

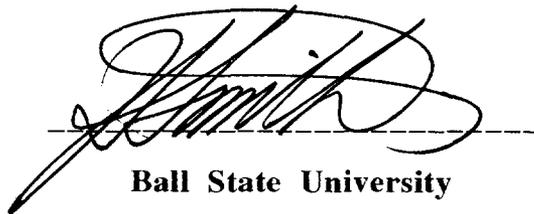
The "Responsible" Alternative

An Honors Thesis (HONRS 499)

by

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Purpose of Thesis

The following is a proposal, with ideas and beliefs taken from different areas and levels of expertise in the criminal justice system: a judge, a clinical psychologist, several probation officers, and this author who is a Ball State University probation intern. Topics discussed include different types of offenders, how the current probation agencies operate, and how this current system needs to change. This change requires offenders to negotiate and propose his own sentence to the judge, and then be fully responsible for carrying out the terms of his sentence on his own. This change means alterations in the functions of the courts and probation officers, which ultimately promotes individual responsibility and not unproductive dependency.

The "Responsible" Alternative

Some probation officers at the beginning of their careers carry with them high expectations regarding their effect on offenders. There is a hope that citizens who have gone astray can be rescued and live a productive life, never to commit crimes again. Despite the fact that parents, teachers, employers and clergymen had been unable to reach these offenders, some beginning probation officers believe that they are expected to accomplish what others had been unable to do. At first, the new officer attributes his lack of success to his own inexperience. After repeated failures, his morale drops, and he wonders if he was really meant to be in this profession. Resentment mounts toward the probationers who defy all his efforts. This pattern has often been described as "the first year the new guy can't do enough for the criminal. The second year, he can't do enough to the criminal. The third year, he doesn't give a damn" (Samenow, 1984, pp. 249-50). Probation officers must confront reality and realize that these offenders are in control of their own lives, and many choose to continue their criminal behavior, no matter what the efforts of their probation officer may be. This is where the focus must lie - on the offender's decisions to live their lives in the unproductive, irresponsible ways that they do. These individuals choose to commit crimes, and as a result of this free choice, they must be made to own their problems and be responsible for their actions. Changes need to be made within probation departments to allow offenders to learn how to be responsible, productive citizens. Without learned responsibility, offenders will continue to commit crimes. Probation recidivism rates are high, at least 37% while on probation and 45% after discharge (Challeen, 1986, p.89), and the only way these percentages will be lowered is if offenders learn to be responsible in their lives. Rather than continue to offer superficial measures,

such as monthly ten minute "check-ups" with probationers, the courts must offer an alternative that will equip criminals with a new set of concepts that correct lifelong patterns of thoughts and behaviors.

Every individual offender is unique in his own way, but there are three main types of offenders that are dealt with most often in the criminal justice system. These types include Normal People, Slicks, and Slobs (Challeen, 1986, p. 27). Even though each of these categories are comprised of individuals who have committed crimes, each category contains a certain type of offender who must be treated differently than those in other categories.

Normal People are exactly what their label makes them out to be. These individuals make serious enough mistakes that they end up in the criminal justice system. However, it is unlikely that they will commit another crime. This is because these individuals are basically responsible people who generally learn from their mistakes. "Larry" is one man on probation at the Tippecanoe County Adult Probation Department in Lafayette, Indiana who is classified as a Normal Person. Larry is a 1993 graduate from Purdue University, who presently works full time at an insurance agency, and coaches a junior high basketball team on a part time basis. One night at a Purdue nightclub, Larry hit another man over the head with a beer bottle. The victim had been harassing Larry's girlfriend all night, and when Larry told him to stop, he was shoved. Larry reacted without thinking of the consequences. Larry's remorse was genuine, and his attitude reflected responsibility. This was Larry's first offense, and most likely his last.

Offenders who are Slicks are arrogant, over-confident, angry loners. These individuals are loners because they do not trust others. Slicks maintain superficial relationships and have no real friendships. They believe that they are OK and everyone else is not, but everyone else is as "bad" as they are. Slicks are

risk takers and love playing games. They use other people to survive and feel no guilt or remorse when they hurt others. When manipulating other individuals, "Slicks love to play 'let's make a fool out of you' and 'NIGYSOB', which is short for 'now I got you, you son of a bitch'" (Challeen, 1986, p.28). Slicks are rarely caught and convicted, and if legitimate, would be great politicians or businessmen. However, these individuals are irresponsible, and in their opinion legitimate translates to boring. Also, he does not wish to acquire wealth by the old-fashioned way of earning it. Slicks are too impatient and they believe they are already smarter than everyone else. Slicks are driven by anger, which is vented by making fools out of others since they do not like society in general (Challeen, 1986, p. 28).

One Slick that is familiar within the Tippecanoe County Probation Department is "Danny", who is currently in a Michigan prison for two counts of False Pretense over \$100.00 and for being a Habitual Offender. Danny received a ten year sentence and was on probation for Fraud on a Financial Institution when he was convicted. Danny is an extremely dishonest person who has at least four aliases, two different dates of birth, and four different driver's licenses from four different states. Danny is deliberately deceitful and he attempts to represent an image of himself as being a respectable middle class person when this suits him and being a business man loaded with money during the other times. His re-occurring deception, false pretense, and fraud is described by him as "being wrong in a shady way". Danny is proud of his past behaviors and does not believe these have been criminal. Danny is a typical Slick who is arrogant and loves playing games. He feels no remorse for the crimes he commits because these crimes help him get what he wants, through short cuts and taking advantage of others. Gaining achievements through legitimate means are unthinkable to

Slicks like Danny. Prison is where Danny belongs because if on the outside, he will continue to victimize others for his own self-gratification.

A Slob is totally opposite from a Slick except they are both irresponsible losers who take advantage of others in society. Slobs have low self-esteem, no confidence, and feel worthless. They believe everyone else is OK and they are screwed up. The Slob takes no risks, but still usually are caught in their crimes. They travel in packs, are continually depressed, and are often believing "NYGMSOB" which means "now you got me, you son of a bitch". Like the Slick, the Slob uses other people to survive and are irresponsible (Challeen, 1986, pp. 121-2). In corrections, Slobs are dealt with most frequently. "The overcrowded prison population in America is not the result of locking up violent people or Slicks" (Challeen, 1986, p. 32). The group that clogs the system is the Slobs.

One of the many Slobs that are seen on a regular basis at the Tippecanoe County Probation Department is "James". James often forgets his appointments or thinks they are for another day, because he is irresponsible. He is unemployed and admits to not working because he "doesn't want to". James receives Social Security checks amounting to \$440.00 every month for his alcoholism, and he readily admits that he doesn't care to stop drinking because he "doesn't have to". When speaking with James, it was discovered that he writes poetry, however, he writes about other people and the problems in their lives, never addressing the problems within his own life. James also spends a large amount of his free time "counseling" his friends, who have lives similar to his own. This may appear to be a positive pastime, but what it actually does is keep the negative focus on other people and not himself. James gets depressed often and has said numerous times that he "can't cope". He is unmotivated and apathetic, but this is by choice

because living a responsible, productive life is a challenge, which is unbearable.

Slobs like James are seen on a daily basis at the Tippecanoe County Probation Department. This agency is run similarly to other probation departments; therefore, it is being used for the purposes of demonstration and example here. There are seven adult probation officers and one intern in this agency. Four of these officers and the intern help supervise the offenders that comprise the county's caseload. There are several duties that are assigned to individual probation officers, which include Pre-Sentence Investigation Reports, Intake, and Supervision.

Pre-Sentence Investigation Reports take up a large amount of a probation officer's time. These reports are a compilation of information regarding the offender's background, which is gathered mainly from the offender himself, court files, substance abuse assessments, life-skills reports, and other agencies. Generally, the probation officer interviews the defendant and gets much of this information from him. The Pre-Sentence Report includes educational and employment history, family background, marital and dependent status, financial status, physical and mental health, substance abuse, the offender's version of what happened and any factors he wants the court to consider before his sentencing. The probation officer's job is to gather this information, put it in professional written form, evaluate the situation, and make a sentence recommendation for the judge. The judge can follow this recommendation, or he may choose not to do so. This Pre-Sentence Report gives the judge the opportunity to look at all of the circumstances involved, and sentence the defendant as fairly as possible.

The Intake process is also a necessary component of probation. In the Tippecanoe County Probation Department, one officer is assigned to do Intake.

She reads the offender his rules of probation, collects drug screens, takes a picture of the offender for his file, and does a risk assessment to determine which supervision level he is at (high, medium, or low), and which probation officer will be assigned to him. This is the first step of the probation process.

Supervision of the offenders on probation consists mostly of office visits ranging from twice a month to once every two months. The higher the supervision level, the more frequently the offender needs to report. The offenders that are at the lowest risk of reoffending, are sometimes put on "mail-ins", which means they only have to send a completed form of updated information to the officer. If probation officers suspect that an individual is involved in restricted or illegal activity, a home visit may be appropriate, but these visits are not done on a frequent basis. The volume of each officer's individual caseload does not allow such intense supervision.

During an office visit, the probation officer checks to see if the offender is completing or has completed his conditions of probation, which may include fines, restitution, counseling, community service and other requirements that may be included in an offender's sentence. If drug screens are a condition of the offender's probation, a urine sample is taken and tested with chemicals to see whether or not the person has been using drugs. If all is well with the offender and he is consistently complying with at least the majority of his probation terms, an appointment is made for the next office visit. If the individual on probation fails the drug screen, hasn't completed his required counseling or community service hours, or doesn't even show up for the scheduled appointment, the probation officer can file a petition to revoke his probation. This petition can lead to anywhere from adding counseling requirements to executed time in jail or prison.

Basically, this format implies "if you don't do what the court tells you to do, then you are in trouble". This may work temporarily, but does compliance mean the offenders have learned never to commit another crime and live responsible lives? Of course not. For this reason, an alternative is needed in the way Probation and sentencing are currently formatted. The system must begin promoting more individual responsibility, not only accountability.

Probation officer's jobs should not be eliminated, but redirected. Probation becomes a large game which creates a parent-child relationship of dependency. The courts and its workers, such as the probation officer, becomes the parent, and the offender is the child who must live by the rules (Challeen, 1986, p. 89). It is virtually impossible to effectively monitor hundreds of offenders. For this reason, and also because the offenders never learn responsibility, recidivism rates with probation are fairly high. The rate of recidivism, according to certain statistics, equal approximately 37% while still on probation and 45% after discharge (Challeen, 1986, p. 90). The recidivism rate at the Tippecanoe County Probation Department as calculated by the office computer, state that 20% of the active caseload has reoffended and been convicted. This percentage does not include minor offenses like Public Intoxication and Check Deception when people are sentenced to unsupervised probation out of the County Courts. These cases add another approximate 20%, which makes the statistics from Tippecanoe County and Judge Challeen's coincide. These figures both reflect only what has been reported or discovered. With recidivism rates such as these, it is obvious that change needs to be made.

First, only offenders who belong in community based corrections should be supervised in the community. Not every offender should be placed on a probation-like sentence. "If we accept the fact that murderers, rapists, armed

robbers, child molesters and those who commit acts of brutal violence on others should be locked up to protect society (less than 5% of all crime), our prisons and jails would be virtually empty. Our problem is that we clog our corrections system with losers, people who we do not rehabilitate, but who in fact are made worse at an enormous cost to taxpayers both in money and loss of human productivity" (Challeen, 1986, p. 18).

Slicks should be incarcerated with violent offenders simply to protect society. Slicks have the ability to change and lead productive lives, but this change must come from within themselves in order to be effective. Getting a Slick to change begins the day he realizes his life is caught up in a big game. He must realize that "he is winning at losing; he's on a perpetual merry-go-round to nowhere. That if he is so damn smart why is he in prison and the saps he's ripped off are not. Once he comes to this realization he can change" (Challeen, 1986, p. 31). The Slick needs to learn how to become legitimate, since there are many Slicks that lead responsible, productive lives. These legitimate Slicks tend to make fortunes and are very successful, while still playing the same games of "NIGYSOB" and "I'm smarter than you", without breaking the law. Slicks can be rehabilitated, but they will walk the fence between law-abiding and law-breaking for the rest of their lives (Challeen, 1986, p. 32). Unfortunately, Slicks usually never change and they use probation to get out of going to prison. They will continue to victimize others, so these individuals generally belong in prison to keep them from preying on society.

Slobs also do not work well on probation. This is because probation works best with individuals who are productive, responsible, and who generally follow rules and obey laws. As Slobs have been described, they do not know how to live responsibly or productively, and they usually break the law because

they feel they have no other choice. There are only four choices in life for everyone; these options are work, freeloader, steal or deal. The Slob finds people to freeload off of, and when he loses this support system, he must turn to crime. Working is not an option to the Slob because it requires responsibility, and responsibility is too stressful to him. If the Slob is employed at some point, usually it is short lived because he is fired as a result of irresponsibility and lack of self-discipline (Challeen, 1986, p. 33-4). "Since a Slob has a difficult time making it in the workforce he must freeload. If he cannot find another person to support him he has no alternative other than crime. Either stealing or dealing are his only options" (Challeen, 1986, p. 34).

Since Slobs never learned how to be responsible, they developed a dependent personality. He wants others to take on his responsibilities and make decisions for him. Slobs have learned that if they do nothing and act helpless for awhile, eventually someone will come along and "rescue" them out of a stressful situation. "Slobs soon learn to play stupid then someone will suggest the solution, stroking a rescuer's ego so they will take over the problem. If the solution doesn't work then the Slob can always blame them for it" (Challeen, 1986, p. 33).

Some probation officers are every Slob's dream. Slobs go into the office for their monthly meeting (if they remember the appointment at all), and put on a "poor me" act designed to gather sympathy. At times this works, and the Slob gets exactly what he wants - someone else taking responsibility for his problem. Probation officers can find themselves making phone calls, finding employment, setting up counseling sessions and countless other activities for the Slob who can, and should, do these tasks on his own. Then, of course, if these tracked down opportunities fail, the Slob points the blame at the probation officer, since

he or she is the individual who set the entire thing up.

Since Slobs often fail at probation because it requires increased productivity and responsibility, they sometimes find themselves thrown in jail or prison for violating their terms of probation. Being incarcerated is less threatening to a Slob than one might think. Since incarceration requires the state to take over the Slob's life, he no longer has to be responsible. Slobs would love to be free without responsibilities, but this is unrealistic in society. Incarceration sets the Slob free from the "burdens" of freedom, and he quickly gets comfortable within the walls. Slobs generally are model prisoners who do as they are told, because they function well in a structured environment. This is the reason why Slobs rehabilitate quickly. Unfortunately, this rehabilitation is short lived because once out of their structured environment, they can not handle the pressures of freedom and responsibility. Soon they are back to their old way of life (Challeen, 1986, p. 36-7).

Incarcerating Slobs not only allows them to keep their same patterns of living, it makes Slobs worse. Prison promotes the character defects that cause the offender trouble from the start. Prison destroys self-worth, and all sense of responsibility. It causes degradation and isolation from the community. Prison subjects offenders to hatred, cruelty, violence, and exploitation. They are put where there is no trust and where the tough guy is respected. Society wants these Slobs to take control of their lives and own their own problems, but they are put in an institution where they are totally dependent upon society. Since prison does not teach Slobs how to be responsible, productive citizens, the recidivism rate is high (Challeen, 1986, p. 37-9). Slobs are not violent offenders who must be locked up for the safety of others, so in essence they are a great contribution to the unnecessary overcrowding of prisons in America. Between the high

recidivism rate and the overcrowding that they cause, Slobs need to be directed toward another alternative. The probation and court system as they presently exist need to be reformatted to accommodate what is the best sentencing for Slobs.

Probation officers should become "sentencing specialists" in human behavior and learn how to confront Slicks and Slobs so they can help offenders change their reasoning and thought patterns (Challeen, 1986, p. 96). There are ten Rules of Thumb that need to be remembered when confronting Slicks and Slobs. First, recognize the Normal People who get caught up in the system. They are responsible and will take charge of their lives, so their sentence should be responsible, constructive and beneficial to themselves and society. There are a great number of this kind of offender. Second, violent offenders and those who are criminally insane should be locked up to protect society. Very few offenders fall into this category. Third, Slicks should also be locked up because they commit a lot of crime for high stakes and society must be protected. Very few offenders are Slicks. Fourth, Slobs must be made responsible and productive. Fifth, treat Slobs like responsible adults, not like irresponsible children. Sixth, put the problem on the Slob who has the problem. If they refuse to own their own problems, make life so uncomfortable that they will change. Seventh, move offenders through the criminal justice system as fast as possible. Eighth, realize that Slobs are faced with the same choices as everyone else: work, freeload, steal or deal. Ninth, don't rescue Slobs. Show them you want them to live happy responsible lives, but do not take over their problems. And tenth, criticize a Slob's behavior, but never degrade or destroy what little self-worth he has left (Challeen, 1986, pp. 97-9).

The courts on a daily basis make offenders accountable for their crimes.

However, rarely do the courts make the offenders responsible for their problems. Offenders must realize that they are their own problem and that their viewpoint of life is irresponsible. They must be held accountable and own their own problems. The concept of a restitution sentence can help offenders learn to take responsibility of their own lives. The "basic principle of restitution is if you have wronged someone it is your responsibility to make it right with that person and to your community as a whole by positive, constructive acts and it is your responsibility to improve yourself with personal achievements and goals" (Challeen, 1986, pp. 65-6).

If an offender does not want to go to jail or prison, he must be responsible to the victim, the community and himself. If he fails to do so, then they have earned incarceration. However, if the offender is successful, he should be off supervision to hopefully resume a normal life. Offenders "have to be made uncomfortable enough to want to motivate themselves to be responsible. They must understand that it's jail or responsibility, not go home and be a nice guy probation, but old-fashioned responsibility time is upon them. If they choose jail (some will), then they will remain a useless, stagnant Slob. If they want to earn themselves out of the mess they are in, then the opportunity must be given to do so" (Challeen, 1986, p. 71).

The offender must understand the choice he has to make in regards to his owning his own problems. He must know that if he is responsible, then he will be treated with the decency and fairness that he deserves as a responsible individual. If the offender chooses to not become responsible then incarceration is the only remaining option (Challeen, 1986, p. 76). If the criminal justice system is going to have success with Slicks and Slobs, they must be made to own their own problems.

The offender must own his problem from the beginning of his involvement with the courts. Once the offender is convicted of his crime, this is when responsibility must begin. Probation officers (or sentencing specialists) can help with this task before sentencing. The Responsible Restitution Sentence can be designed by the offender, with help from the sentencing specialist. A Restitution Sentence Proposal is well planned and thought out mostly by the criminal, with guidance coming from the sentencing specialist. After this proposal is complete and put in a structured format, the offender goes before the judge and presents his plan for restitution. This Responsible Restitution Sentence Proposal must include the amount of what kind of restitution will be made, how it will be carried out, and the punishment that awaits if the restitution is not met by a certain proposed date. Community service and any necessary counseling or therapy for the offender would also be included (Challeen, 1986, pp. 105-6). The judge can accept or deny this proposal, whichever he feels is necessary. If it is denied, the offender must write another, more appropriate proposal until it is accepted. Once the proposal is accepted, the criminal follows through with the restitution plan. Once restitution is made, the offender is no longer involved in the system because he has made it right with the victim. If the offender does not comply with the sentence, he is taken to jail or prison (Challeen, 1986, p. 106). Since the offender is the individual creating and presenting the proposal, responsibility is enforced, and he is made to own his own problem. Instead of being told what to do by other people, the offender must figure out himself what needs to be done to make up for the crime he committed. Of course, these Responsible Restitution Sentences must be fair, and not allow the criminals to get off with an easy sentence. Victims must be fully compensated, at least if not more than the full amount, or the proposal will not be accepted. Sentencing specialists would help

the offenders create these appropriate restitution sentences.

The Responsible Restitution Sentence is one of the first of many steps in changing a Slob's irresponsible way of thinking. If the Slob makes restitution and is set free from the system, he has achieved a success in life. This success may help reverse his low self-esteem and losing ways (Challeen, 1986, p. 108). However, Slobs must want to change and in order to do so they must be made uncomfortable; otherwise they will let the system take over their lives, which perpetuates the dependency.

One way to make the Slob uncomfortable is by taking away his enablers. As long as there is someone around who will take care of him and own his problems the Slob will not change. It is difficult to remove an enabler because they both rely on each other. The Slob relies on the enabler to take over his problems, and the enabler relies on the Slob to make them feel good about themselves and needed. Taking away a Slob's enabler causes him great discomfort. The Slob now has to make a choice between responsibility for his own life and crime (Challeen, 1986, p. 110).

Responsibility means earning money in a legitimate manner, which means employment. However, since Slobs lack the characteristics an employer looks for, it is very difficult for him to find a job. "Employers of Slobs must be tolerant and willing to put up with some losing characteristics. Once a Slob finds such an employer, he can start to support himself. If not fired, Slobs can find a niche in life and remain relatively crime free" (Challeen, 1986, p. 111). However, this kind of responsibility is too much for some Slobs. Many prefer jail to being responsible because jail is easier and less stressful. Slobs are very uncomfortable with success because it leads to responsibility. When a Slob screws up, the natural response is to take away his responsibilities, but this is

actually rewarding the Slob so this is not effective (Challeen, 1986, p. 111).

Slobs will keep repeating their same mistakes in which they offer excuses such as bad luck or drugs and alcohol. It is true that alcohol and drugs are oftentimes a large part of the Slob's irresponsibility, but these chemicals can not be blamed for the Slob's mistakes. Only the Slob is in control of his life; what he does and the decisions he makes are by his choice.

As far as Slicks are concerned, Responsible Restitution Sentences and probation are not meant for them. Allowing Slicks to live in society and try to make changes within himself would only give him the opportunity to continue to victimize others. This does not mean that a move toward change is impossible. "The fundamental flaw in a Slick's viewpoint of the world is they feel it's a dog-eat-dog world where everyone else rips off each other and whoever is the smartest comes out on top, that it's all right to take advantage of another person as long as that person is stupid enough to let it happen. A Slick must be confronted with the fact that he's choosing to reinforce his position by seeing only that which confirms his viewpoint. That basically most people are honest, decent and good and the people he is pointing out are just some more Slicks - Slicks just like he is" (Challeen, 1986, pp. 118-9).

Slicks must understand the problems they have caused victims and restitution must be made. They need to learn how to put themselves in someone else's shoes because they feel no remorse or compassion for their victims. Slicks must learn to be able to give of themselves without getting something in return, with no strings attached (Challeen, 1986, pp. 119-20). With these transitions, Slicks may be slowly integrated back into society.

There are certain necessary similarities between the existing system and the Responsible Restitution Sentence alternative presented here. However, the

changes are what makes the difference between irresponsible, stagnant offenders and responsible, productive ones. With the current system, probation officers gather information, interview the offenders, and then recommend a sentence to the judge. With the Restitution Sentence alternative, the offender recommends his own sentence to the judge, with the sentencing specialist's guidance. The offender offers a punishment alternative if this restitution sentence is not followed through. This format puts the responsibility on the offender and makes him own his own problem.

Another difference between the two methods involves supervision. If an offender is on probation, he must report on a regular basis to his officer to "check in" to ensure he has remained law-abiding, even after his terms of probation such as restitution, counseling, and community service are completed. The Restitution Sentence alternative allows the offender to be immediately released from supervision once he has made restitution. This eliminates the unmanageable caseload of the criminal justice employees, and creates a shorter time line for community and victim compensation. (Instead of having two years on probation to complete the terms, he may only have two months.) This forces the offender to own up to his responsibilities faster, and allows him to be rewarded for this responsibility by being released from the justice system and resume his life. These added benefits can not be ignored.

Probation officers already working in the system understand, and are reminded daily, of both the pros and cons of probation as it presently exists. Several probation officers at the Tippecanoe County Adult Probation Department were surveyed about their opinions regarding probation, its effectiveness, and the basic concept of the Responsible Restitution Sentence. All of the officers believed that probation is absolutely necessary for certain criminals. One officer

named, Kipp Scott, stated, "probation keeps those who do not belong in the Department of Corrections out, and it provides information and opportunities for the offender." Those individuals who belong in prison were also a consensus among the officers; these criminals included child molesters, habitual offenders and violent offenders. For non-violent offenders without extensive criminal histories, probation was favored with possibilities of house arrest, counseling and community service as popular options for conditions of probation. Officer Cynthia Jordan stated, "probation is a way of stressing the point that they've lucked out, yet have doom hanging over their head if they choke." Jordan also stated, "probation provides the supervision people lose when they become adults and leave their mommies and daddies. It's mommy saying, 'no Junior, you can't do that', and 'don't forget to make that counseling appointment so you don't get into trouble'." Of course this is the heart of the existing problem. Currently, most offenders are not made responsible for their own problems. The probation officer takes on a parental role, while the offender acts as the child, hoping they will be taken care of every step of the way.

When the probation officers were asked if probation promotes individual responsibility within the offender, some believed yes and others believed only part of the time. Officer Paul Huff believes it depends on the offender's probation officer. "I feel every probation officer is different. I will point people in the right direction, but I won't do it for them. My probationers must be responsible enough to do their own work. I think other officers do too much for their offenders." Scott stated similar sentiments. "My concept of probation is to make the offender a productive, working citizen. I try to get the client employed to promote self-esteem and get him/her to pay their bills. I also try to get them to own up to their crimes." Other officers also believe that the offenders should

own up to their problems, and believe that the criminal taking more responsibility through the Responsible Restitution Sentence is a positive alternative. Officer Patricia Foerg stated, "many of these offenders have never had a positive success story. I think by accomplishing something on their own it helps build their confidence."

The process of how the offender is responsible for making his restitution proposal with the help of a sentencing specialist was described to the probation officers who took the survey. There were mixed responses. Foerg liked the idea of the offender knowing up front what is expected of him and the consequences if these responsibilities are not carried out. Scott stated, "it sounds like an ideal scenario, but impractical with current caseloads and court demands." Jordon concurred, although admitting to seeing advantages in the Responsible Restitution Sentencing alternative. Huff did not like having the offender preparing a proposal and choosing a punishment if they fail to meet the proposal requirements. "The judge should tell the defendant what to do". This may make the offender accountable for his crime, but it most likely will not make him own his problems and become a responsible individual.

Offenders must learn to be responsible, otherwise they will continue to commit crimes and victimize others in society. If these individuals are not taught at home, unfortunately someone else needs to try. However, the system is difficult to change since certain concepts have been implemented for years. Even the current probation officers, whether they realize it or not, feel that offenders are not learning responsibility. This is evident in such scenarios describing probation officers as "mommies and daddies", and believing that "judges should tell the defendant what to do". It is apparent that there is some confusion between what is responsibility and what is accountability. Anyone can be made

accountable, but learning responsibility will keep criminals from offending again. Clinical Psychologist, Dr. Stanton E. Samenow, accurately summed up this belief. "We are as we think. It is impossible to help a person give up crime and live responsibly without helping him to change what is most basic - his thinking. Criminals have been rewarded, punished, manipulated, probed for unconscious dynamics, and taught to read, work, and socialize, but they have not been helped to learn brand new thinking patterns in order to change their way of life" (Samenow, 1984, p. 257). Without a change of thinking patterns and lifestyles, many offenders will remain in the criminal justice system for much, if not all of their lives. Why keep the system acting as a garbage dump that allows offenders to remain stagnant and unproductive? Especially when the system can effectively alter some of its practices and recycle whom society has labeled "junk", and help create reusable, productive members of our communities.

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