception is made in the statute defining the particular offense, limits the imprisonment of the male misdemeanants to one year. In Maine, women between seventeen and forty can be sentenced to reformatories for up to three years even if the statutory maximum is less.

Armstrong (1977) surmises that the sex of the offender is the significant determinant of the length and type of sentence imposed. Indeterminant sentencing has been more prevalent for males than females especially prior to the Muncy Act (1913) which was reversed in 1968. Attempts to reverse the Muncy Act were slow as a result of the legislative notion that women have psychological characteristics which made longer periods of incarceration necessary. Women were not being punished but were "receiving treatment" (Armstrong, 1977: 113).

The justice system response to females' and males' misconduct has been shown to be different. The response to juveniles is not the same as the response to adults. From the perspective being developed here, this should not be surprising in that the roles of the juvenile female and adult female are not the same. Harris (1977) suggests that the maternal role played by adult females is critical to the contemporary society. That it is appropriate or moral for adult women to occupy that role as an integral part of contemporary American culture. As a result, the identities of mother and criminal tend to be seen as incompatible. Also, because taking mothers out of the home to place them in prison would increase a variety of demands on men, mothers who commit crimes are relatively unlikely to be seen as benefiting from

prison. Thus the justice system tends to give adult women who take care of children preferential treatment. Harris (1977) states that females are unlikely to be assigned to prison if that assignment resulted in a breakup of the nuclear family.

Even though women are unlikely candidates for prison relative to men, differences for women and men in this aspect of the justice system are prevalent. To understand the policy and programs that exist in women's prisons, Price (1977: 106) suggests that history is the best teacher. He suggests that early correctional institutions in this country accommodate women, children and men "in a setting of integrated indifference" and that it probably was out of concern for sexual promiscuity that Quakers urged the development of the first women's prison. The development of the first women's prison did not encourage the inmates to greater self-sufficiency. Instead, efforts were directed toward acceptance of "passive, docile female role expectations."

Price (1977: 105) feels that women have been served well in prison in one respect as a result of traditional stereotyping of women: the design of the physical plant. Price (1977) quoting Simon, says that "penal institutions for women are usually more attractive and more pleasant than the security oriented institutions for men." Women's institutions tend to be in a more pastoral setting, not likely to have gun towers, concrete walls, and barbed wire fences that characterize institutions for men. Scott and Scott (1973) make an interesting note that women are more likely to have their institutions centered around a central lawn with geraniums and pansies. Women are also more likely to

have private rooms which they can decorate in comparison to two and three men in a cell. Also, women can wear street clothes whereas men must wear prison uniforms. This description of the women's prison does not seem to reflect Armstrong (1977: 110) and Velimesis (1975: 106) statements concerning the public's view of the woman offender as the "worst of the crop, the bottom of the barrel." Nowhere does the literature mention a maximum security prison for "dangerous" females.

Keve (1974: 77) and Price (1977: 105) agree that although the physical plant is much nicer it belies and negates what happens inside. Although the physical plant is nicer than the men's, it is the women who suffer in terms of programs offered and the desire to keep women in their place. The end result is "boredom and isolation."

Just as there are differences found in prisons, so are there differences in programs available to men and women.

Since a woman is never not a woman, she can see her long range goals only in those modes of activities which include and integrate her natural disposition. For a woman prisoner, it is critical that she seek to minimize her resentments and maximize her adaptation to womanhood.

This quote from Scott and Scott (1973: 84) reflects the attitude of program implementation in women prisons. The programs offered do nothing to prepare a woman for employment. They only increase her dependency. Most (Keve, Price, Velimesis, Scott and Scott) indicated that vocational programs assume that women will be homemakers and if the woman needs training it falls into the area of traditional lines, i.e. secretary, beauty operator, homemaker, and so forth.

A 1973 national survey of prisons by the Yale Law Review (Female Offender, 1976: 2) found the men's prisons had an average of 10

vocational training programs per institution compared with 2.7 vocational training programs in women's prisons. The study also showed that the types of programs differed. The men's prison offered programs in financially rewarding fields such as electronics, data processing and welding. In contrast, women were offered food service, nurses aid, secretarial training, and housekeeping. It appears that vocational programing is also directly tied to the traditional role of the male and female.

One could assume from these descriptions of male and female treatment within the various aspects of the criminal justice system that the stereotypes of male and female roles held in the larger society are contingencies that influence, to some extent, the treatment one receives within the criminal justice system.

Of these various aspects of the criminal justice system that have been discussed, all allude to sex roles as an explanation of the differences between experiences for male as compared to women. Few specific descriptions of sex roles have been presented in the literature. Klein and Kress (1976) suggest women who violate the female role are being sent to prison. Chesney-Lind (1973) and others (Morris, 1964; Jensen and Eve, 1976) have stated that sex roles and delinquency are related. Prison experiences and availability of vocational programs for men and women have also been discussed in terms of sex roles.

As previously indicated, the literature that specifically addresses sex differences in the probation and parole system is not extensive. However, a small portion of literature was found which did provide some

indication of the importance of the acceptance of the female roles as an indicator of success within the probation and parole system. Webb and Riley (1970) conducted a research project on effectiveness of casework with female probationers. Several hypotheses were tested. Two of these were the following: (1) improved acceptance of the female role as reflected in lower potency factor ratings on semantic differential (SD) ratings of self, and (2) improved acceptance of the female role as reflected in increased scores on MMPI MF scale. Acceptance of the female role was found to be related to the success of casework with the females in this study. No definition was provided in this research as to what accounted for "acceptance of the female role."

A study of parole performance by DeVault (1965) showed that women were revoked for few new offenses. The most common revocation was for absconding or if she were "judged untrustworthy, unable to make a new start, or cannot be placed" (DeVault, 1965: 279). These findings were similar to those cited by Velimesis (1975) in which it was found that women tended to be violated more for technical reasons than for new offenses. DeVault (1965: 282) provided the following suggestions for the female to complete a successful parole:

Perhaps more patriarchal or male authority could aid this endeavor. Generally the sex role and sexual maturity of female offenders needs more study so that correctional methods directed toward socially useful life goals may be developed. There is some indication that those who marry or have the responsibilities of caring for dependent children are more successful, though it is also seen that homosexuals may stabilize, at least for short periods. The intricacies of marital and family adjustment may be even more important for female offenders than for males since society expects this of them and they do not, in fact, develop any long range work goals which are financially rewarding or ego supportive.

A study of the granting of parole in England shows the effect of dependent children on the justice system operation (Bedford, 1974). It also shows that women who reject the traditional female role—divorced women—are more severely punished in that they are less likely to be granted parole. It was found that 51 percent of the women with dependent children were paroled compared with only 34 percent of those without such children. The chance of single girls getting parole was low (31 percent). Even without dependent children, married women had a better than average probability of parole, but only one out of 16 divorced women with no dependent children was given parole (Bedford, 1974: 109).

The results of these studies suggest that the acceptance of the female role by those females within the correctional system increases their chances of completing a successful probation or parole period. This encouragement to accept the female role and predictions of failure if one does not supports Harris's (1977) notion of the importance of the maternal homemaker role of the female in contemporary society. If this equilibrium is upset by prison confinement the outcome is: (1) a breakup of the nuclear family, (2) great financial burdens to maintain the family necessitated by the hiring of a role placement, and (3) partial or full time loss of employment by the male population (Harris, 1974: 13).

In summary, the literature suggests that the justice system reacts most intensely against women who violate tenants of traditional views of women's roles in society. In various parts of the justice system, the more severe reactions may be reserved for women who not only violate the criminal law, but also challenge traditional sex roles in the

process. Therefore, violation reports may be more likely to be written for women who engage in "unladylike" behavior such as sexual misconduct, alcohol and drug use. In addition, action which challenges the role of women as caretakers for children or homemakers may be a signal to correctional personnel that the female probationer or parolee is not adjusting satisfactorily to social life outside confinement.

None of the existing studies focuses explicitly on the possibility of sex roles as a factor in the experiences of males and females on probation or parole. Likewise, these studies do not address the issue of the probation and parole officers' attitudes as a factor in the outcome of the probation and parole experience. Finally, the meaning of traditional sex role is not explicitly defined.

This study is an exploratory research project which may suggest issues for more systematic testing. This project looks directly at the sex role implications of previous research, as well as the previously overlooked possibility of the probation and parole officers' attitudes as an influence on the probation and parole experience for males and females. Additionally, the definition of traditional sex role for purposes of this project will be explicit. Particular note will be taken of the contingencies surrounding sex roles activating that part of the criminal justice system under consideration in this study, the submitting of violation reports by probation and parole officers.

CHAPTER III

METHOD

This study will focus on the initial stage of the revocation process in order to obtain data on which conclusions about a suggested relationship can be grounded. This stage is the filing of a violation report which is the first official step on the way back to prison for parolees and to prison for probationers

A requirement of all individuals placed on probation or parole is the agreement to abide by certain rules as set forth by the court and/or Parole Board. The first meeting between a client and worker in the probation and parole setting (after adjudication) consists of a presentation of these rules, their interpretation, and applicability. The client signs an agreement to abide by these rules with the understanding that infractions of a rule or rules can lead to revocation of probation or parole.

When an alleged infraction becomes known to the probation/parole officer, an investigation into the suspected violation is conducted. A violation report is written and submitted to the proper authorities via the route which is determined by the client's status, either probation or parole, if the officer feels the infraction warrants a review by the sentencing authority. The violation report (Appendix A) notes the individual's status (probation or parole) and the case number. The violation report also notes if the violation is a new arrest or delinquency without arrest. Delinquency without arrest means a technical

violation of a rule or rules of supervision which did not involve an arrest (e.g., not working, consuming alcoholic beverages, being out of jurisdiction of counselor without permission). The report presents an official version of the circumstances surrounding the alleged violation as well as the client's version of the act in question. A history of the client's supervision is presented, followed by a recommendation of what action should be taken. The recommendation made by the counselor can take one of two directions: remain under probation or parole supervision, or commitment to prison.

The data were obtained from the Tennessee Department of Corrections, Division of Probation and Parole, Knoxville, Tennessee. For this exploratory investigation violation reports for the years 1975, 1976, and 1977 were examined. The violation reports reviewed consisted of 322 reports submitted on males and 17 for females. In addition, interviews were conducted with probation and parole officers. I was given complete freedom from the administrative staff of this office to conduct this research project.

As a result of the lack of research in this particular area, hypotheses testing is difficult. Therefore, rather than hypotheses testing this research will be exploratory and descriptive. The constant comparative method, discussed by McCall and Simmons (1969) and Glaser and Strauss (1967) will be the method of data analysis employed in this study. The purpose of this project is to suggest theory for more systematic testing. The constant comparative method of analysis is particularly useful for generating theory and suggesting hypotheses.

In utilizing this method, as presented by Glaser (McCall and Simmons, 1969: 220-21 and Glaser, 1969), each interview was coded.

The same procedure was utilized in examining the violation reports. Categories were developed for analysis in each of the aforementioned areas. Both the interviews and violation reports were looked at in terms of the responses of probation and parole officers in relation to males and females. For instance, the parental role was suggested in the literature as being a factor in prison sentencing for females. The responses in this category were coded and compared for males and females. The violation reports were categorized by new offenses and technical violations. These categories were compared for males and females. The literature suggested some categories for analysis in these areas. They were:

1. The rules of probation and parole that were violated were compared by (1) offenses committed, and (2) technical rules violated. These rule violations were used for comparison between males and females in the same manner as type of offenses committed were compared between the sexes by Klein and Kress (1973) and Hoffman-Bustamante (1973). For example, some patterns of violence committed by women may be related to women's roles. Women tend to commit acts of violence against their families or male companions utilizing household items in the commission of these acts (Hoffman-Bustamante, 1973). Also, the rise in the number of women in the labor market and their increased opportunities to commit property offenses may account for the rise in arrest rates for property offenses (Simon, 1975). The rules of probation and parole cited as reasons for submitting a violation report will be explored from this same perspective used here to explain female criminal behavior as opposed to males.

2. The literature suggests that behavior that violates the stereotype of traditional roles may result in sanctioning. Within this literature several specific behaviors were suggested as exemplifying such nontraditional activity for women; illicit sexual behavior, use of drugs, and failure to maintain family, homemaker or parental role. These categories were explored in this research.

The constant comparative method did not limit the choice of categories to those originally chosen. This method allows the generation of new categories or if necessary, the elimination of categories which may prove to be unfruitful. New categories did arise for exploration. These were bureaucratic policy and judicial discretion. Other dimensions of sex role criteria were added as patterns began to form. For example, in addition to the role of homemaker, sexual misconduct, drug and alcohol involvement which were original categories, personality traits, social interaction and communication were added.

To help interpret patterns that arose in the examination of violation reports, interviews with probation and parole officers were conducted. A total of thirteen interviews was conducted. The interviews were tape recorded and subsequently transcribed. These interviews were conducted to help interpret any patterns found between conditions leading to the submission of a violation report and the sex of the client.

An interview guide was formulated to assist in the exploration of the revocation process for males and females with the probation and parole officers (see Appendix B). The interview guide was in three parts. Part I of the interview was intended to provide information about the workers themselves, and their attitudes toward their

employment responsibilities. Part II of the interview solicited information about revocation and allowed workers to elaborate their own particular ideas on the process. Part III of the interview dealt directly with possible sex role issues in the specific area of revocation as well as the probation and parole experience in general. The questions asked were general in nature allowing workers the freedom to answer the questions in the terms that were important to them. Specific and probing questions were asked by the interviewer to specifically address sex role issues.

These interviews not only interpreted patterns, but suggested new categories and new avenues for future research. Further, the interviews allowed for exploration of probation and parole officers' attitudes. This is a variable which has not been explored in previous research. Existing research has looked at age, prior record, length of time in prison, length of sentence, present offense, marital status, employment plans, and home placements as factors in revocation (Mosley and Gerould, 1975; DeVault, 1965; Stanley, 1976; Bedford, 1974). Although these are no doubt important variables, they were not a specific concern in this study. Simply, the purpose was to look at traditional sex roles as another possible factor in the revocation process and to further suggest and generate theory in this area.

CHAPTER IV

FINDINGS

The interest of this study is to determine if there are sex differences in the management of probation and parole clients. The analyses of the data will be organized around four categories. Males and females will first be compared with respect to law violation or arrest. The second category of comparison is the technical violations officially reported. The perspectives of probation officers on sex roles and the bureaucratic demands impinging on officers are the other categories used in this analysis.

I. ARREST

The literature suggests that sex roles and criminal behavior are related (Simon, 1975; Hoffman-Bustamante, 1973). Some specific crimes are considered to be traditionally male offenses and, likewise, some crimes are traditionally considered to be committed by women. It is felt, generally, that males and females are less likely to be engaged in some specific criminal behaviors. The data gathered in this study do not contradict this pattern, as is shown in Table I. The males in this study were charged primarily with new felony arrests. These felony arrests fell largely within the category of property offenses. Specifically, the greater incident of violation reports written were for the crimes of burglary and larceny. Often, there was alcohol involvement associated with the offense and possession of a weapon.

TABLE I
MALE AND FEMALE PROBATION AND PAROLE VIOLATIONS—1975, 1976, 1977

	Male						Female					
	1975	1976	1977	1975	1976	1977	1975	1976	1977	1975	1976	1977
Felony												
Burglary	31	15	24									
Larceny	21	14	8									
Receiving and Concealing	16	4	9									
Drug-Related	16	7	11									
Possession of Weapon	10	10	15									
Armed Robbery	7	0	7									
Assault	9	10	10									
Forgery	4	1	0									
Rape	2	1	1									
Kidnaping	2	0	2									
Aid and Abetting	2	0	0									
Murder	1	1	1									
Child Abuse	0	1	0									
Robbery	0	8	0									
Attempted Murder	0	0	1									
Use of Stolen Credit Card												
Possession of Controlled Substance	0	0	0									
Misdemeanor												
Bad Check												
Giving False Information												
Resisting Arrest												
Driving while Intoxicated												
Attempt to Commit Felony												
Loitering												
Public Drunkenness												
Joy Riding												
A.W.O.L.												
Driving without License												
Temporary Use of Auto												
Obstruction of Justice												
Breach of Trust												
Prowlng												
Assault & Battery												
Shoplifting												
Other (Technicals)												
Abseending												
Associates												
Failure to Work												
Leaving County												
Without Permission												
Drinking												
Use of Drugs												
Failure to Pay Lawyer												
Use of Alcohol												
Failure to Report												
Wife-Beating												
Not Paying Court Costs												
Use of Intoxicant												
Using Alcohol to Excess												
Felony												
Burglary												
Larceny												
Receiving and Concealing												
Drug-Related												
Possession of Weapon												
Armed Robbery												
Assault												
Forgery												
Rape												
Kidnaping												
Aid and Abetting												
Murder												
Child Abuse												
Robbery												
Attempted Murder												
Use of Stolen Credit Card												
Possession of Controlled Substance												
Misdemeanor												
Bad Check												
Giving False Information												
Resisting Arrest												
Driving while Intoxicated												
Attempt to Commit Felony												
Loitering												
Public Drunkenness												
Joy Riding												
A.W.O.L.												
Driving without License												
Temporary Use of Auto												
Obstruction of Justice												
Breach of Trust												
Prowlng												
Assault & Battery												
Shoplifting												
Other (Technicals)												
Abseending												
Associates												
Failure to Work												
Leaving County												
Without Permission												
Drinking												
Use of Drugs												
Failure to Pay Lawyer												
Use of Alcohol												
Failure to Report												
Wife-Beating												
Not Paying Court Costs												
Use of Intoxicant												
Using Alcohol to Excess												

The number of charges exceed the number of violation reports as a result of clients having multiple charges on the violation report.

*Includes three absconding charges with new arrest.
**Includes six absconding charges with new arrest.
***Includes twenty absconding charges with new arrest.

The misdemeanor charges were less frequently written up for violation than new felony arrests. Again, alcohol was often involved. Another element associated with misdemeanor charges was the illegal use of an automobile.

The violation reports submitted on women for new arrest were also primarily for property offenses. However, the nature of these property offenses was different from those property offenses committed by males. The females were charged primarily for shoplifting and forgery, offenses considered to be traditionally female offenses (Klein and Kress, 1976; Simon, 1975).

The patterns of criminal behavior in this study support those notions presented in the literature. Males and females tend to be arrested for similar offense categories; however, the rate of and the nature of the offenses are different. These differences can be tied to sex roles. For example, most department and grocery store shopping is done by women. Consequently, the link can be made between traditional roles of women and shoplifting. Burglary, on the other hand, is an offense for which boys acquire the necessary skills, whereas women would not (Hoffman-Bustamante, 1973). The forgery involvement can also be tied to women's roles. Women usually have the responsibility of paying the bills and buying family necessities (Hoffman-Bustamante, 1973: 126).

Regarding these arrest patterns, a second point for consideration is the discretion of officials. At some point discretion has been applied before the new arrest has come to the attention of the probation and

parole officer. According to various respondents, some individuals are more tolerant of women when it comes to arrest:

Respondent G-22: "I don't think the law enforcement people in this town deal very much with women. I think they have a tendency to overlook them for the most part . . . I don't think they fool with women as readily as they do men."

Respondent F-13: "Women aren't charged as easily or the charges are reduced."

Respondent H-13: "I'm using the term 'picked on,' but actually the men are. It's a lot easier to get a conviction on them in court than it is a woman."

Respondent K-6: "The guy cops out and takes all the blame. If there is two of them together, usually the guy is going to get caught anyway and feels that he's going to get convicted. He takes the blame and says that she didn't know anything about it."

Other respondents directed their ideas of criminal involvement towards the same patterns that developed in the examination of the violation reports in this study (see Table I). The female was presented as sneaky and conniving, which is reminiscent of the image of female criminals favored by classical criminologists. The male was perceived as aggressive and macho.

Respondent G-5: "Normally, the females, the kinds of trouble they get into is more steady . . . females seem to be more into the forgery that had to do with checks, things of that nature; shoplifting, something that gives them something in return—most of the time, money of some sort."

Respondent K-13: "The female isn't subjected to getting her money that way as such, such as theft by burglary, this sort of thing. Of course shoplifting is a big thing for females. . . . I think they are a little bit more sneaky (emphasis added). Things that females do are harder to be caught at, such as writing checks . . . very few women burglarize a place to get money . . . usually she's with him and she's the lookout or she's in such a place that she can get out of it easier." (Emphasis added.)

Respondent H-17: "There's a lot of times the women talk the men into committing a crime and she stays in the background. I've found they have been the brains behind the operation."

Respondent L-2: "Females are rarely instigators, most are followers. If living with a man, he goes into the street. The man gets busted, the female is not caught."

Respondent A-15: "Men on a whole are much more quick to anger, they're very aggressive. While the women are aggressive, don't get me wrong, they take their aggression out in different ways. A man is liable to go out and get mad and not have any money or his wife kicked him out of the house, so he goes out and beats somebody up or breaks into something."

In an interview with Respondent B, on the issue of crimes committed by each sex, an explanation was given which may account for one difference found in the arrest patterns of males and females. Previously mentioned was the presence of automobile-related offenses for males. If not specifically charged with a driving-related offense the automobile figured into the charge in some fashion. Not one

violation report on the females had any relation to an automobile.

According to Respondent B: "The men have a tendency, if they steal, they steal more. I think maybe it's because they can carry more. The women, the violation type things come mostly for things like shoplifting and technicals. The absconding and things, men have a tendency to get out and take a lot of stuff . . . I think most men are more mobile because most of our clients, if they come from a family unit, if there's a husband, wife, or boyfriend, girl friend, that sort of thing, there's generally only one automobile. The man controls it and he uses the automobile to go out and pick up the stuff. He usually uses it to help commit the crime. The wife or girlfriend does it at the grocery store. Mostly they are one car families. Plus, a lot of women just plain don't know how to drive. They have never been taught to drive, it's part of their subservient roles."

As indicated (see Table I) alcohol-related offenses were frequently charged against males. For the females, there was one alcohol-related technical charge and two drug-related offenses. The discretion factor was mentioned by the respondents to account for these patterns. The females tend to receive less severe sanctioning than the males for these behaviors.

Respondent H-16: " . . . they will have a tendency to bust a man quicker for these two behaviors, than a woman, for the simple reason it's a lot simpler to get a conviction on a man than it is a woman."

Respondent A-13: "We would let a lady, so to speak, not slide, but get by with more. Especially on a drug type relation. Marijuana, for instance. For whatever reason, for there again, as I say, we tend

to think of them as creatures that wouldn't do this type of situation. And men, I think they're much more prone to have drinking problems."

Respondent G-19: "The judge will give several more chances (to women) for again, to seek counseling, and some sort of rehabilitation than they would a man. Normally if a man's got that sort of problem, then the court system feels like maybe being locked up and dried out for a length of time would come nearer to solving their problems than a woman."

In addition to the account differences in the nature of arrest for males and females, another factor was presented to explain differences in the rates of arrest as presented on the violation reports. The opportunity for criminal involvement was seen as less for the females than the male.

Respondent I-12: "Most women would not have the opportunity to the exposure to commit the types of crimes than men do."

The reason for reduced opportunity for the female probation and parole client will become apparent in the later subsections of this presentation of findings.

Another element was women's role as mothers:

Respondent G-15: "Maybe women stop and think of consequences occasionally a lot more than we do. Maybe because they are more conscious of the children . . . of losing that part of the homemaker, and society would probably look down moreso than if men . . . "

Respondent N-13: "Women are expected to be home with the children . . . "

In summary, three factors accounting for the criminal behavior patterns of males and females were identified on the violation reports. These were discretion by law enforcement officials, the opportunity to commit crimes, and the motherhood role. Implied in some responses were the images and personality traits of men and women, aggressiveness of men and weakness and conniving of women. Discretion of law enforcement officers and opportunity to commit crimes can be related to traditional images and traditional roles, respectively. The role of motherhood cannot be interpreted in any other light than that of the traditional roles of women.

II. TECHNICALS

Information obtained through the interviews will be used to interpret the pattern revealed in technical violations reported on the violation reports. In that probation and parole officers have greater discretionary powers in the area of technicals than they do in arrest, the interviews were most helpful in interpreting data. The issue of discretion is an integral part of the criminal justice system, generally, and particularly so for the probation and parole system (Galliher and McCartney, 1977; Quinney, 1975; Barlow, 1978; Sykes, 1978). One final point should be made in regard to the probation and parole rules (see Appendixes C and D). That is, the rules of probation and parole are written to apply to men and women in the same respect. There are no separate sets of rules for men and women. However, one observation is that the rules of probation begin with, "He shall," implying that the rules were written with men in mind. The rules themselves do

not appear to be inherently discriminatory. Nevertheless, some rules could be interpreted to apply to males and others to females:

1. Table I (p. 19) shows that males are violated primarily for absconding and not working. The table also shows the females are violated for the technicals of absconding and associates. Absconding is treated equally by probation and parole officers for clients, regardless of sex. However, there are differences in the nature of absconding just as there was a difference in the nature of the offenses charged. Men absconded on occasion with new charges, whereas this factor was not present in the absconding by women. To quote Respondent M-9: "Women just leave with their boyfriend. . . ."

2. Another pattern presented in Table I is that men were charged with the technical violation of not maintaining employment. This was not a technical charge for women. Additionally, males' failure to maintain employment was discussed on occasion as a reason for their absconding and new arrest, whereas it was not discussed in conjunction with females' cases.

All the respondents, with the exception of one, felt that it was more important for the male to be employed than the female. The respondents expressed traditional views of the role of women in society, that of being the homemaker and mother. Further, responses indicated that the roles of women are not likely to change.

Respondent M-17 stated: "I don't insist that they work as long as they've got support from somewhere. I've got one woman who is getting

support from her boyfriend. They're not married, but he'll support her, so that's o.k."

Justifications for male adherence to the employment rule were:

Respondent F-4: "A female isn't as likely to commit another felony with time on her hands like a man would."

Respondent E-8: "Because of the thing about supporting dependents and the male being the breadwinner and bringing home the meat and all that."

Respondent A-12: "Males are more pressured to keep steady employment; not too much said about a lady, whereas we're pretty quick to say hey, we need to stabilize the situation." (For males)

Respondent J-13: "Usually the man is the provider, if he's married or if he is an upcoming guy and wants to develop his education, he needs to develop good work patterns."

The relative leniency shown to women with respect to maintaining employment is related to the emphasis given to women's parental role. Children were the reasons for women not having to meet the employment requirements of probation and parole.

Respondent G-17: "A woman can normally get by without having to work more than a man . . . because they have children."

Respondent M-14: "It's the same old thing, the women have children and they stay at home, and generally, they don't have an education that's required to get a job anyway, so they don't."

Respondent F-7: "Judges don't push it (employment) like they do for a man, because of the children."

Having children brings problems to the probation and parole officers that they would prefer to avoid. This was revealed in an interview in which respondent M described the ideal female client as "married to a good husband with a good job and having children." When asked about an unmarried working mother, Respondent M stated that "it brought in too many other problems—day care and all that. I know it sounds terrible, but that's the way I feel." Respondent L stated that it was difficult to get the females to work because "they were lazy, and unmotivated . . . used to being dependent on a man. . . ." In response to the question concerning general problems of female clients, Respondent F stated, "It couldn't be jobs, because it's hard to push a woman to work if they have children; the judge doesn't push it like they do a man."

The following statement was made to explain the overall difference in technical revocation rates for men and women. Respondent F-14 stated, "Women aren't expected to comply by the rules as men are . . . knock out employment and most judges are fairly lenient when they have children."

3. Women were specifically written up for violations because of the associates they had, whereas men were not (see Table I, p. 19). On occasion, the technical violation of associates accompanied a new arrest for males. Usually this was the result of criminal involvement with another male individual with a criminal background. The violation reports for females consisted of one association charge centering around the client's involvement with a married man and two for

associating with males involved in criminal activity. One association violation was tied in with the 1976 arrest violation for drugs. The difference in association patterns is that male associates was a factor for both females and males. Associating with a female was not seen to be problematic for males.

The interviews revealed that regardless of revocation charges, associates are a concern of the judiciary as well as probation and parole officers, particularly for females. People women associate with are considered important because women are believed to be easily manipulated into trouble. From the officers' perspective, a concern for women's friends is protective in intent.

Respondent B-5: "Two violations (currently being submitted on females) are for poor choice of male friends. They have male friend problems that contribute to their problems. Well, the best way to put it is that they have associated themselves with a couple of men who sometimes have some bizarre behaviors. They've allowed this behavior to affect them . . . very rarely will you see a woman drag a man down. It'll happen, but by and large, the people we deal with are people who are in a strict role structure, the man is the leader, the woman is the follower. It varies in a few cases, but by and large that's it."

Respondent G-10: "They (females) tend to fall into males that don't support, don't give them the things they need; they're most of the females I've dealt with when they've been in court for new offenses, it's been due to helping out some man—like cashing a check, forging a check and then the males set them up in order to do so and will pay them so much if they will cash them a check."

Respondent L-12: "Have to watch associates, females rarely instigate crimes . . . most of the time been with the man sharing the home."

Respondent A-5: "The judge there now is quite big on that (associates). In other words, we had a case not long ago, the lady had an ex-husband she was thinking about getting back together with. A stipulation of the court is that she will not associate with this fellow. And I'm like you, I have yet to hear in (my) court a special condition of a man not associating with a particular woman. Now it may have happened, but not in my experience."¹

Respondent G-11: "I've heard them (judges) tell a man he should not associate with another man but I've never heard a judge tell a man they should not associate with a certain woman."

4. One interview presented an issue that is tied directly to sex and revocation. Although immoral conduct was not a frequent reason for violation reports, Respondent K felt there was a "great difference" in the importance given moral behavior for women as compared to men: "So often I have gone into a place and they'll say, well, this ole gal so and so's, just a slut, running from whorehouse to whorehouse, or running from bar to bar or staying with different people. You hear all these clichés on the female when you don't hear this about a male."

Respondent K went on to say that in a violation hearing moral behavior was brought out, although the charge may not be related to

¹The "I'm like you" refers to an experience of the author which was related in this interview. The respondent was asked if the author's court experience in regards to associates still existed. The respondent's comment was "Oh, yes" and present elaboration was offered.

moral conduct. This is unlikely to happen to a male unless he is a homosexual. Respondent K said, "Being a homosexual causes a lot of problems for him, but it never seems to be a violation, you know it never enters into the hearing, where that if it's a female and she's having problems with someone else she lives with, or living with someone she shouldn't it is often pointed out that her moral behavior is not good."

The same perspective toward the sexes is believed to be held by other agents in the criminal justice system. According to Respondent K, "I think it goes back to your law officers here. And probably that all of them are male or something. If they see a female acting out sexually, if she's prostituting or living with different males, going from one to another, they tend to look at this differently than they do of a male visiting the same house of prostitution or whatever. Then basically it all goes back to our society."

To summarize, technical rules of probation and parole were interpreted along sexist lines. Women were seen as easily led and as a consequence, male companions were scrutinized to prevent further criminal involvement. The role of parent prevented the female from receiving the same sanctioning as a male for not maintaining adequate employment; however, when the role perceptions of women violated tradition they were sanctioned with "hidden" violations.

III. PROBATION AND PAROLE OFFICERS' PERSPECTIVES ON MALE AND FEMALE ROLES

Relative to males, females are perceived and are treated differently. These perceptions are tied to the roles of men and women. Females are less severely sanctioned than males, although according to the rules as they are written, this should not be the case.

As to the parental role, the prevailing attitudes of the respondents about the importance of the role was that it was more important for the females than the males, particularly with sentencing authorities.

Respondent K: "That is one of the big considerations, who is going to take care of the children when she's gone. The father often times is not in the picture at all during this time."

Respondent C-12: "The judge uses that (parental role) and that is why the counselor uses it."

Respondent I-11: "Judges and parole boards are very much affected by the fact that women may be going to prison and leaving five or six children to be cared for . . . they see this as more the woman's responsibility and that the man can be removed from it and the family can survive."

Respondent A-13: "It's a delicate situation to send off a mother with two kids at home and she's the sole means of support."

Respondent B-20: "It's not a big deal if a man has children, but if a woman does it is. I've always felt that a poor mother is better than a good father, to tell you the truth. I think children get better care from a marginal mother than a good father—at least right now in

our society because fathers are not trained to be fathers, up until women were raised to be mothers and they know all the things to do because they learned it from the day they got their first doll. And men just have no damned idea what to do. That's just a generalization, you understand."

One comment seemed to sum up the opinions in this regard:

Respondent L-6: "Women with children get away with more."

Harris (1977) suggests the reasons that "women with children get away with more," is a result of efforts to maintain male dominance. If these women were sent to prison there may be a breakup of the nuclear family. This breakup of the family implies grave financial burdens on the husband to hire a role replacement, financial burdens on the economy if he must withdraw from the employment sector, or in the case of the single parent, a financial burden on the state to provide care for the children. In short, the criminal justice system operates to enforce traditional roles—in this case, the association of children with women's roles.

The "chivalry" factor has often been discussed in the literature (Simon, 1975; Adler, 1975) as a factor accounting for the differential treatment of men and women in other aspects of the criminal justice system. Leniency was found to be present in the probation and parole system as well. It was used as rationalization for the few violation reports written for women as compared to men. Specific comments which indicated the prevalence of this attitude toward women were:

Respondent I-10: "I think from what I can understand in listening to some of the counselors who have worked with women that they tend to be more lenient. Most of us who work with men don't tolerate unemployment, whereas with women, I think they do. I think basically that's it, probably the unemployment and their not being as aggressive overall, accounts for more revocation."

Respondent B-19: "I think we as a group are more hesitant to violate women, to tell you the truth. I think we give women more latitude than men. It almost has to be a new offense and quite often it will be a second or third offense for that women. Many times we get a woman who will have a couple of misdemeanors, shoplifting or something of that nature, before they get violated."

Respondent B-20: "I haven't had to deal with it yet, but one thing that would enter my mind is someone with children. If a man violates he goes off and generally mama is there to take care of the kids. Most of the women are single or have poor relationships, maybe a living-together relationship. If mama goes off, the kids become a ward of the state and mama may never get those kids back. I think that's considered many times."

Respondent A-16: "You tend to have more sympathy for a woman. If they break a rule you're more sympathetic to them, maybe a second chance. Whereas with a man, it's hey you ought to know better; you're a man, you know better; therefore, you can be violated."

Respondent A-12: "It's the whole idea that men are stronger than women, have more feelings toward a woman. In other words, you hate to, for whatever reason, it's hard to put my finger on, you just hate to

violate them as much as a male. You see them as little creatures, real delicate. This type of situation. Therefore, you're a lot less likely to violate, you give her a second chance."

Respondent C-11: "Judges are more hesitant to send a woman to prison than they are a man and this falls back on the counselor. Women are put on probation and I think the judges are less likely to revoke them and the counselor is less likely to spend their time filling out a violation report."

It appears that the leniency probation and parole officers show toward women is related to women's roles as mother and homemaker. Also, women are not thought to deserve as severe a punishment as are men. The social identity of woman is perceived as incompatible with the fact of criminality.

Another issue of importance in the perspective of officers toward male and female clients has to do with their routine activities. All of the respondents, with one exception, preferred to work with male clients. Females, more so than males, are perceived to be problematic people with which to interact. The female client was seen as having more special problems than her male counterpart. Although the female client was presented as more problem-laden than males, respondents felt that her chances for completing a successful probation and parole sentence were greater than for a male.

According to the respondents, female clients posed several different interactional problems:

Respondent I-6: "I find them (females) to be more complaining, more evasive, not as direct as men, not as blunt. I like the bluntness and the openness that men have."

Respondent D-9: "Hope, I treat the same. That's why I don't want to work with women. I've got a soft heart, especially when they flutter their eyes."

Respondent A-7: "I prefer to work with males simply because I am a male and that females tend to come on a lot stronger."

Respondent C-6: "I relate better to men . . . I have a tendency to intimidate women. Most of the men, it's not true in all cases, but most of them, you can tell what you expect and if they don't do it, they know what you're going to do and it's just all right there on the line. With a woman sometimes you can tell her exactly what to do and she'll tear up."

Perhaps if officers don't like to work with women and find it uncomfortable, they may want to ignore her actions, but find it difficult to do so due to her willingness to discuss her problems. The respondents indicated that men tend to bring in their monthly report form and communicate less than females.

Respondent B-8: "Several of the women that I have . . . well, one I guess, I've talked to her . . . ten times in the—what amounts to about three weeks. It seems that several of these women call and ask a question about every decision they have to make. Either looking for support or advice; it sometimes is a little of each. I don't find that much with males. Again, I think it's the role, the guy feels I'm gonna make my decisions, I'm a man, and the woman, mostly women are on their

own, are single, divorced or whatever, and I don't know if they're developing me as a male figure like a surrogate husband . . . they'll talk about anything and everything."

This willingness to communicate by women may make the decision of revocation more difficult and could account for differences in rates of revocation. Increased communication precipitates the establishing of relationships and provides the officer with the knowledge of circumstances which may account for specific behaviors and reduce the seriousness with which the officer perceives the situation. In that males tend to communicate less, relationships with probation and parole officers may be less personal. As a consequence, initiation of revocation proceedings on males may be less difficult than for the female client.

This willingness to communicate her problems also brings in a second dimension of this category—increased demands on the probation and parole officer to do something about these problems. Females, generally, were thought to bring more problems to their probation and parole experience than did males. Probation and parole officers preferred not to be involved with these kinds of problems.

Respondent G-9: "I'd pick males because women have welfare problems. They've got problems with men, boyfriends, babies . . . more emotional outsets; they complain, they seem to have more emotional problems with coping than men do."

Respondent E-4: "I don't feel comfortable supervising females. I just don't think I'd be very sympathetic to some of those problems

. . . centered around family counseling or marital or something of that nature and I don't pretend to be an expert on that."

Respondent I-14: "One reason I don't want to work with females is because they are oriented toward telling all their problems, in great depth, regardless of how minor they may be."

Respondent C-7: "I think a woman's problems are a lot different than a man's problems. I think the women have more family related problems, and are more verbal. As far as jobs . . . a lot of them are not motivated to get a job, or don't see a reason they need a job, even though it is required by their probation. They have a tendency to depend on someone else more so than the men . . . the men's problems are based on having a job, stable family and keeping themselves out of trouble. They are less emotional. I think men have the same emotional problems, but I don't think they surface as much."

The reluctance of probation and parole officers to work with females because of the nature of their problems may be a result of the officers' own socialization patterns. Perhaps the larger issue may be their feelings of having little control over female clients, as a result of the chivalrous attitude of sentencing authorities. Probation and parole officers do not have the leverage or power over the females as they do with the males. The attitude of sentencing authorities towards the female clients may contribute to the reluctance of working with female clients. The responses indicated that male clients were preferred but female clients had the better chance of completing the probation and parole period. This makes sense only when taken into context with the profile

of the female offender. She is usually a single, unemployed parent. To quote one of the respondents (D-4): "I would say based on what I have seen in courts, women have an easier time. The courts are biased towards women . . . positive if women, not positive if a man. Judges are reluctant to separate mother from child. The judge has said this many times."

This situation operates to insulate the woman offender from severe sanctioning. This may not only account for prevailing attitudes of probation and parole officers toward women but more importantly may help to account for overall revocation rates (see Table I, p. 19).

IV. BUREAUCRATIC DEMANDS

As indicated, the probation and parole officers' perspective cuts across a variety of categories and is influenced by many factors. What happens to males and females on probation and parole may also be related to bureaucratic demands. Bureaucratic demands are those situations created by large problems within the correctional system over which the probation and parole officer has little control. Specifically, these demands center around prison population problems which have resulted in increased caseload size, more liberal parole policies, and more stringent policies for revocation of probation or parole. These bureaucratic demands have an effect on the probation and parole officers' job performance and attitude. All of these demands filter down to effect the probation and parole experience for the clientele within this system.

In Table I (p. 19), a difference in the nature and rate of violation reports written between 1975 and 1977 can be observed. The biggest change is seen in male technical violations. Males had one violation for technical reasons submitted with the remainder being for serious law violations. Explanations for this change were as follows:

Respondent A-11: "I know from talking with the parole board and judges here it almost has to be a new felony type conviction. In the past we used to violate for technicals. There's so many people coming out, they just don't have room for people in the penitentiary; therefore, it takes a more serious charge than it used to."

Respondent G-13: "There's so much to do that unless they're serious or you feel like they're (men) a threat to other persons in some way, they're overlooked until you feel the need to do something more about it."

Respondent H-18: "I don't violate as much on this (technical). I guess what it boils down to is it's so much harder to convict them; here again it depends on the judge."

Respondent B-23: "We lose ground filing on technicals if the guys not revoked. Because we end up with the same client in the same situation, as far as his attitude towards the technicals because he knows he can get away with it."

Respondent K-14: ". . . he's going to violate the law sooner or later, and I'll get him then. It takes a violation of the law before they really can move on it."

Respondent B-24: "It has to be a string of rather serious technicals. First of all it's an exercise in futility. The parole board is not likely to sustain it."

Respondent E-6: "They may violate technicals, but I don't do a lot about it besides talk to them."

Respondent F-15: "If they're violating technicals a felony's going to show up pretty soon."

Respondent D-8: "I add technicals if they don't report the arrest. Technicals put the nails in the coffin. I hit with all the violations at once."

Respondent L-14: "Technicals pad the case a bit."

These comments indicate that revocation decisions for males and females may be related to larger bureaucratic requirements. One result of the larger issues at play within the correctional system has been increased caseload size. This increase in caseload size was felt by the respondents to be a factor in revocation. High caseloads limit what what officers can do and how they react to their clients' problems. Less attention to technical offenses and other problems may be the result.

Respondent I-B: "Counselors are under a great deal of pressure because of the size of their caseload and the fact that some of the clients have not been very carefully screened and released on certain programs. Feel somewhat relieved to go ahead and violate problem cases rather than work with them because their patience is at an end and because they don't feel like they have the time, nor the desire, to work

with them. When the caseload's were smaller, you had more time, you know, more time, more patience, to work with people who have problems."

Respondent F-17: "You don't have time with a large caseload, you don't have time to revoke everybody who needs it."

Respondent K-14: "Just not worth the time and the effort they put into it, they violate someone on a technical violation because there's so many violating on new arrest, and, you know, they don't catch a lot of the technical violations they used to. Used to when a person had 50 or 60 on a caseload, even though that was high, they could watch them a little closer, you know, find out the things they were doing before they got arrested. And now, I have talked with a good many, . . . has got over 150 on a caseload, and 100's not anything unusual at all. When you take 100 people, you don't have time quite often, you're willing to overlook little things that you wouldn't be if you had a lot fewer people, 40 or 50 on a caseload."

Respondent E-11: "As far as the size of the caseload. I think the larger the caseload, yes—the less prone you are to rush into a violation on technical matters, you hear so many more problems, you've got so much more influence, somebody almost has to commit a new felony offense before you want to get out pen and paper and do all that. I think the size of the caseload—you've got a smaller caseload, you've got more time to do home visits, do employment visits, find out about the technical violations—the larger the caseload, the less time you have to meddle in their private affairs, and I think the less violations per person you do in the larger caseload."

All of the respondents feel that a probation and parole officer's individual attitude was a factor in the revocation process, as well as the probation and parole experience in general. Responses to the question of orientation magnified the role of discretion and the element of luck as factors in the outcome of the probation and parole experience.

Respondent E-10: "It's just like in the whole criminal justice system. I think there's so much inequity between judges, between different parts of the country, between what counselor they draw when they come out, a person might be able to do something, a violation and not be revoked on my caseload, another counselor would revoke him on it, or try to revoke him on it."

Respondent B-24: "One counselor is more client-oriented, that is what is best for the client. Where we have one counselor who's idea is this man committed an offense and is on probation or parole and if this man doesn't tow the line, retribution will be swift and merciless. So sometimes it's the luck of the draw."

Respondent I-14: "Again, I see some counselor's violating clients when I feel personally that there are some other resources that could be used before violation. In some cases, the counselor may not have any discretion, you know, we're talking about certain divisions of the criminal court here, but in many cases they do, and they just don't want to take the time to go through all this because it is, it is very time consuming to get on the phone, get appointments set up and know that these problems you've been working with are going to continue and

maybe worsen before they get better. You know, there's a temptation to take an easy way out. I wish that weren't true, but I think just the nature of all of us, you know. . . ."

Discretion by probation and parole officers is applied according to judicial guidelines, as well as their own individual discretion. Respondent J detains male clients in jail for months for technical violations. Respondent J indicates this arrangement has been worked out with the attorney general. No violation reports are written or submitted through official channels in this officer's particular case. This policy had not been utilized by Respondent J for female clients.

Another example of the effects of officer orientation was presented in an interview. A conflict between two officers arose around adequate reasons for revocation. This arose out of the transfer of cases from one officer to the other. The clients in question were female and the behaviors in question were around the rejection of the maternal role. The second officer who received the transfers refused to revoke the clients in question.

The effect of an officer's attitude and discretion is indicated by these two examples. All the respondents in the study felt that an officer's orientation was a factor in revocation. Previous examples of responses of probation and parole officers indicate that differential role expectations are a determinant of the course probation and parole supervision may take for male and female clients.

V. SUMMARY AND CONCLUSIONS

Violation reports written on males and females were reviewed for the years 1975, 1976, and 1977. A total of 322 violation reports for males and 17 for females was reviewed. Interviews were conducted with thirteen probation and parole officers. The purpose of these interviews was to interpret the data in the violation reports. Comparisons were made to determine if differences in revocation patterns could be related to the support of contemporary sex roles in society. Differential role expectations were explored in the areas of criminal behavior and technical violation. Of particular interest were the structurally determined differences in opportunity to commit crimes for males and females. Role expectations concentrated on the areas of parenting, employment, moral conduct, alcohol and drug involvements, and associates. The violation reports revealed that men were violated primarily for the new felony arrest of burglary and larceny. Technical violations were predominately for absconding and failure to work. The possession of a weapon, use of an automobile, and use of alcohol were related to the new arrest for males. On the other hand females were violated primarily for shoplifting and forgery. Technical violations were predominately for absconding and associates.

Differences were noted in the nature and rate of violations. Criminal activity for both males and females centered around property offenses. However, the nature of the property offenses were different. Males were involved in the more serious property crimes of burglary and larceny. These offenses require skills learned by males while

growing up. The property crimes of females were less serious than the males. Female arrests were for shoplifting and forgery. These crimes are considered traditional female crimes in that they center around women's roles of grocery and department store shopping, paying the bills, and obtaining family necessities. Males were charged with automobile-related offenses, possession of a weapon, and alcohol-related offenses, whereas women did not have one incident of an automobile-related charge nor possession of a weapon.

Differences in technical violations centered around absconding charges and client's associates. Absconding for males often involved a new arrest, whereas this was not present in absconding by females. Associate problems for males were with associates of the same sex. Associate problems for females were with members of the opposite sex.

Overall revocation patterns as substantiated by interviews indicated that traditional roles of men and women as perceived by officers were a factor in determining who may be revoked. The association of children with women's roles is a conceptualization that probation and parole officers and judges endeavor to maintain. This was seen to have an effect on revocation patterns of females. Employment, alcohol and drug involvements seemed to be less severely sanctioned for females. However, moral issues which may violate the traditional image of women were brought to the attention of revoking authorities. Simply, the woman with children is insulated from severe sanctioning within the probation and parole system to the extent that this role is played. This ideology has been mistakenly called the "chivalry" factor. This ideology works to keep women in their traditional roles.

Probation and parole officers' perceptions of female clients cannot be interpreted as chivalrous. The females were perceived as problem laden. Further, they were perceived as being too verbal with these problems as well as possessing personality characteristics discussed by classical criminologists; e.g., lazy, unmotivated, sneaky, emotional, and manipulative. These negative perceptions of females do not seem to precipitate negative sanctioning. Quite the contrary, increased verbalization may serve to introduce factors which reduce chances of revocation.

Probation and parole officers' job performance was affected by bureaucratic demands which likewise affected the revocation process. These bureaucratic demands (increased prison populations, liberal parole policies) brought about increased caseload size. The increased caseload size has resulted in changes in revocation patterns. Serious law violations are now the main focus because there is little time for pursuit of technical issues. The year 1977 (see Table I, p. 19) reflected this unwritten policy change.

These findings suggest that the "criminal justice system serves the woman ill, sometimes well, but always poorly" (Adler, 1973: 240). In this case the particular aspect of the criminal justice system referred to is the probation and parole system. The female probation and parole client is served well in terms of the insulation from prison experience; however, she is served poorly by the desire of probation and parole officers to keep women in their traditional roles.

The findings of this study suggest that this is an area for future research. Probation and parole decisions have not previously been examined in terms of either sex roles or individual attitudes, orientation, and perceptions held by probation and parole officers.

Probation and parole officers' arbitrary discretionary powers have the potential of controlling the destiny of individuals placed under their supervision. In this particular case, the females tend to fare better than their male counterparts. It appears that corrections administrators should initiate research into their personnel as a possible factor in recidivism rather than limiting their evaluation of recidivism to offense, age, marital status, length of commitment, length of sentence, employment, residence, alcohol and drug involvement, and so forth.

Corrections have traditionally been involved with evaluative research. The research has focused on program operation. A point of inquiry for the future is the relationship between personnel and the success of such programs. The client has been the focus in casework effectiveness studies. As has been suggested in this study, the outcome of client performance may be as related to the traditional views of women and men prevailing in society. Those views of women have emphasized the parental role and have deemphasized employment. Employment is stressed as a major requirement of adjustment to parole or probation for men.

To this extent, this segment of the justice system operates to enforce moral norms as well as to sanction people for violating legal norms. Probation and parole officers' actions mirror the prevailing

attitudes in society in their positions as agents of social control. Roles of women are changing in our society and have been since the 1960's. Hopefully, future research will indicate that perceptions of male and female clients have also changed. In the future perhaps the individual's own personal and unique qualities and problems will be the focus of attention, rather than an individual's sex.

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APPENDIXES

APPENDIX A

Form 109A
Rev. Oct. 71

Parole and Probation Compact Manual - Chapter 3 - Rules, Regulations and Forms

PAROLE AND PROBATION FORM B *

VIOLATION REPORT FORM

Date: _____
To: _____ From: _____
Parolee: _____ Probationer: _____ Case Number: _____
Re: _____

TYPE OF REPORT

Delinquency w/o arrest _____ Arrest _____ Conviction _____ Follow-up _____

RECOMMENDATIONS

Warrant requested _____ Remain under supervision _____ Return for Suspension or
Revocation Hearing _____

ARREST DATA

Date: _____ City: _____ County: _____ Agency: _____

SPECIFIC CHARGE OR TECHNICAL VIOLATION
(If technical, list rules violated and
document under additional comments section)

DATE OFFENSE OR VIOLATION OCCURRED

1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____

LOCATION

In custody _____	Address: _____
On Bond _____ Amount _____	_____
ROR _____	_____

ABSCONDING DATA

Date moved w/o permission _____
Last known address _____

COURT DATA

Date of Sentence _____ Offense _____
Name and Location of Court _____ Court of Record? Yes _____ No _____
Date of Conviction _____ Specific Sentence _____
Plea _____ Name and address of institution to which committed _____
_____ fel _____ misd _____

* Use of this Form is optional but all officials should use it in reporting violations or be certain that all information required on the form is included in any other type of document used for reporting violations. This form is a substitute for the previous Compact Form B.

Form 109B

Parole and Probation Compact Manual - Chapter 3 - Rules, Regulations and Forms
VIOLATION REPORT FORM

RETURN

Should return be attempted under Interstate Compact? Yes _____ No _____

Will subject waive extradition? Yes _____ No _____

Has he signed a Waiver? Yes _____ No _____

Date and place transfer officers should take custody _____

Name, address and phone number of person to be contacted upon arrival to pick up
violation: _____

ADDITIONAL COMMENTS *

Please give below or on back of form or on attachments: (1) How violation occurred
(give facts); (2) Subject's statement; (3) History of supervision; (4) If
recommended, indicate plans for continued supervision as alternative to suspension
or revocation.

Recommendations of Administrator or Interstate Correspondent to sending agency:

* In addition to the information reported here, please attach all documents and
material necessary to provide a comprehensive and detailed report of all acts
and circumstances about which information is necessary in making a revocation
determination.

APPENDIX B

QUESTIONNAIRE FOR PROBATION/PAROLE COUNSELORS

PART I

Date: _____ Age: _____ Sex _____

1. What is your educational background?
2. What has been your prior work experience?
3. How did you become involved in this type of work?
4. How long have you been employed as probation/parole counselor?
5. Do you plan to make a career of correctional work?
6. How do you see your job?
7. What do you enjoy most about your job?
8. What do you enjoy least about your job?
9. What is your caseload size?
10. Describe your typical client.
11. What is the breakdown of your caseload?
 - A. By sex
 - B. By risk (high, medium, low)
12. What territory are you responsible for?
13. What additional responsibilities do you have?
14. How do you spend the majority of your time?
15. Do you spend any of your leisure time involved in job-related activities?

PART II

1. You mentioned previously that you had X number of clients. Other than required monthly reporting, when and under what circumstances would you see a client? On the average, how many times would you see a client?
- 2.
2. What criterion do you use to determine the amount of supervision/contact that a client receives?
3. In your opinion what type of client has the easiest time on probation/parole?
4. In your opinion who has the most difficult time completing a successful probation/parole period?
5. If you could pick and choose the clients on your caseload, what would their characteristics be?
6. In general, what is the biggest problem your clients have?
Males/Females

How do you deal with these problems?
7. Describe your image of your own personal caseload. *Do they see as dangerous, nonthreat, etc.?
8. What are your impressions of probation/parole clients in general?
9. If one of your clients breaks his/her probation/parole rules, how do you find out?
10. What do you do then? Describe in detail the decision-making process you use in deciding whether to violate, reprimand, request warrant, not violate, etc.
11. What rule of probation/parole is most frequently violated?
12. If answer 12 is new arrest, what is next most frequently violated rule?
13. What rule infractions usually lead to revocation?
14. On basis of No. 13, I would then ask would the remainder of rules violated have official action taken based on individual situations. If so, I would then ask them to explain.
15. During the span of your career, how many people have you had to revoke?
16. How do you feel, personally, when deciding to take official action?

PART III

What is the nature of the violation committed by males? females?

What do you feel accounts for the difference in official action taken on males as compared to females?

Do you feel employment is treated more importantly for males than females? How?

Do you think that being a parent influences whether or not a female is revoked? A male?

Are alcohol and drug involvements treated equally across the sexes?

In your opinion, is moral conduct (sexual activity, i.e. double standard, frequenting taverns, associating with persons of ill repute) sanctioned more severely for males than females?

Do you think that men commit more serious crimes than females? What are your opinions in this regard?

Do you think that men are rarely violated for technicals alone? Why is this? Are women violated for technicals?

Do you feel a counselor's orientation has anything to do with who is/is not revoked?

Do you feel a counselor's caseload size has anything to do with who is/is not revoked?

What are the general problems that males run into as compared to females?

APPENDIX C

Form 307 (Rev. 12-74)

STATE OF TENNESSEE

PROBATION ORDER

State of Tennessee

In the _____ Court of

vs

_____ County, Tennessee

No. _____

DEFENDANT

THIS CAUSE, coming on to be heard, and being heard at the _____.

Term of the aforesaid Court, before the undersigned Judge, and the above defendant named, having entered a PLEA OF GUILTY OF HAVING BEEN CONVICTED of the OFFENSE of _____

THEREFORE, for said offense it is ordered and adjudged that the said

_____ be, and he is hereby sentenced to serve a term

of _____ years in the _____

IT APPEARING, however, to the satisfaction of the Court that the Defendant is not likely again to engage in a criminal course of conduct and that the ends of justice and the welfare of society do not require that the Defendant shall presently suffer the penalty imposed by law by incarceration in the _____.

IT IS THEREFORE, ORDERED and Adjudged that imposition of sentence is hereby suspended and the said Defendant is hereby placed on Probation for a period of _____ years under the supervision of the Tennessee Division of Probation and Paroles and its supervisor, such supervision being subject to the provisions of the laws of this State.

IT IS FURTHER ORDERED that the aforesaid Defendant shall comply with the following general and specific conditions of Probation.

1. He will procure the consent of his Probation Counselor before changing his residence or employment or before leaving the county of his residence or the State.
2. He will make a full and truthful report to his Probation Counselor in person and/or in writing as directed.
3. He shall not use intoxicants of any kind to excess; nor use narcotic drugs, marijuana included; nor visit places where intoxicants or drugs are unlawfully sold, dispensed or used.
4. He shall not associate with persons of ill repute and will not frequent establishments who's prime purpose is the selling of alcoholic beverages.

5. If convicted of a felony, he shall not receive, own, possess, ship or transport any firearm or ammunition. Ref. Gun Control Act of 1968, Public Law 90-618 Title I, Section 922 entitled "Unlawful Acts." All other probationers require express permission of the court for use of firearms.
6. He shall report all arrests, including traffic violations, regardless of disposition, to his Probation Counselor.
7. He shall allow his Probation Counselor to visit his home, employment site or elsewhere and carry out all instructions given by the Counselor, whether oral or in writing.
8. If at anytime it is necessary to communicate with his Probation Counselor and he is not accessible, the Probationer will direct his communications to the District Director or Regional Director.
9. He shall obtain written permission from his Probation Counselor before establishing a Date for marriage or before contracting any major debts.
10. He shall obey the laws of the United States or any State in which he may be as well as any municipal ordinances.
11. He shall not be away from his place of residence at late or unusual hours of the night, such hours to be determined by the Probation Counselor who will also give permission for night employment if necessary.
12. He shall be liable for all costs imposed by the court in connection with this case.
13. He shall work diligently at a lawful occupation and support his dependents, if any, to the best of his ability.
14. He shall be required to observe any special conditions imposed by the court and listed below.

Violation of any of the terms of Probation may be sufficient cause for the Probationer to be apprehended and brought before the Court on a hearing for revocation, after he has been afforded a Probable Cause Inquiry.

DONE AND ORDERED IN OPEN COURT, this, the _____ day of _____, 19__.

Presiding Judge

I have read or have had read to me, the Probation Order and the conditions of my Probation. I fully understand them and agree to comply with such conditions during the period of Probation. Further, I hereby waive all extradition rights and process and agree to return to Tennessee if at anytime prior to my discharge from probation the Trial Judge directs me to do so.

Probationer

Date _____

APPENDIX D

STATEMENT OF THE CONDITIONS UNDER WHICH THIS PAROLE IS GRANTED

This Certificate of Parole will not become operative until the following conditions are agreed to by the prisoner, and violation of any of these conditions may result in revocation of parole; after a Probable Cause Inquiry has been held:

1. I will proceed directly to my destination and upon arrival report immediately to the Parole Counselor under whose supervision I am paroled, by personal visit, unless otherwise directed.

Your Parole Supervisor's name and address is:

2. I will procure the consent of my Parole Counselor before changing my residence or employment, or before leaving the county of my residence or the State.
3. I will make a full and truthful report to my Parole Counselor on the form provided for that purpose.
4. I will not use intoxicants of any kind to excess; nor use narcotic drugs, marijuana included; nor visit places where intoxicants or drugs are unlawfully sold, dispensed or used.
5. I will not associate with persons of ill repute and will not frequent establishments who's prime purpose is the selling of alcoholic beverages.
6. I will not own, possess or carry any type of deadly weapon.
7. I will report all arrests, including traffic violations, regardless of disposition, to my Parole Counselor.
8. I will allow my Parole Counselor to visit my home, employment site or elsewhere and carry out all instructions he gives.
9. If at any time it becomes necessary to communicate with my Parole Counselor and he is not accessible, I will direct my communications to the District Director or the Regional Director.
10. I will obtain written permission from my Parole Counselor before establishing a date for marriage or before contracting any major debts.
11. I will obey the laws of the United States or any State in which I may be as well as any municipal ordinances.
12. I will work diligently at a lawful occupation, and support my dependents, if any, to the best of my ability.
13. SPECIAL CONDITIONS:

PAROLE PLAN:

Residence —————

Business Add —————

Name of Employer —————

I have read, or have had read to me, the Order of Parole and the Statement of the Conditions of my parole. I fully understand them and I agree to comply with such conditions during the period of parole, this the 15th day of May, 1976. Further, I hereby waive all extradition rights and process and agree to return to the Tennessee Pardon and Parole Board directs me

VITA

Priscilla J. Mann Bell was born in Kingsport, Tennessee, on May 28, 1949. She attended elementary school in Fort Blackmon, Virginia, and was graduated from Dungannon High School, Dungannon, Virginia in May 1966. She entered East Tennessee State University in June 1966, and in June 1970 she received a Bachelor of Social Welfare degree with concentrated studies in corrections.

In the summer of 1971, she was employed by the State of Tennessee Department of Corrections. After one year as a probation and parole officer for adults, she was employed in the capacity of District Director for the East Tennessee Region Probation and Parole Office. At the end of four years in this capacity, she entered the Graduate School of the University of Tennessee, Knoxville, in September 1976. She received the Master of Arts degree with a major in Sociology in June 1978. Her special area of study was crime and deviance.

Prior to attending graduate school, the author was a member of the American Correctional Association and the Tennessee Correctional Association. Also, she was a founder of Project First Offender and Outset, Inc. At present, Mrs. Bell is employed with the Knox County Juvenile Court.

She is married to James A. H. Bell, Attorney, of Knoxville, Tennessee.