

DIARY OF AN INTERNSHIP  
IN THE  
PIMA COUNTY ADULT PROBATION DEPARTMENT  
by  
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A Diary  
Submitted to the faculty of the  
Department of Public Administration  
in partial fulfillment of the requirements for the degree of  
MASTER OF PUBLIC ADMINISTRATION  
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1968

Approved: \_\_\_\_\_  
Director of Internship

\_\_\_\_\_ Date

## Statement of Purpose

The purpose of this Diary is to record the experiences of my Internship in the Pima County Adult Probation Department from January through June, 1968. Contained in its four sections, the reader will find a discussion of probation in general and the Pima County Probation Officer in particular, a record of typical daily experiences and attending commentaries, a section devoted to observations and recommendations, and an appendix. It is written for future generations of students with the hope that they will in some way benefit from the experiences and opinions contained therein. Finally, it is submitted to the Dean and faculty of the Department of Public Administration in partial fulfillment of the requirements for a Masters Degree in Public Administration.

SIGNED:

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## ACKNOWLEDGEMENTS

This document is the result of some four hundred hours of volunteer work in the Adult Probation Department of the Pima County Superior Court. It would have been impossible to have accomplished this task without the cooperation and consideration of the various members of the Department.

This writer is extremely grateful for the warmth and understanding he received from the staff during his Internship. I would like to thank Mr. Lionel E. Rombach, Chief Adult Probation Officer, for his consistent good humor and constructive advice. Grateful thanks also to Joseph Pobrislo, Daniel Sakall, and James Henry for their interest and contributions. I wish also to thank the secretaries, Mrs. Alfia Hutchison and Mrs. Virginia Moreno for their patience and perseverance.

Especially do I want to thank Mr. Robert E. Long, Chief Deputy Adult Probation Officer, not only for his able guidance, but for his many efforts in my behalf. Without his concern and continuing help, this work would have been impossible.

Finally, I would like to express my gratitude to Dr. Raymond A. Mulligan and Dr. June Morrison for their efforts in my behalf.

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**INTRODUCTION**

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probationary services are available, the offender who shows promise can be released to probation as in a more or less free state. His freedom is intended to enable the offender to

#### A. WHAT IS PROBATION?

The word "probation" comes from the Latin root meaning a period of proving or of trial. In theory and in practice probation evolves as practices intending to lessen or otherwise lighten penalties.<sup>1</sup> Predating the modern concept of probation are such practices as: benefit of clergy; recognition; bail; judicial reprieve; and the filing of cases.

In contemporary terms, probation is a section of the field of correctional care, which has legal, social, and personal implications.<sup>2</sup> In respect to the legal framework the offender is released by the court and is placed in free society with a responsibility legally binding him to the department of probation. The department, for its part, becomes legally responsible for the defendant's behavior in free society. Should the offender violate this legal contract he is subject to revocation proceedings. There is, also, the social aspect. Without the facilities of a probation department, the court would have no alternative but to send the offender to a term of incarceration. Because

investigation. It is the quality of the investigation which

1. David Dressler, Practice and Theory of Probation and Parole (New York, Columbia University Press, 1959), p. 6.

2. Robert Long and Daniel Sakall, Adult Probation Department Annual Report, (1962), p. 5.

For sentencing, the officer must, therefore, investigate

probationary services are available, the offender who shows promise can be released to function again as a more or less free agent. His freedom is intended to help the offender to change his attitude and to help to rehabilitate himself. The process is enhanced by virtue of the fact that his rehabilitation takes place in the real world in which he will have to learn to live. Then too, probation is a personal service in that it deals directly with the individual in developing a program of rehabilitation which utilizes all the facilities which are available in the community. The essential attribute of the probationary process is the one-to-one relationship between the probation officer and his client.

Probation is a process. It involves at least three steps which are carried out in an established way: Intake; Investigation; and Supervision.

The Intake process is accomplished through the courts. When a person is adjudicated guilty by virtue of plea or verdict, his case is forwarded to the probation department. The case is received and is assigned to a probation officer. Upon receipt, this officer then proceeds to the second phase.

Perhaps the most crucial phase in the process is the Investigation. It is the quality of the investigation which ultimately determines the quality of the court's sentence. If essential factors, through negligence or poor procedures, are not investigated, the judge will not have a valid guide for sentencing. The officer must, therefore, investigate

his client thoroughly. This necessarily includes the police report of the offense, the client's own statement of his offense, the client's family, educational, and social background, the client's marital, occupational, and financial status, his relative mental and physical health, and all other collateral information necessary to establish a clear picture of the client. This investigation, then, should unearth all the positive and negative factors inherent in the client and should be sufficient to determine whether or not the client is a good risk for probation. This having been done, the officer then compiles the presentence report which contains all the pertinent information and in concise form which is then forwarded to the judge.

If the Court places the offender on probation, then the officer proceeds to the third phase in the process. The role of supervision in a probation process is crucial. The officer must rely on his experience and talents so as not to smother the client. In effect, supervision is meant to be a passing thing. It is impossible for the officer to oversee all the client's behavior, therefore, the officer places him on his honor to report any violations of his probationary obligations. It must be remembered that treatment is the central aspect of probation and, therefore, supervision is meant to produce an atmosphere of respect in which the treatment may be carried out. Certainly, if an excessive amount of supervision is necessary, the client should not



have been availed of supervision in the first place. ability.

There are at least two aspects to supervision. On the one hand the probationer is legally obligated to the department. In general, these obligations are usually that he must not: 1. violate any law or statute of any kind; and, 2. that he report to his probation officer regularly, and abide by the specific requirements that he establishes. On the other hand, the officer is required to supervise a definite program of treatment. In the former case, the officer assumes the role of a Peace Officer, whereas, in the latter case, the officer assumes the role of casework counselor. The purpose of the Probation is treatment. This treatment process is oriented to the extent that it should produce in the client rehabilitation, and in some cases, a change of attitude. This does not necessarily mean total rehabilitation; it may mean enough treatment to allow the client to live an ordered life within free society. To be sure, the probation officer is morally obligated to carry the treatment process as far as his talents and the attending facilities in the community will allow. It must, however, be remembered, that the community must first be served, and that at least the minimum amount of energy is to be expended to ensure that the community is served. The actual form that the treatment assumes is determined by the offending personality. Though treatment may in effect be similar to that of other social casework, (Raymond A. Mulligan, "The Connecticut Parole Board") probationary case work is unique because it must.

at all times remain cognizant of the offender's criminality. The context in which the treatment program is outlined is that of the offense.

Probation is meant to deal with people on an individual level, "to the point that it is generally considered along with parole as one of the fields of social casework."<sup>3</sup> This one-to-one relationship demands a fluent communication between the officer and his client. Probation is not synonymous with caretaking, but, takes into consideration the client's individuality. Because the science of human personality and motivation is inexact, great demands tax the officer's reserve of knowledge and talent. The offender has not been excused from his crime, but rather, it has been determined that his situation warrants the application of techniques intended to make him once again a value in society. Communication is the officer's tool.

Probation is not leniency. Some would say that a defendant deserves to go to prison by virtue of the fact that he has committed a crime. The term "deserves" however must be qualified. Does it negate extenuating circumstances? Does it deny a favorable atmosphere for treatment? Does it fly in the face of good correctional theory? To all three questions, the answer is emphatically: "Yes." What an offender

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3. Raymond A. Mulligan, "The Correctional Services of Arizona," Arizona Review, Vol. 10, (December, 1961), p. 6.

<sup>3</sup>This statement reflects the author's opinion.

deserves is dictated not only by the nature of the act itself but also by the intent. Laws are to be applied given the circumstances of the case. An act committed without malicious intent is certainly not equal to the same act which was committed under gross negligence or a great emotional strain. To say that probation is leniency, therefore, is to be in error. To be lenient, the court would have to excuse the offender from the whole implications of his offense. The offender is placed on probation only when the facts of his particular case warrant such placement.

Probation is not punishment\* In effect, an offender is sentenced to serve a term of probation. He is not released unconditionally. Although he will have certain obligations which he must fulfill in order to remain free, he is relatively at liberty to determine his own future. The fact of the matter is, he does determine his own future by his own will and is not forced into the pseudo-determination of one who has been incarcerated. He must realize that his behavior, then, is always at the risk of revocation while he serves this term. The requirements of his probation, however, are not meant to serve as intimidating forces, but to remove from the defendant the emotional pressure of determining the degree of latitude of behavior he may exercise. The sentence to a term of probation, then, is meant to serve as a positive influence in the offender's life. Punishment, on the other hand, is a negative element and is inconsistent with the philosophical structure of probation.

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\* This statement reflects the author's opinion.

Finally, probation is people; man's humanity to man.

It assumes that given adequate resources and proper techniques socially deviant behavior can be brought into conformity with society's expectations. One essential of the probation process is that the offender maintains the dignity of his personality by being more or less a free agent in his community. It is essential that he help himself, but, it is a comfort to him to know that there is someone whose sole duty it is to serve his needs. Incarceration with hardcore criminals serves mostly to inhibit the rehabilitative process by frustrating the offender and by increasing his chances of recidivism by opening to him communion with experts in the finer points of criminality.

In conclusion, then, probation is a process. This process involves three distinct steps: Intake, Investigation, and Supervision. The fundamental purpose is to serve the community at large by providing a program of treatment for the purpose of rehabilitating the offender. In actuality, it is the offender who is served immediately; the community indirectly, by virtue of its carrying one less burden, in the sense that the offender himself is the central figure in his rehabilitation.

January 2, 1967. During this period of time there was an increase of 30 percent in the number of trials per Judge per four-day trial week.

**B. PIMA COUNTY SUPERIOR COURT**

The Pima County Superior Court is composed of some ten judges (see Appendix O for listing). These ten judges share as equally as is possible the load on the court calendar. Since territorial days, Pima County has been steadily growing and the burden of the court steadily increasing. Today, it takes the staffs of some ten Divisions to handle a load that only one man handled when Cochise was tried for murder.

At the beginning of 1967, there were nine thousand seven hundred and fifty five civil action cases pending. During the year 12,044 more cases were filed. Of the total, 10,883 were terminated, leaving a balance of pending cases for 1968 of 10,916 or 1161 more cases pending in 1968 than in the previous year.<sup>4</sup>

In 1967, there was a total of 1,785 of Trial Judge Days (working days), distributed between the ten judges in Superior Court and which also contained an extra two hundred and six days of outside judges on the Bench in Pima County. This would have to be an increase over the past year since two more judges were elected to the Bench and began serving on

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4. Edna Blank, Annual Report Relative to the Superior Court of the State of Arizona, Pima County, Tucson, Arizona, (1967) p. 15.

6. Edna Blank, op. cit., p. 31.

January 2, 1967: During this period of time there was an increase of fourteen percent in the number of trials per judge per four-day trial week.<sup>5</sup> In 1967 there were four hundred and sixty nine felony cases terminated, twenty-four misdemeanor cases terminated, and one hundred city and Justice Court appeals terminated. Of this total of five hundred and eighty-three criminal cases, 36.7 percent were terminated by trial; 41.5 percent either by plea of guilty or by change of plea from not guilty to guilty before trial. Only 21.8 percent were terminated by dismissal. Also in 1967, the number of hearings, that is, civil motions argued and submitted and orders to show cause and short causes increased by a total of two hundred and eighty over the previous year to a total of three thousand eight hundred and two. The Court Commissioner heard 46.7 percent of the orders to show cause and short cause hearings in 1967. The court was active in several other areas:

1. Probate Hearings.....	3677
2. Pretrial Conferences .....	694
3. Mental Health Hearings .....	744
4. Criminal Calendar .....	1245
5. Forceable entry and detainer trials .....	56
6. Cases heard in Ajo .....	110
7. Licenses issued .....	2965
8. Conciliation Court .....	552

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5. Edna Blank, op. cit., pp. 16, 17.  
6. Edna Blank, op. cit., p. 31.

The aforementioned constitutes a comparative analysis of the work of the court. The volume is statistically staggering and serves to point out the need for a centralized system.

In 1966 the Superior Court instituted a master trial calendar and assignment system. At that time the civil backlog was large and waiting time for trial by jury was sixteen months or a trial without a jury was eight months. Since the system became operational, the wait has been lessened to eleven months in the former case and three to five months in the latter case. This is not so much a commentary on the system as it is on those who are helping to make it work. The steadily increasing filing rate of cases, (civil and criminal cases increased by 3.6 percent with the total 1967 case load of 6,567), already puts major demands on the system. Since 1965 the judge's average load increased by 27 percent. Obviously more and better efficient methods are needed to say nothing of the fact that more jurists are needed.

one who is Chief Deputy, and three deputies. The chief is paid a salary of \$12,000; the Chief Deputy, \$8,000; and of

### C. THE PIMA COUNTY SUPERIOR COURT

the deputies are paid \$7,500 each, and the clerk is paid \$7,000. There are also two secretaries and one stenographer.

As early as 1907, five years before Arizona even became a state, a juvenile court was established. This was a pioneering event in a pioneering area. In 1927, the Adult Probation Law was enacted to provide probation officers in the two first-class counties: Maricopa and Pima. The duties provided by law for probation officers were:

1. Presentence investigations and reports
2. Supervision of probationers
3. Progress reports
4. Initiation of revocation proceedings
5. Keeping of records - each judge of the court.
6. Receipt and disbursement of moneys paid by court order.

In 1930 a Federal Probation Office was opened. Twelve years later, in 1942, the Interstate Compact was accepted.

As could be expected, the system was slow in moving state-wide; much of Arizona was still reservation.

As would be expected, salaries were low. In 1961, the salary ceiling was abandoned. At present, there are five

regular probation officers in Pima County, one who is Chief, and four who are deputies.

7. Robert Long and William Hibbs, Department Manual of Procedures, Regulations, and Instruction for County Adult Probation in the State of Arizona, (Unpublished) p. 1. Department of Public Safety, and at various times is given



expected to keep the monthly books. The judges, for their one who is Chief Deputy, and three deputies. The chief is paid a salary of \$10,000; the Chief Deputy, \$9,000; two of the deputies are paid \$8,400 each, and the third is paid \$7,800. There are also two secretaries who are each paid \$450 per month. The salaries and all the monies for running the probation department come under the Superior Court

the Chief Adult Probation Officer, Mr. Lionel Schuch, budget (some \$60,000).

At present, the offices are located at 112 West Pennington, Tucson, in the shadow of the courthouse, in a building which is about to be torn down for a new government center. This will take place none too soon, since the present location and physical setup do not enhance its role.

The Pima County system is unique in Arizona in that the officers have some ten bosses - each judge of the court.

The staff of the department is directly responsible to the Presiding Judge. In contrast to this arrangement in Maricopa County each of the twenty-two judges has his own probation officer who makes \$8,400. This writer has reviewed the relative disadvantages of the Maricopa arrangement and found it to be none too satisfactory.

The duties as outlined in 1927 still prevail. The Chief Adult Probation Officer under the present system is expected to be a jack-of-all-trades. Along with his regular duties of carrying on a case load, of administering the office, and the like, he is the intermediary between the

department and the judges, and at various times is even

expected to keep the monthly books. The judges, for their part, meet at regular intervals and take under advisement the Chief's reports and recommendations. In many respects, the judges have been generous in their control of the department. This is due, one suspects, in part, to the excellent results the department has produced.

The Chief Adult Probation Officer, Mr. Lionel Rombach, is responsible for all matters in his department. This includes the responsibility of all internal and fiscal matters, all statistics, and for all dealings inter-state and intra-state. He signs and attests to all presentence reports before they are delivered to the appropriate division. He is the administrator of the office and is the ultimate authority within the office itself.

His principle assistant is the Chief Deputy Adult Probation Officer who is Mr. Robert E. Long. This officer is empowered to act in the Chief's absence. He oversees the department staff and supervises all internal matters with respect to the department. He also maintains a normal caseload with all it entails.

The Adult Probation Office deputies, Mr. Joseph Pobrislo, Mr. Daniel Sakall, and Mr. James E. Henry, are responsible for all cases assigned to them and for the proper handling of presentence investigations and reports, and supervision.

They are also required to keep and maintain accurate records.

The secretaries are responsible for all clerical details,

typing, maintenance of files, preparation of presentence reports and correspondence and the receipt and disbursements of funds from clients in accordance with court order.

With respect to cases, the department offers its services to all Divisions equally. Normally, cases are assigned in a rotating fashion, except when it is expedient to do otherwise. Once assigned a case, the officer is responsible for the completion of the presentence investigation, the presentence report, and should the client get probation, for his activities while he is free.

The assignment judge prepares the calendar for the following week and it is usually available in the County Attorney's office on Friday afternoon. This judge prepares the calendar for all Divisions and sets the trial dates. The judges in all Divisions are generally available within reason to consult with the officers on a given case. When the officer has turned in a presentence report over to a judge, he is responsible to be available to the judge for consultation. Furthermore, the probation officer is expected to attend the sentencing proceedings for his clients. If he is unable to be present himself at this time, he is required to find a suitable replacement. The probation officer is to be ready to inform the judge of the facilities available in the department with respect to any given case.

The department, then, functions as a unit. Each officer has specifically assigned duties to perform. Each officer

in effect serves equally in the case load. The Department as individuals and as a whole is responsible to the Presiding Judge of the Superior Court. The Pima County Probation Officer has four primary tasks: Administrative; Investigative; Supervisory; and Treatment. Often these four roles are difficult to distinguish at any given time. As an administrator, he contributes to the running of the organization. He arranges and keeps appointments. He establishes and maintains records and keeps them current. He is responsible for facilitating cases in their various stages. All of this he must do while not conflicting with the Court Calendar. At various times, it may be left up to him to interview potential staff members, to seek out and secure office equipment, or otherwise to order and secure supplies and materials. As an investigator he is responsible to perform thoroughly this function. As a Peace Officer, he has access to the County Attorney's file, to the Field Index Cards of the police department, to the FBI records, to the Sheriff's Central Criminal File, and to the records of various other public agencies. He is responsible to maintain and include in his files all pertinent information he uncovers in his investigation. He should interview principles, witnesses, family, friends, and any other potentially contributing person who has had dealings with his client. It is essential that he

keep accurate records and that he document where possible the evidence he has uncovered. He is required also to request information from other agencies who have had prior dealings with his client, that is, for example, the Federal Government, the Military, The Bureau of Indian Affairs, The Internal Revenue Service, and others.

The fruits of his investigation go into the writing of a presentence report and form a central factor in the disposition of a case. Should he be investigating a client who is already on probation but has violated the terms of his probation, the result of his investigation may be revocation.

The probation officer is also the one who establishes a treatment program. In general, this is done as a result or by-product of the presentence investigation and report. Usually, before the probation officer recommends a possible disposition to the judge, the treatment program is already well in hand. Treatment can take many forms, from voluntary admittance to a mental health clinic to the extreme where the probation officer simply leaves the client alone. Usually, the nature of the motivation with respect to the offense determines how the officer may proceed. Crime has a cause; it is the causative factors that have to be eradicated. It is not necessarily the officer who in fact carries out the treatment program per se. He may very well solicit the aid of the other professionals, other public or private

followed an abuse of this position would be examined, organizations, the client's family or friends, or other

Like the judge, the officer must have some ethical officers. In some cases, once the offender is placed on and philosophical basis on which to approach his case work. probation, the officer's major role will be that of. It is incumbent upon him to utilize a definite criteria on supervision, after the treatment program from some other which to base his decisions. Without this, he is apt to source has been instituted.

wander aimlessly in his decisions and fail to establish the

The probation officer also is a supervisor. Each case possesses which is characteristic of professionalism. The demands a unique handling. Some clients need very little or probation officer is dealing with the most precious human virtually no supervision at all and are required merely to appearing -- freedom. It is an awesome responsibility to report on a monthly basis. Others needs a large degree of have another's very life in your hands, and a relaxing supervision, regular calls or visits and interviews. experienced to stand by and watch a client get sent to prison. Certainly, the more supervision a client demands the less on your responsibility.

likely will he terminate his probation period in a satisfactory

There is has furnished some basic thoughts on who should fashion. There is a point where the law of diminishing not be incorporated;

returns set in. Probationers should not be allowed freedom

- 1. no prior delinquency
  - 2. did not contemplate threat or harm
  - 3. results from circumstances unlikely
  - 4. human concern
  - 5. to see or physical condition
- if the case demands more supervisory facilities than the department can offer. Supervision is meant mainly to ensure that the probationer carries out the will of the court, that he is within the required limits of his probation and that the community and the client are protected.

Therefore, the probation officer has two responsibilities:

The probation officer has a awesome responsibility to a responsibility to the community; and a responsibility to act as the judge's confidant in the sentencing of an offender. his client. In this process it must serve the court, the The judge must rely on the probation officer's findings and advice, the individual, the community, and justice. This means opinions in determining his sentence. The probation officer,

therefore, becomes a powerful individual; without him, the

judge's task would be impossible, especially when one considers the present crowded calendar. It is essential, then, that

this awesome task must have established procedures to be

followed or abuse of this vocation would be common.

he has to be qualified not only in the obvious sense that  
 Like the judge, the officer must have some ethical  
 he has the necessary educational background and experience,  
 and philosophical basis on which to approach his case work.  
 but that he be emotionally and ethically equal to the case.  
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 This, to be sure, is the classic qualification, and is only  
 which to base his decisions. Without this, he is apt to  
 apt to be known as a respect, but it is nevertheless a factor  
 wander aimlessly in his decisions and fail to establish the  
 that must be present in the officer's personality. There is  
 consistency which is characteristic of professionalism. The  
 like the real value of the internship. When a judge, who  
 probation officer is dealing with the most precious human  
 has sat on the bench for years, plus a probation officer  
 commodity -- freedom. It is an awesome responsibility to  
 down to the basic facts in a case, the officer must be ready  
 have another's very life in your hands, and a sobering  
 to proceed with exactly what is being required. With his  
 experience to stand by and watch a client get sent to prison  
 opinion is on the line, it is too late to go back and try  
 on your recommendation.

to think what Goble said about this situation. Professional  
 Tappa n has furnished some basic thoughts on who should  
 interview is an absolute which applies and pertains to  
 not be incarcerated:  
 officer's discretion.

1. no prior delinquency
2. neither caused nor threatened violence
3. did not contemplate threat or harm
4. stress and strong provocation existed
5. resulted from circumstances unlikely to recur
6. victim consented
7. prison would be excessive hardship due to age or physical condition

Basically, the probation officer has two responsibilities:  
 the whole system of justice places on him.

A responsibility to the community; and a responsibility to  
 his client. In this process he must serve the court, the  
 office, the individual, the community, and justice. This means

he has to be qualified not only in the obvious sense that he has the necessary educational background and experience, but that he be emotionally and ethically equal to the task.

The officer's first contact with the aliens comes within This, to be sure, is the elusive qualification, and is only a matter of minutes of the time he is adjudicated guilty if apt to be known in retrospect, but it is nevertheless a factor as it is free to hold, or a matter of hours if he is in custody. that must be present in the officer's personality. Herein In this first interview, the officer is expected to question lies the real value of the Internship. When a judge, who the aliens in order to fill out the initial information has sat on the Bench for years, pins a probation officer sheet, (see Appendix I). The questions herein are calculated down to the basic facts in a case, the officer must be ready to give the officer established procedures to follow, to give to respond with exactly what is being required. When his has a guide for gathering necessary information and a full opinion is on the line, it is too late to go back and try get complete picture of the offender, his family, and his to think what Cooley said about this situation. Professional

integrity is an absolute which applies and permeates the Upon being introduced to a client, the client is first officer's vocation.

apprised of certain specific information, and often, is shown It is only reasonable, then, that in this department the officer's badge. He is told that the probation officer the officer is encouraged, indeed required, to consider his is about to do and why; gather information as the investia- work as a life vocation and not just a job. He is encouraged, tion of his case for the purpose of filling out his pro- furthermore, to continue his education both as a part of his centence report. He is told also that all the information work. Anything less would be a violation of the trust that will be held in the strictest confidence; that, for example, the whole system of justice places on him. even his own lawyer will not have access to the report.



arrested, and to institute probation proceedings. If this be the case, the **W.D. INITIAL INTERVIEW** precedes charge.

This being done, the probation officer then begins to question the client. In matters of a matter of minutes of the time he is adjudicated guilty if he is free on bond, or a matter of hours if he is in custody. In this first interview, the officer is expected to question the client in order to fill out the Initial Information Sheet, (see Appendix I). The questions herein are calculated to give the officer established procedures to follow, to give him a guide for gathering necessary information, and a full, yet concise, picture of the offender, his family, and his background.

Upon being introduced to a client, the client is first apprised of certain specific information, and often, is shown the officer's badge. He is told what the probation officer is about to do and why: gather information in the investigation of his case for the purpose of filling out his presentence report. He is told also that all the information will be held in the strictest confidence; that, for example, even his own lawyer will not have access to the report.

Only the department and the judge will have access to his file. He is then informed that the probation officer cannot send him to jail nor place him on probation. This is the judge's prerogative. Should he be placed on probation and should he later violate the terms of his probation, then the probation officer is empowered to arrest him, or have him

arrested, and to institute revocation proceedings. If this be the case, he will be sentenced on the previous charge.

This being done, the probation officer then begins to question the client. He gathers the following information:

1. name, alias
2. address, previous address
3. where born and when, what race
4. physical description - hair and eye color, height, weight, personality
5. religion
6. identification marks
7. citizenship
8. name, age, address, and occupation of father
9. name, age, address, and occupation of mother
10. stepparents
11. names and ages of siblings
12. when and where married, name of first spouse
13. present state of marriage, divorced, separated
14. names and ages of all children, in or out of wedlock
15. grade completed in school
16. ownership of property, assets
17. trade or occupation
18. offense committed
19. military record and discharge
20. juvenile record, police record
21. name and address of employer
22. health
23. personal habits
24. financial status
25. restitution
26. others involved
27. background

When this information is completed, the probation officer may ask the client to write a short autobiography and a letter to the judge, and may use the pattern of the guide to be found in Appendix K. As indicated elsewhere in this work, these assignments are as much for the benefit of the probation

officer in his understanding of the client as they are for the judge's knowledge of the extenuating circumstances.

The probation officer then proceeds with the investigation. In his investigation he utilizes the file of the County Attorney the police department and the FBI. The probation officer meets with his client many times as he thinks it necessary to glean the facts of the case and the factors of personality he needs to compile a valid presentence report. During the time when the officer is filling out the initial information sheet he may gather the names of various people he chooses to use for recommendations. He may at various times select to visit the client's neighborhood, his family, his Minister, his friends, or his employer.

Every investigation must be completed within the time which is determined by the date of sentencing. The presentence report must be completed and presented for typing so that it may be finished the afternoon before sentencing and presented to the judge.

4. procedures to be followed in emergencies
5. His relationship with his family, friends, E. INTAKE unit, etc. and with the police and community at large.

Immediately upon the passing of sentence, the probation officer whose client has been granted probation should make an appointment with his client. This appointment should follow as closely as possible the sentencing. For the most part, he can be brought to the office immediately and there have explained to him the terms of his probation. In general, they are: that he violate no law or statute of any kind; and that he obey the regulations of the probation department and report to it as required. As soon as is practicable, he is given a copy of the disposition sheet (see Appendix L). This probation order is a legal document prepared by the respective Division in the Superior Court which outlines the general conditions of the probation. It is obtained by the Clerk of the Superior Court's office. A copy is kept on file in the department. At this time he is told when and how to report and any other specific information that he might need to know with respect to the special terms of his probation. It is required of the probation officer to outline in detail the treatment plan and explained exactly what is to be expected of the probationer. The interview should include where appropriate:

1. special conditions
2. reporting method and time
3. restitution

4. procedures to be followed in emergencies
5. his relationship with his family, friends, the department, etc. and with the police and community at large.

By this time, it should have been determined that the client has a suitable residence, access to food and clean clothes, and has a job or other suitably responsible activity, such as schooling. Where restitution is involved, the client is told that the payments will be made by the probation office and a record of payments will be kept on file. Where necessary, the probation officer will help the client to organize his finances around this responsibility.

The Intake Interview which follows closely upon sentencing is a rather anti-climatic. The probation officer has already carried out the investigation and has interviewed the client thoroughly, and has determined whether or not the department has the facilities and the client the promise for probation in the particular case. He has already spoken to the judge regarding the case. In a sense all this work has been the "building blocks" phase of the case work. The post-sentencing phase is one of maintenance: ensuring that the client is responding to treatment, supervision, and is within the demands of his obligations.

G. SUPERVISION

F. POST SENTENCE CARE

Thus begins the period of supervision. Each officer is

If the client is free on bond when he comes up for sentencing he is released outright. If he has been held in custody a release order must be issued by the Bench before the client will be set free. It is the responsibility of each individual probation officer to obtain this release. If it be the case, the probation officer is to appear at the jail to accept custody of the client from the jailor. If the client is faced with a "hold" for cause, and if it is feasible, given the circumstances, the probation officer may remain with his client until he is released. It is important that the client be supported while waiting action on a civil or traffic matter, and furthermore, this support in time of need should greatly enhance the role the probation officer will play in the client's life.

## FIELD VISITS

IN GENERAL, SUPERVISION should not make un-announced field visits so as to give the probationer the feeling he is being "spied upon." Unless requested by the Chief, Thus, begins the period of supervision. Each officer is only as actually agreed upon in another place, responsible for supervising his own clients. Supervision probationer continually fails to report, upon receipt of should be approached as case work. do so contact the proba- tioner in any other way, no such home contact periodically, but. Since the subject of supervision is reviewed elsewhere, here, to prevent the family for consultation, or so distribute in this work, only the following will be considered here:

Any other field workers should be in the proba- tioner's interest. Local Supervision not appropriate. The probation officer may be needed to counsel the family, arranged. All cases belonging to the jurisdiction of this county are covered in this category. Officially, the pro- bation officer's jurisdiction is coincident with that of the county.

### State Supervision

This term applies to the clients placed on probation in this jurisdiction but who are now supervised by other officers in the state. Transfer of supervision from one jurisdiction to another within the state should be handled by mail where possible. Upon acceptance by another jurisdiction of a case, the full records of the client should then be trans- ferred.

Where feasible, a client who lives in another juris- diction in the state may be supervised by mail. In this case, local jurisdiction will be maintained.

### Out-of-State Supervision

All out-of-state supervision will be conducted in accordance with the Interstate Compact where possible. Trans- fer of cases will proceed according to the accepted procedures and only with the receiving jurisdiction's permission.

Out-of-state probationers may also be supervised by mail.

### Supervision by Mail

The Chief may approved supervision by mail. In this case the client remains under the direction of his probation officer. His correspondence is kept on record and he is ex- pected to report as would any other given the circumstance of of his case. He is to report by mail monthly, and expected to inform the probation officer of changes of address, occupa- tion, or marital status as they occur.

### Field Visits

In general, the officer should not make unannounced field visits so as to give the probationer the feeling he is being spied upon. Unless requested by the probationer, visits should take place in the office, or only as mutually agreed upon in another place.

Field visits, are demanded, in the case where a probationer continually fails to report, upon receipt of information some specific complaint, when unable to contact the probationer in any other way, to check home conduct periodically, but with the prior understanding that these checks would be made, to prepare the family for termination, or to institute arrest and revocation proceedings.

Any other field contacts should be in the probationer's interest when it is deemed most appropriate. The probation officer may be needed to counsel the family, to intercede with the employer, or otherwise to offer professional services in the client's behalf.



#### H. TERMINATION

There are several ways in which a term of probation may be terminated. The normal situation is that of the "termination on time." One month before the time for termination arrives, all the necessary arrangements should be made. The client should be counseled and prepared for this event.

The week before the termination time, the court should be informed and the judge given the opportunity to have an interview with the client should he so desire.

On the time specified, the client should be presented with the certificate of satisfactory completion of his probation. Needless to say, the probation officer should take this opportunity to congratulate the client on his achievement and to encourage him to continue his good behavior. If possible the probation officer should stand ready to aid the former client when called upon in the future.

Termination may occur for cause. In the case of blatant disregard of terms, the probation officer should institute revocation proceedings, and arrest, or have arrest, the client or otherwise insure his presence in court for the revocation hearing. In the case of revocation proceedings, the probation officer should thoroughly investigate the circumstances surrounding the cause, be they arrest for subsequent criminal acts, failure to report, or other misconduct, draw up a report

to be presented and discussed with the judge who handled the client's trial, and prepare a revocation petition.

A client's probation may also be terminated by court order when circumstances warrant by the preparation of a petition for early termination. It is not unusual for a probationer to be rehabilitated before the normal termination of his probation period. If this be the case, the court may show further mercy by terminating his probationary period early.

The probationary term may be terminated by death.

**PART II**  
**THE DIARY**

February 3, 1968

This is my first visit to the Adult Probation Department of the Pima County Superior Court. I talked with Mr. Joseph Pobrislo in general terms about probation and about the Pima County Adult Probation Department. I was given the opportunity to express my views regarding probation in general, and have them criticized by Mr. Pobrislo. By way of explanation he said that he had in effect ten bosses, and that this office worked for and was supported by the Superior Court. Despite his casual manner, I came away sobered by the weight of the work. I was already quite certain that this profession was not one to be left at the end of the day -- it continued as a twenty-four hour responsibility.

February 12, 1968

I again visited the office and again had an interview with Mr. Pobrislo and this time discussed the personalities of the ten judges who comprise the Superior Court. From this discussion I observed that these men and women are each unique and demand certain peculiarities of approach. He intimated that after a while, one gets used to dealing with each individual judge and can predict his focus on a given case and be able to draw up a presentence report to conform with the judge's desires.

I accompanied Mr. Pobrislo to Division Ten to meet Judge Fenton, who proved to be unavailable. I spoke with

the judge's bailiff, a retired Colonel, who adds a real degree of poise and sophistication to Judge Fenton's courtroom. With him, I talked about various courtroom procedures.

Walked around the courthouse to get the feel of the building and its people and get to know where the various divisions were located.

February 14, 1968

Today I had a long interview with Mr. Lionel Rombach, Chief Adult Probation Officer, in his office. We discussed the department and its various peculiarities. He explained the local system compared with, for example, Maricopa County, where each judge has his own personal probation officer.

I had the opportunity to explain to Mr. Rombach my conception of the work that I intended to do. He suggested several ways that I could proceed, and left it for me to decide how I would continue. I felt that my Internship would be unique in that it would at first be done on a part-time basis. As I conceived it, it would be accomplished in three separate stages.

The first stage would be oriented around observation. I would get the feel of the office, its workings, and staff. I would travel with the officers and meet the people with whom they had dealings, visit and become familiar with the places they were obliged to go, and basically, try to see the work as an integrated whole, but from a short distance. I expected to stand on the sidelines and witness how they

operated when they were in court or in a jail cell.

The second stage would be that of casework and would begin when I became directly involved in cases. At first, I would only assist Mr. Long with his cases, and then when I felt ready, I would assume cases of my own. I felt that the more familiar I had become with the overall procedure, the more successful I was apt to be in dealing with my own clients.

The final stage would be to arrange, review, and draw conclusions from the work that I had done and to prepare a Diary as a written record of that work.

A valid criticism of this approach was expressed in that it might make my work progress too slowly. I agreed that this criticism might be valid if it were not tempered by the fact that the carrying of a full academic schedule precluded handling cases and giving them the attention they demanded. The criticism is further tempered by this writer's conviction that the more gradual the introduction to the processes of probation the better officer one is apt to be. This conclusion is based on the experiences gleaned from another internship program in which this student participated several years ago. Thus it is with this approach that the Internship began.

February 20, 1968

I visited the Pima County Jail with Mr. Rombach. I was

shown through the outer reception area and introduced to several officers there. I was taken into the inner reception area and it was explained to me by an officer there of the procedures which are carried out when a prisoner is taken to the jail.

I was then taken and introduced to Sheriff Waldon Burr. The interview was casual and friendly. I was also introduced to the Under-sheriff, Mr. Wycoff, who also passed social niceties. These two gentlemen expressed interest in the program and appeared to be in favor of the program and probation in general.

On the way to the jail, we stopped at the Pima County Motor Garage area. Since the Probation Office is a county function it has access to county automobiles. The department has two such automobiles which are used generally by the Chief and the Chief Deputy, but which are also available for use by other members of the department.

February 21, 1968

I went to the jail with Mr. Long and was again introduced to several people before entering the inner reception area. I then witnessed an interview in the Interview Room next to the cellblock as Mr. Long talked with his client. This happened to be the initial interview with this client, and I was impressed by its progress. I was also impressed by the client and by his personal story, as much as I was by Mr. Long's ability to

get facts and not fiction. The client was well-kept, very polite, and cooperative. I purposely made no judgment as to what I had heard, preferring to talk with Mr. Long first.

Before leaving the jail, I was introduced to Mr. Stan Cheske who is a police photographer. He explained the various aspects of his work. He showed some typical examples of his assignments, now made the more vivid by "living color."

February 22, 1968

Today I spent some time witnessing the operation of the court in two divisions during Arraignment proceedings. The procedures were as I had known them from past experience. The outstanding feature was the judge's almost overwhelming concern for a defendant's right to legal counsel. The procedures for securing legal counsel sometimes grossly slow down court business, but the law is emphatic that the Bench must see to it that the defendant has access to counsel.

February 27, 1968

Mr. Long took me with him to Division One to meet with Judge Collins. The judge was very busy at the time but, nevertheless, invited me to talk a bit and offered all his facilities for my use. He spoke further about the role of probation and the officer in his court and stated that because of the work of the probation department, his work was made much



simpler and more realistic and his sentencings more valid.

I sat in Division One and witnessed a sentencing.

February 29, 1968

Today I allocated several hours to the purpose of becoming familiar with where things were in the office. I began familiarizing myself with the files and the filing system and was given full access to all records. I began also to review selective cases, reviewing the presentence reports and the various other contents of the files. I was immediately impressed by the vast extent to which an officer investigates his client's case, and, oddly enough, by the continual use of technical language, and by the happy medium between thoroughness and brevity.

I reviewed several cases which were now pending and prepared to follow them through. I feel this process is absolutely necessary in order to follow the procedures utilized from the moment the case comes into the department until the disposition and the possible supervision of a new client.

I attended the sentencing in Division Ten. Judge Fenton reviewed thoroughly from the Bench the facts of the defendant's background and of the offense. In the process, he explained very thoroughly to the defendant how he must look at the case from the point of view of law, and how the law applied to the case. In this particular case, he found a preponderance

of positive factors and he decided to continue sentencing for three months to give the defendant the opportunity to prove he would and could live a constructive life in a free society. I was rather interested in this approach to sentencing. My first impression was that it delayed the whole process considerably and added to the burden of the Court by now making it necessary to bring the defendant back to Court at a later date. I judged this attitude to be premature and looked forward to understanding the wisdom behind this process later. I would learn later that there is subtle wisdom behind this judge's attitude.

March 4, 1968

I spent one of several typical days reviewing cases in the files and presentence reports.

March 5, 1968

I spent the day going through Mr. Long's personal files and reviewing work that he had done over the years in various areas relating to probation. I began reviewing, also, the Manual of the department compiled by Mr. Long and by Mr. William Hibbs. The work is the only one of its kind in the County and, indeed, the whole state.

March 12, 1968

Today I had an interview with Mr. Rombach regarding the progression of my work. At this particular time, we discussed how I might orient my Diary when the time came. He inquired as to how I was progressing, and I had to admit, that there were not enough hours. It was already quite clear to me that once you become involved with this work, your desire is to become the more involved, and time begins to lose all meaning.

During this interview, we also discussed relative positive and negative factors surrounding on the one hand studying in the correctional field, and on the other hand actually working in the field. No conclusion was reached, but, it was food for thought for in depth questioning later.

March 14, 1968

In the company of Mr. Long, I went to the Pima County Jail to interview John \_\_\_\_\_, age 19. I again stood by as Mr. Long conducted the interview. This soft-spoken, mild-mannered individual, who makes an excellent first impression, was polite and cooperative. This first interview was cut short by other commitments, but the initial information sheet was filled out. Mr. Long asked John to write a short biography of himself, and gave him a pad for the purpose. We informed him that we would again visit him soon, but, while not telling him, only after we had reviewed the County Attorney's file on him and checked his record.

March 19, 1968

We returned to the jail to visit John \_\_\_\_\_. This time the interview took on a whole dimension. Prior to this interview we had scrutinized his record and discussed it thoroughly. He was involved in offenses in Florida and Georgia and was on probation in Florida but transferred under the Interstate Compact to Georgia. We had spent a considerable amount of time trying to contact the proper authorities in Florida and once we finally got to them, we learned that our new client was not a promising individual. The defendant had not proven to be a good risk for them. Furthermore, he had had a long history of psychiatric treatment, had threatened his parents and several others with bodily harm, and seemed to be subject to wild ideas and delusions of grandeur. From the County Attorney's file it was learned that John had driven across the country with his fifteen-year-old wife to seek employment in California. He intended to get into the movies, preferable war movies. When they arrived in Texas they ran out of money. They met another fifteen-year-old female who was a runaway from California. To replenish their supply of money, the client had his wife and the other girl prostituting for him. From this, they got enough money to drive on to Tucson. In Tucson, they again ran out of funds. They checked into a local motel and the defendant told the motel attendant that he had a couple of young girls who were for sale. The word

was passed and two potential customers arrived. They were led into the room and began getting familiar with the girls. Suddenly the door to the bathroom burst open and the defendant came out pointing a gun at the victims. He robbed them at gun-point and released them with the warning that if they notified police he would kill them. The victims went into a nearby restaurant and called the police. John was subsequently arrested, and up to the day of his interview, he had been in jail five months. His charge had been reduced to GRAND THEFT.

March 21, 1968

I spent the day in company with Mr. Long. We had the initial appointment and interview with Charles \_\_\_\_\_. He was charged with and found guilty of a charge of one Count of USING OF TELEPHONE TO TERRIFY, INTIMIDATE, THREATEN, HARASS, ANNOY, OR OFFEND, a high misdemeanor.

In this initial interview it was learned that he was adopted when he was a child, that his stepfather had passed away, and that he also was an epileptic. He had no previous criminal record but had once been a suspect in an arson case (no conviction). Now 21, he was limited in his future activities because he was also mentally retarded, a fact known since he was three.

A contact with the Arizona Treatment Center revealed he had been under their care, that he had been referred to the State Vocational Rehabilitation Center by the Southern

Arizona Mental Health Clinic.

The interview revealed that he was intensely interested in following court room dramas and proceedings. He was an avid viewer of the television program, "Divorce Court." He had recently become interested in the fact that some local judges were barring the press from capital trials, citing one contemporary murder trial. He also became interested in articles written by a University of Arizona professor who criticized the judges for barring the press. He reacted by calling the local judges from July through December of 1967. During the course of many of these telephone calls, he used all forms of profanity and various times called the judges at home as well as the office. At times, he was to tie up the lines so as to prevent the carrying out of normal office business.

He was finally caught when a visiting babysitter at one of the judge's home recognized his voice when she answered the telephone. He later identified himself to her and was then arrested. Upon arrest, he admitted that he was doing wrong and that he knew it was wrong.

March 26, 1968

Another interview with John. The whole tone of this interview had changed by the revelation of his prior record. During this interview his psychiatric record and background was probed. In the meantime, since our last talk with John, a letter had arrived from the Probation and Parole Commission

Ocala, Florida. This letter authenticated his probation record, noting that he had received a year's probation for PETIT LARCENY. It was to inform us also, that there was a warrant outstanding for his arrest but this warrant was never served because the subject never went back to Florida. This warrant is still active and will be served at such time when the subject returns to Florida. The contact with the Georgia authorities had produced the knowledge that the defendant had threatened his parents with bodily harm and that they were trying to get him committed. It also stated that John's father was a Presbyterian Minister, who was at present a Navy Chaplain. During March of 1966, he had been committed to the Georgia State Mental Hospital on a diagnosis of Lunacy.

March 28, 1968

I spent my time reviewing the facts in the case of Charles. I could find no precedence in the office files for either his case or for the case of John. Finding a precedence enabled me to have some idea how the case would be disposed and how this disposition would be arrived at, given similar facts and situations.

April 2, 1968

I reviewed Mr. Long's Presentence Report on Charles and John and proof read them, while making minor corrections.

I accompanied him to the respective Divisions to deliver the Presentence Reports to the Judges.

April 3, 1968

I attended the sentencing for John. He was sentenced to the Arizona State Penitentiary for a period of from three (3) to five (5) years. Because of prior commitments, I was unable to attend the sentencing for Charles. I learned later that he was placed on probation for a period of one year. Both of these cases were disposed of in a manner consistent with what the officer recommended.

April 17, 1968

I drove with Mr. Long to Pasqua Village, an ethnic ghetto, a mile from the heart of downtown Tucson. This area is composed of minority groups - Indian, but mostly Mexican-American. It supplies the community at large with a high percentage of delinquency problems. While driving through the dusty streets, we encountered two of Mr. Long's probationers. We stopped and talked to them for several minutes. One had just run away from a Vocational Rehabilitation Center in Phoenix where he had gone for treatment. An epileptic, he had left his medicine in Phoenix along with his clothes and had not returned to get them because he was afraid that he might be kept there against his will. He was assured that this was not the case, but Mr. Long



volunteered to retrieve the supplies and have them forwarded to the lad. Several moments were spent trying to persuade the boy to return. He admitted that he was healthier there than he had been for several months.

While talking with these two probationers, two Tucson Police Department detectives drove up and talked for several minutes. The conversation was jovial for the most part but it was rather obvious that they were hinting to the two boys that they were aware of several less-than-entirely-legal events and of these two boys' part in them. In short, it was a shrewd attempt to give these lads a chance to clear themselves.

We returned to the office and discussed the neighborhood we had just visited.

April 22, 1968

A new dimension was added to my Internship today. I received my first case, that of Jesse \_\_\_\_\_. I went to the County Attorney's office and to the Records Division of the Police Department to get his files. For a lad of 17, he had an extensive record. I learned that on two occasions he had been committed to the Arizona State Industrial School for aggressive acts. I studied the victim's and the investigating officer's reports of the offense carefully.

April 23, 1968

I drove to the County Jail and interviewed Jesse. He was a rather large and well-built Negro, who looked older than he actually was. His family lived in Marana and were migrant workers. Jesse had not been home for several months. He had spent a lot of time being shifted from one foster home to another after having been released from the Industrial School. He had worn out his welcome in most of the foster home situations and had lately been sleeping in one of the two junk automobiles that he owned. His offense was listed as BURGLARY, but, the initial charge of ASSAULT and ATTEMPTED RAPE had been dropped.

He related a background of a relatively normal family life. He had a stepfather, who he said did not like him very much. He was one of ten children, the only one, it seems, that was a disciplinary problem. We talked at great length about the offense. He was not reluctant to talk about the events surrounding the offense, but was rather obviously reluctant to talk about the assault. He had been drinking with some friends and they took to driving around the neighborhood looking for excitement. They kept taunting Jesse and daring him to walk into a house and steal a television set. He refused and they kept pouring more wine into him until he agreed to do it. As he went to the house, another of his companions stood outside the door. Jesse banged into the glass and broke it, in an attempt to un-

latch it. In the process, he lacerated his left wrist deeply. He entered the house and there was a teenage girl at the kitchen table. In the course of his unannounced visit, he grabbed a knife and tried to tear the girl's clothes away, while threatening her with the knife. When he could not get her pants down, and becoming frightened over the large issue of blood from his wrist, he ran out of the house dropping the knife on the front lawn.

I filled out the initial information sheet and I gave him an assignment. I asked him to write an autobiography and a letter to the judge. I suggested several topics that I wanted him to cover in his autobiography.

Jesse was very slow of speech and his responses were exceedingly slow in coming. I gathered from my initial interview that he did not possess full mental capacity. My request, then, for an autobiography and for a letter to the judge were commissioned mainly for the purpose of understanding the defendant's attitude and for his understanding of his own past, present, and future.

I went back to the office to review the interview and to plan the next one.

April 24, 1968

At the request of Mr. Sakall, I reviewed the County Attorney's and Police files on a triple homicide. He

explained the facts of the case and the results of some tests which had been conducted on the client. He also reviewed a personality profile that he had conducted personally and pointed out interesting results in the defendant's personality.

During the course of my review I had to pore through several photographs of the scene of the crime and of the autopsy. In a situation like this, where two very young children are involved, it is very difficult to separate emotions from professional objectivity. It is further difficult to conceive how a crime of this magnitude can be committed.

April 26, 1968

Today I visited Jesse for the second time. He had not done the things I asked to do because he had been placed on solitary confinement for fighting. I talked to him at great length about his penchant for aggressiveness. According to his record he has been involved in several aggressive acts, notably: Assaulting a teacher with a razor blade; striking several students; and attempted rape. He is easily led into violence and easily provoked. I chastised him for fighting while in custody and tried to counsel him out of an extreme depression. He had just learned of the death of his grandmother in Texas. During the interview he became

morose and kept repeating that all that was left for him was jail so what was the use of fighting it. I tried to get him to open up more but he increasingly became depressed and preoccupied with his possibility of going to prison.

I returned to the office and discussed with Mr. Long an arrest that he had made that morning of one of his clients who had violated the terms of his probation.

April 30, 1968

I accompanied Mr. Long to the jail. He interviewed Robert \_\_\_\_\_, the probationer he had arrested the previous week while I talked to Jesse. I had intended to cut my interview with Jesse short in order to participate in Mr. Long's interview, but Jesse's emotional state was again such that I felt obliged to spend as much time with him as I could. Jesse told me that he had written to the judge but that his handwriting was so poor that he had asked someone to type it for him. He told me to get it at the desk as I went out. He did not seem to be as depressed today as he was the last time that I saw him but he was anxious to talk and I to listen. At the conclusion of the interview, we talked at great length about his jail behavior. I tried to explain to him how his demeanor would be made a matter of record and that this record would come to the attention of the judge. If he were to be continually a disciplinary problem, the judge would take this into consideration when he sentenced

him. This part of the interview was important because Jesse had confessed to me that he had again been placed in solitary confinement for fighting.

I did not get the opportunity to talk to Robert because my appointment with Jesse took longer than Mr. Long's did with Robert and he was already back in his cell when I finished.

Before leaving, I checked at the front desk to see if Jesse's letter had been typed. It had not, so I made a note to come later in the week to get it.

May 2, 1968

Today I sat in court during some of the proceedings in the trial of Juan who it would turn out later on would be assigned to Mr. Long. He was on trial on the charge of POSSESSION OF NARCOTICS (HEROIN). During the trial, he acknowledged the use of narcotics for some four months. He was found guilty as charged and sentencing was set for May 17 which was later to be changed to May 21.

May 3, 1968

I went to the jail again to get Jesse's letter and to talk to him. I learned to my dismay that Jesse had again been involved in a fight and was again in solitary, this time for a period of six days. I could not locate

the letter so I asked to talk to him briefly. I was allowed to yell through the access door to his cell (in solitary there is only a steel bench, a hopper and sink, no lights and the prisoner is not allowed to wear clothing). There now seems very little that I could do for Jesse. If he cannot behave while in jail, he certainly would prove to be a poor risk in society.

May 7, 1968

I spent most of the day putting Jesse's presentence report together and typing up a rough draft. Mr. Long reviewed my work and approved of it. For all the effort, it was a short report (see Appendix A).

May 8, 1968

I dictated Jesse's Presentence Report and gave it to the secretary to be typed. While it was being typed I spent my time reviewing other cases that were still pending. When the report was finished I brought it to the appropriate judge.

May 14, 1968

I talked with the judge at great length about Jesse. Our conclusion was unanimous. The discussion was finally relegated to the number of years he should be sentenced.

My recommendation was that he be sentenced to a term of from four (4) to ten (10) years. The charge of BURGLARY carries a disposition of from one to fifteen years. The judge decided he would sentence Jesse from three (3) to five (5) years in the Arizona State Penitentiary.

Later that morning I attended Jesse's sentencing. I watched him very carefully as the judge reviewed from the Bench his past record and the prospects for his future. Jesse showed no visible emotion, but, rather, hummed to himself. When the actual sentence was pronounced he bowed his head and the tears came.

May 15, 1968

Today I attended revocation proceedings. In the judge's chambers the case was reviewed thoroughly. This was the lad that Mr. Long had arrested several days ago. The grounds for revocation were the passing of bad checks, statutory rape, and failure to report. (See Appendix H). The case was delayed when the attorney for the defense could not be found at the time set for the hearing. He had apparently failed to review the case at all until he arrived in the court room. The judge graciously delayed the hearing long enough for him to sift through his files and talk with his client.

Mr. Long was put on the stand to testify on behalf of the Department and was cross-examined by the defense



attorney. It was brought out that the defendant was still married but that he had been having sexual relations with a fifteen-year-old girl who must have been fourteen when she became pregnant by him. The defense attorney volunteered his services free of charge in handling divorce proceedings for the defendant so that he might marry the fifteen-year-old girl. He said that he would voluntarily assist the defendant in securing restitution for the bad checks that he had passed.

The judge asked the attorney if the defendant's wife was willing and anxious to get a divorce. The attorney said that he did not know. The judge asked the attorney if the parents of the pregnant girl were anxious for her to marry the defendant. He replied he did not know. The judge asked the defense attorney if the victims who had received the bad checks wanted to prosecute. The lawyer again pleaded ignorance. The judge further questioned the defense counsel as to whether or not he knew how many bad checks the defendant had passed in former years. The lawyer this time just shook his head in a negative sign.

The judge then reviewed all the facts of the defendant's former case and the facts leading to his arrest. In concluding that there was a preponderance of negative factors, he sentenced the defendant to serve a term in the Arizona State Penitentiary for a period of from three to four years.

May 16, 1968

I spent the day working in the office which included an interview with Juan. I reviewed his information sheet and several other narcotic cases which were similar in nature.

I re-read Mr. Sakall's notes on the triple murder. This case is extremely involved and makes for an interesting study.

May 17, 1968

After arriving in the office in the morning I was told that they had tried unsuccessfully to contact me the day before to tell me to attend a Mitigation Hearing that morning for Raymond \_\_\_\_\_. I was given the County Attorney's file on the case and told that Ray was waiting outside the office to see me. I interviewed the client in the office without reviewing his police report, or the County Attorney's file. I filled out the Initial Information sheet. He was extremely cooperative, going to great lengths to give me all the information I requested. At the end of the interview, however, he said that he wanted to return to Reno, Nevada, where he had a job waiting for him. I told him that I would not have enough information nor enough time to gather same in one afternoon. That morning Ray had pleaded guilty to one Count, reduced from three Counts, of VEHICULAR

Manslaughter. I asked him if he could see any reason why he had to return home before Monday or Tuesday next. He said he would stay as long as was necessary but he could not afford to stay on in Tucson indefinitely. I suggested that he not trade a few days of time for the possibility of several years in jail, and the matter was settled. I found it very difficult to believe that he would argue such a point but I would later learn that time for him at this juncture was very important. I set up another appointment for the following Monday and let him return to his attorney's office.

I spent the rest of the afternoon gathering records and files of his offense. I reviewed these and photographs of the offense carefully. He had been involved in an automobile accident in which he had been traveling the wrong way up on a one-way street, and before which, he had been drinking. The collision which ensued killed three people.

I had a long telephone conversation with one of my client's attorney who read some of the letters of recommendation he had received which stressed his client's good behavior. I felt at the time that the lawyer's interest was to be commended but that he was obviously biased by virtue of his representing Raymond. I took his opinion and regarded it with some discretion. The lawyer offered

all his facilities to help me dispatch the case. He suggested the names of several local people who could be contacted who knew Ray when he was foreman at a local multi-million dollar construction project.

May 20, 1968

Today I conducted my second interview with Raymond. I reviewed the autobiography he wrote at my request and several letters of recommendation that had been sent in his behalf from several rather prominent people in Tucson and Reno, Nevada. I went over his whole history and discussed his drinking. He said that he had cut out drinking except for medicinal wine taken at meals. I asked him whether this was a necessary thing to do and he replied that it was not. I suggested that he find another medicine.

I asked him to relive the events of the few days prior to the accident. He reported to me that he had the opportunity to apply for a job in Texas. He decided that he could drive to Texas and return while losing only a minimum amount of time on the job in Reno. This being the case he worked the Friday before the accident and rested for an hour or two before setting out on his trip. He took a six-pack of beer and a few sandwiches with him. During the night he drove to an area just north of Las Vegas where he stopped and ate some sandwiches and drank

some beer. He rested there for a short while before driving to Chandler, Arizona. In Chandler he again stopped and had a bite to eat and again had more to drink. When he arrived in Tucson he decided to visit a friend of his who owns a local restaurant. In this restaurant is a bar and he proceeded to drink two Vodka Martinis while reminiscing a bit with his friend. After a half hour or so he again set on his journey east. When he reached the intersection of Palo Verde Road and the Benson Highway he made a left turn and proceeded east. He did not realize that at this point the Benson Highway is a divided highway and that he had turned into the westbound lane going the wrong way. He then collided with another vehicle and three people subsequently died while several others were injured.

My interview with Ray lasted for over two hours. When I was was satisfied that I could reach him at any time, I let him go to return to Reno. I began the process of contacting his references.

May 21, 1968

Today I received another case, Edward \_\_\_\_\_ . He was a 21-year-old Airman from Davis Monthan who had originally been charged with Child Molestation which carries a sentence of from one year to life with no parole. He had pleaded guilty to a reduced charge of

CONTRIBUTING TO THE DELINQUENCY OF A MINOR. He came to the office right after his trial and was waiting to be interviewed. His sentencing had been scheduled for one week's time. I interviewed him right away.

After a short time it was obvious that this would be no simple case. The defendant had not recollection of the offense. He remembered going to Sabino Canyon for the purpose of polishing his car. He had in his possession a six-pack of beer and proceeded to get himself thoroughly intoxicated. The offense was committed on an eleven-year-old boy while the defendant was in this condition.

Ed was a very quiet lad, unassuming, and very ill-at-ease. He cooperated as much as could be expected, but he volunteered little information about himself. His answers to my questions were short and to the point. The information sheet was filled out and I asked him to return in two day's time.

I checked the County Attorney's file and the police file subsequently and then contacted his legal officer at the base. The legal officer gave me some bits of information regarding Ed's excellent character and service record. He also gave me several others to whom I could refer to in Edward's behalf.

I was unable to attend Juan's sentencing because of my own case work. His sentence was continued for six

months on the condition that he contact Teen Challenge in Phoenix, Arizona, to begin a rehabilitation program with respect to his narcotic addiction.

May 22, 1968

I made several telephone calls to Davis Monthan regarding Edward. I went over his Air Force Record with Lieutenant \_\_\_\_\_ and was very much impressed by what was there. Edward was what his superior officers called the ideal Airman.

May 23, 1968

Today I had my second interview with Edward. He gave me a long autobiography and a letter to the judge and some letters of recommendation. We talked about the homosexual aspects of his offense. He said that there was no precedence for this behavior.

I had a long interview with Mr. Long regarding Ed. He agreed to talk to my client and to explain in a blunt fashion the implications of his actions. I watched my client very carefully while this interview was going on. Mr. Long outlined the seriousness of the charge and the potential problems involved with homosexuality. When Mr. Long had finished my client related to me his deep concern and fear for the implications of his problem.

I suggested that he look into the matter in general and that he seek medical counsel immediately.

We talked further about the events leading up to the commission of the offense which covered a period of about six months. During this time he had been under great stress. He had applied in January for a Humanitarian Discharge from the Air Force to return home to help support his sick mother. His father had died during the previous Christmas season from cancer.

Later I talked to his lawyer about his having tests regarding his latent homosexual tendencies. His lawyer told me that he had several letters of recommendation that he wanted to be a part of my file.

May 24, 1968

I dictated the presentence report in Edward's case and left the closing two sections uncompleted. I tried in vain to locate his ex-wife in Texas to question her with respect to the circumstances surrounding the divorce. On this day also, I discussed with the legal officer at the base the implications of my insisting Edward see a doctor immediately for counselling regarding the homosexual aspect of his behavior. He agreed with me that it was necessary that Edward do this before he came up for sentencing.

In order to follow up a reference for Raymond, I



had to meet with Al \_\_\_\_\_ in the local restaurant that he owns and manages, at ten o'clock in the evening. The interview was punctuated with his having to answer the telephone and help the waitresses. Despite these interruptions a clear picture of Raymond was drawn from one who had nothing to gain nor lose by giving the facts.

Today I also secured a new case. Eusebio had been arrested on a charge of PETIT THEFT WITH A PRIOR. He arrived in the office with a Mr. Frank \_\_\_\_\_ who said he represented my client. When questioned further, he admitted he only had an interest in my client's case and had no other authority. I thanked him for his interest, set up an appointment with him for a few days hence, and asked him to leave. I filled out the information sheet and was rather appalled by the defendant's cocky attitude and general disinterest.

May 28, 1968

I spent a considerable amount of time with the judge who would sentence Edward. He expressed great satisfaction with the thoroughness of my presentence report. He also expressed the other side of the coin. He began reading the report the night before and had not gone too far into it when he realized it did not follow familiar lines. He went to the end and saw a name he did not recognize. Elsewhere in this Diary I reported an interview in which

I was told that one gets used to the judges. Apparently, the reverse is also true. As luck would have it, the one who originally told me about this subject in the first place happened to be sitting in the judge's chambers for the purpose of reviewing another case.

This particular judge was handling the calendar for another judge who was unable to be on the Bench that day. As it happened, Ed's case was the last to come up. I watched him and it must have been a great strain to sit there all those hours wondering what would happen to him. The judge was very kind and understanding in his talk from the Bench, mentioning no details in front of others that might embarrass my client. He gave Ed the recommended one year probation. Immediately following his sentencing, I talked with Edward in the corridor and asked him to accompany me to the office. In the office I explained to him the requirements of his probation and I gave him several monthly report sheets. He seemed greatly relieved that I was very pleased with the disposition of this case.

I spent the rest of the day getting Raymond's case dictated.

May 29, 1968

I talked by telephone with Eusebio's lawyer. He tried to tell me that the boy was railroaded on a previous charge and that he had been sent unfairly to the Arizona State

Prison. A check of the FBI rap sheet proved that he had been involved in some twenty-six separate offenses in the last eight years. I considered it rather doubtful that he had been railroaded that many times. Judging from his rap sheet, his major problem appeared to be drinking. He was intoxicated when he stole five shirts from a downtown store, the charge for which he now awaits sentencing.

This time Eusebio showed up with two men, the Mr. \_\_\_\_\_ who was with him the previous time, and a Mr. \_\_\_\_\_. The client remained silent as his two companions extolled his virtues. They came all prepared with fact sheets and newspaper articles regarding an organization which they helped to found which they said would help him in his rehabilitation process. They intimated that this Mexican-American organization planned to rehabilitate Eusebio. I asked them just what they meant by "assuming responsibility" for him. Mr. B \_\_\_\_\_, a director of the organization, said that they would be happy to find a job for him and provide extra-curricular activities for him. I commended them for their desires, but I silently wished that they had a better candidate with which to begin their program. The interview lasted two hours and was interesting but failed to give me the information that I needed to do my client's presentence report. As they were leaving, I set up another appointment with Eusebio and this time told him to come in alone.

May 30, 1968

Today, albeit, a holiday, I had an intensive interview with the Sheriff of Graham County. This case centered on the son of a friend who had been arrested that afternoon for GRAND THEFT. The Sheriff proved to be extremely cooperative in the short time before he left for Safford.

May 31, 1968

I reviewed carefully the Eusebio case and prepared the bulk of the presentence report. I reviewed carefully the report Mr. Long did on him in 1964 prior to his being sentenced to the Arizona State Prison. I again left the Summary and Recommendation section vacant. Later in the day I checked on some of his references.

June 3, 1968

Today I conferred at great length with Eusebio privately. His attitude still bothers me. He apparently sent a parade of influential people to the judge in his behalf. I asked him what he expected of me and he replied bluntly that he expected me to go tell the judge that he deserved a break. I asked him on what grounds he deserved a break. Again he replied that he just deserved it. I opened up his file and reviewed his record not in its entirety but only since he had been released from prison less than a year before. I

pointed out that he had not worked one day since then, furthermore, he had collected unemployment for some sixteen weeks, spending most of it on liquor. Even when he had been paroled, he failed to work for very long and was subsequently returned as a violator. He had lived for the last several years in a shiftless way, and I asked him what guarantee I had that this would not continue.

After he left I dictated the whole report. Raymond's case was postponed until June 6, because the judge was ill.

June 4, 1968

I finished the Eusebio report and presented it for typing. Also, I received a new case and interviewed the client, filling out the initial interview sheet. He was a teenage Negro boy who had been found guilty of Burglary.

June 5, 1968

I brought Eusebio's report to the respective division. Also on this day I began to organize all the material that I had collected over the last several weeks in order to finalize my internship, namely, and prepare for the writing of the Diary. I talked with Mr. Long about my workload and it was mutually decided that I would turn back the case that I had received the previous day. This case was, therefore, given to another officer.

June 6, 1968

I went to the judge's chambers for consultation regarding Raymond's case. He agreed with my recommendation of five years probation, although it was contrary to the precedence in similar cases. We conferred extensively as to whether or not the sentencing should be imposed on the charge as a misdemeanor or as a felony. I recommended that it be tried as a felony. Whereas on the one hand I could see no positive purpose to incarcerate the defendant, I believed that the defendant nevertheless deserved adequate sanction for his irresponsible behavior. The facts of the case indicated that Raymond was grossly irresponsible, grossly negligent, and fitted the definition of the felony. The judge concurred and Raymond was sentenced on the felony charge to five years probation.

Raymond returned to the office with me and I gave him a copy of his obligations and several copies of monthly reports and released him to return to Reno.

Later in the day I met with the judge regarding Eusebio. He was distressed by the defendant's prior record. I stated that we felt that he was a poor risk for probation and that a prison sentence would afford him an extended period in which to "dry out" before beginning a treatment program. In this way, I felt that he would have the best chance to be successfully returned to freedom. We also discussed what the two gentlemen who had interceded for him

could do for him. I stated that I believed that they would definitely be a rehabilitative factor, that they could offer some facilities for his treatment but that I was afraid that they could not offer the degree of supervision that his case demanded. I informed the judge further that I did not feel that the probation department had the facilities to provide the extent of supervision they would need to keep him from revocation.

In court, the two gentlemen were given the opportunity to intercede for him. The judge was very patient and allowed them to speak at some length. The judge, however, with the presentence report written by Mr. Long and the addendum written by this officer, countered their oratory with facts to dispute their claims but expressed a willingness to give Eusebio every opportunity possible to redeem himself. The judge further stated that he not only wanted to give Eusebio this opportunity but that he also wanted to give the Mexican-American Association a chance to initiate its valuable program. The judge then informed the defendant that the Bench was of the mind to send him to prison but that given the circumstances of his case he found more reason to continue sentencing for some three months to try to afford all interested parties an opportunity to establish themselves. He, therefore, advised the defendant that any slip in behaviour would result in an extended prison term. The judge then suggested that the defendant avail himself fully of the facilities that

had been opened to him. In effect, the result could not have been better. Right now, Eusebio is a poor risk for probation. The department simply does not have the facilities to supervise this lad for twenty-four hours a day. Yet, in three months, he could be well on the way to total rehabilitation. At the same time, he affords the Mexican-American Association a chance to prove to the court that in the future, it will be a substantial tool to aid less fortunate people. They, therefore, have a great deal at stake in this their first real opportunity to try their wings. If they fail, the Bench will not have such an open mind next time. All involved, stand to gain.

June 7, 1968

Today I cleaned up my files and dictated several letters to various people involved with in my several cases.

June 10, 1968

I began reviewing records and gathering information in preparation for writing the Diary.





#### A. SUMMARY AND CONCLUSIONS

It is only left to be said that the Internship is a most valuable experience. Would it were that every student, regardless of his major, could have the benefit of this experience. The sophomoric individual is apt to think twice before involving himself in senseless behavior with criminal overtones, if he could see the full implications of such foolishness. Very often, one thoughtless act changes a whole person's life and gives it a stigma that can never be completely eradicated. At the same time, and in a more positive way, they would gain a new appreciation for the trials of a peace officer and the tribulations of a judge. Justice is a relative thing to the ignorant. To the informed, it becomes profound beyond all description. One who plows blindly through the day without a serious thought is the one who has never held someone else's destiny in his hand. He is also the one who has missed a central dimension in his life. In reality, it must be conceded one does not actually have to have this responsibility in order to feel the weight of its magnitude; one merely has to witness. Too often, the procedures of the court room are not experienced until one is experiencing litigation of some sort or is awaiting trial as a witness or juror. Since the backbone of this country is the court system, it seems only reasonable that every citizen be introduced to the workings of justice. I venture to say that there would

be fewer cases on the court calendar if this were so.

In conclusion, it must be said that the Internship has proven to be one of the most valuable experiences that this writer ever has had. Ignorance of our legal proceedings is assuredly general. This is due in part to the fact that the system as a whole has all it can do to maintain its work load; there is little time for public relations.

By the same token, the probation officer is usually too busy to be much of a "P.I.O." If the general public knew more of what went on in the court system in general and in the probation system in particular, there would apt to be more cooperation and understanding in the process than is now extant. Newspaper articles report cases whose disposition is probation and one is apt to hear the public reaction: "Well, he got away with murder." This writer would venture to say that if one does get away with murder, he did not get off on a probation officer's say so. Sadly, only a small minority realizes what actually takes place in the whole process. This enlightened few can be expected to offer the rehabilitating offender very little to insure his reorientation into society at large will be smooth.

This officer has a whole new appreciation of the way of justice and the role of the probation officer in the process. One of the most profound realizations that came out of this work was that the probation officer has so much responsibility. Every time he makes a decision regarding a client, he

places his reputation on the line. Should he make poor decisions, he inadvertantly or willingly puts a stamp on another's life which can never be removed.

Our present system of court procedures is greatly hampered by the extent of its load. By the same token, the probation facilities are strained by the size of the case-loads. If we are to continue our enlightened approach to the correctional process, we must lobby for more funds and a larger Superior Court.

To say that this officer has an entirely new understanding and sympathy for the probationary process is to understate the case. The system works well, but, because it is in the hands of several personalities it is subject to human failings. Yet, the administration of justice is bigger than them all and will prevail, if even despite them. The extreme personalities only serve to cut the outer boundaries and furnish the context within which the court will function -- they do not in the end win out. The trust which is conferred upon so few people to administer justice in accordance with the precepts on which this country is founded is sacred and will prevail.

With so great a task at hand, a division of labor was inevitable. The facilities of the Probation Department are an adjunct to the court and to the community at large. The function the office performs is absolutely essential. Few judges would have the resources, indeed the stamina, to handle each case entirely by themselves. In this sense, then

the probation officer becomes a catalyst between crime and justice.

It was John Milton who said that "Justice should be tempered with mercy." This certainly describes the probation system.

## B. RECOMMENDATIONS

First of all, the most obvious asset of the Internship program is the working in the real world of probation. The experiences and the experience cannot be duplicated; herein is also the most obvious problem. No matter how curriculum is developed, it cannot replace or duplicate the "field." Quite possibly it is the same situation in several, if not all, professions. At least it has been the experience of this writer, that there is an almost intractable gulf between the world of the classroom and the world of the active vocation, the learning about and the carrying out of a profession.

There will always be this gulf at least to the extent that the one will never quite replace or supplant the other. Competition between the two will not help; cooperation is the only answer. The Internship program now realized as a cooperative effort between the College of Business and Public Administration and the Department of Adult Probation is a splendid example of the fusing of the academy and the field. This writer, however, believes that some modifications might well be recommended for possible testing in practice in order to produce better students, and hence, better officers.

I, therefore, do respectfully recommend, that Internships be arranged and carried out sooner in the Corrections major's career. I further recommend that the student be

expected to have at least one full semester of academic work ahead of him when he takes advantage of the program, that he carry out his internship on a full-time basis, and that the student be allowed to choose his own pace. I believe that it would be helpful, furthermore, if less emphasis were placed on the total number of hours spent in the work and more emphasis be placed on the case load that the student assumes. I make these recommendations for the following reasons:

Most important, the student's working in the field proves his weaknesses. Above all else, this is the important factor. On the other hand, it makes obvious his strengths. If this experience is left until his academic requirements are satisfied, he is not likely to return to the classroom to study further. Yet, how else can he be expected to purge himself of his weaknesses? If he is allowed to "earn by doing," he is apt to be allowed to develop useless, and sometimes, dangerous, habit patterns. This, I would venture to say, is a dubious process. It allows the fledgling probation officer too much latitude to make decisions without ensuring that he has the proper credentials.

If the student has at least one semester of academic work left to go, he might very well be able to schedule a course which will serve to help him overcome his weaknesses. To be sure, the student can only come of age when he actually is on the job, but one would be hard pressed to think that

the better prepared one is the more apt one is to do a better job.

Furthermore, the student will have a greater appreciation of his academic work and will actually be able to contribute more to the class by his first-hand knowledge. It is one thing to study correctional counseling and another to practice the fine art of same. The cleavage between the philosopher and the pragmatian is lessened by several degrees when the student is placed in the field. No crib sheets will help him front of the bar or in a cell.

Students wallow, perhaps flounder, in the professor's reservoir of knowledge and experience. For the most part, he has little in the way of experience on which to judge the professor's opinion. With an Internship, he gains this needed experience, and then is enabled to add a fair measure to the classroom situation. Furthermore, his experiences in the field will be fresh and contemporary.

Thirdly, the fascination of actually working at one's vocation, testing one's own talents, tasting the awesome responsibilities, and, yes, experiencing the power inherent in the work, will make for a more avid student. He is one who is now in all respects a veteran-- his work, more than the regular probation officer, is scrutinized and double-checked for accuracy. This taste of honey will only serve to make him ore interested, more realistic and sober in his latter days as a student. All too often, when the student



reaches the last semester of his academic life, he is apt to slough off and be more concerned with other things than books and this, at the very time when he should be concentrating more than ever on his preparation for the work. An Internship before the completion of the academics would be better placed to serve the student's needs.

I contend, furthermore, but with less vehemence, that the students be allowed to test the water at his own leisure. Some people can adapt to new situations more quickly than others. The student should be allowed to experience the people and the places and the tempo that pervades the world of the probation officer before he assumes he is ready to be an active part of that world. For this reason, I would suggest that the requirement of hours be replaced with the requirement of a minimum number of cases. It is not the hours one puts into the work, but the work one puts into the hours. The more familiar a student is with the total situation of probation work, the more confident he will be and the more effective he will be. Each case will be unique; no amount of preparation will give him all the tools he needs to deal with case work adequately. He will be better equipped overall, however, if he is thoroughly acquainted with what a probation officer is expected to be in the total context of the court system. With this knowledge, he will know what questions to ask and where to find the answers.

Premature introduction into the real world of case work, will increase the risk of thwarting further accomplishment.

Whereas I think the sooner the student tastes his vocation first hand the better I also think that the student should be obliged to present himself as the best product when he finally leaves the academy for the field. This means that the student should have the advantage of an Internship program but that he must then return to the University for a period of reorientation and, possibly, reconstruction.

In addition to the above, it is interesting to speculate the relative advantages of an organization for probationers not unlike Alcoholics Anonymous. Probationers belong to a unique and exclusive club. As is the case with AA, the members of which are bound together in mutual concern and common problems, probationers might well share their mutual bond. Should an alcoholic recidivate, so to speak, it is quite probably a fatal step; the same applies to the probationer. His future is sealed, at least for a term.

Alcoholics Anonymous has proven to be a boon to the person who needs to know he is not alone in his affliction. He is afforded the kind of concern and understanding that only a fellow sufferer can give him. On the other hand, one of the greatest opportunities for helping others is close at hand. One is apt to forget one's own problems when one helps another with his. Alcoholics Anonymous has given vent to the desire to help and be helped on a level which can be appreciated.

I contend that an organization of this sort would be

especially helpful to the minority groups in this area, especially the Mexican-American. Though uncertain that statistics would bare this out, I feel that these particular groups are likely to pay a higher price in court for their crimes than other classes of people. They do not earn as much, they do not have other facilities, friends, education, and resources taken for granted by upper classes. They, therefore, stand a better chance to fail in probation because there is an accompanying apathy which probably contributed to the offense and will probably pervade the probationary period. One who cannot find a job when there is no pressure on him is likely only to be increasingly frustrated when he is expected to secure work as a part of his probationary obligations.

Apathy must be overcome before the less fortunate can help himself. A Probationer's Anonymous might very well be the right kind of vehicle. It might be argued that this kind of organization would be for losers, run by losers. The answer to this is simply that the losers, if they can be called such, are in prison. The probationer has won his freedom by exhibiting promise; by being on the positive side of potential rehabilitation. He has been determined to be a good risk. He, therefore, has what the reformed alcoholic has -- the opportunity for a good and constructive life, unfettered and free, if he determines this is what he really wants. Remaining free for the probationer is an act of the will; his probation

will not be revoked if he is honestly trying to live out the terms of his probation.

This kind of organization is truly within the aura of the times. Involved here is self help, and an expression of a concern for others; a respect for the dignity of the individual, man's humanity to man.

This writer has attempted to recommend practices which are entirely within reason. At present there are several variations on the theme of probation. For example, in Tucson, the City Court is experimenting with probation. This kind of experimentation can only increase and enhance the knowledge which produces our court system. As far as the "Probationers Anonymous" is concerned, there the definite possibility that an organ of this calibre could lighten the load of the court and lessen the rate of recidivism. There is extant now in this community an organization which is strictly voluntary which will assist without obligation or charge the probationer. It is only through organizations of this kind that the grass-roots will ever be impressed with the sanctity of the individual and strive to become a part of what is right and good.

Man's dignity demands that he do as much as possible to shape his own destiny. This being the case, I think that the idea of a Probationers Anonymous is entirely realistic, and once begun, will become a self-propelled vehicle much as Alcoholics Anonymous has.

**PART IV**

**APPENDIXES**

## APPENDIX A

## C O N F I D E N T I A L

PRESENTENCE REPORTSTATE OF ARIZONA,  
Plaintiff

- vs -

\_\_\_\_\_, Jesse,  
Defendant

CASE NO. A- \_\_\_\_\_

JUDGE: \_\_\_\_\_  
DATE: May 14, 1968  
ADDRESS: \_\_\_\_\_  
ETHNIC: Negro  
PROSECUTOR: \_\_\_\_\_  
BOND: \_\_\_\_\_ALIAS: \_\_\_\_\_  
AGE: 17  
FBI #: \_\_\_\_\_  
ATTY: \_\_\_\_\_  
OFFENSE: BURGLARY,  
FIRST DEGREE;  
ABS, 13-301. (1 to 15  
years Arizona State  
Prison)STATEMENT OF OFFENSE:

Jesse admitted that on the night of the 27th of February, 1968, he had been drinking a moderate amount of Colt 45 Malt liquor and was driving around with three friends. His three companions browbeat him with words such as "chicken" into attempting to steal a television set. He approached the house of one B \_\_\_\_\_, age 16, \_\_\_\_\_ South Fourth Avenue. Two remained in the car and one accompanied Jesse to the door. The above B \_\_\_\_\_ was sitting at the kitchen table when Jesse tried to open the door. She screamed for the police and attempted to slam the door shut as he stepped in. In the process, the glass in the door was broken, and Jesse received a severe laceration on his right wrist. Jesse went for the television set, but the girl's continued screaming unnerved him. As she reached for a knife on the kitchen table, he grabbed it first, and then forced the girl into another room where he pushed her down on the bed. He grabbed for her pants and when they remained buttoned, he, Jesse, turned and ran from the house.

dropping a kitchen knife in the front yard.

Jesse then returned to the car where his three companions were waiting, and they continued to drive around while Jesse doctored his wrist. Two days later, B\_\_\_\_\_ was driving with her brother and recognized her alleged assailant at Coral Street and South Stone Avenue. They called the police and Jesse was arrested at 12:38 noon, on the 29th day of February, 1968.

SUBJECT'S STATEMENT:

None.

OTHERS INVOLVED:

The three adult males with unknown legal names; two Negroes and one mixed Anglo-Mexican.

RESTITUTION:

None.

PREVIOUS RECORD:

Jesse has had a number of delinquencies. On two occasions, he has been committed to the Arizona State Industrial School. On February 2, 1965, he was committed to ASIS for a period of six months. He was conditionally placed with his mother on the Industrial School's home placement plan. After about two months, he was returned to the ASIS as a parole violator. He remained there for 14 months before being released. At various times in his juvenile years, he was involved in simple assaults, vandalism, malicious mischief, fighting while handling a box-cutting razor, assaulting the teacher, threatening a schoolmate with a knife, and has proven to be a disciplinary problem while in jail awaiting sentencing, having been placed in solitary confinement on three separate occasions for being involved in fights.

BACKGROUND:

Jesse \_\_\_\_\_ was born in El Dorado, Arkansas, on January \_\_\_\_\_, 19\_\_\_. His mother was 16 years old when she married the defendant's father and divorced him in 1953. His father's present whereabouts are unknown. She later married Mr. T\_\_\_\_\_ who had a similar background as a migrant farm laborer. From this marriage have come nine children; thus there are ten children in all. One of Jesse's half sisters lives with an aunt in Texas, otherwise all the family is together in M\_\_\_\_\_. Jesse's mother has just returned from a trip to Texas where she went to attend the funeral of her mother. When Jesse had learned of the death of his grandmother, he was noticeably upset.

There are ten children in the T\_\_\_\_\_ family. Two children died in infancy, one at birth, and one as an infant was found smothered in its mother's bed. Jesse's next oldest sibling

is fourteen, and none of the other children in the family has ever been a disciplinary problem. Jesse has stated that his stepfather does not particularly like him, and often blames him for various frictions around the home. Jesse has also stated that he has always had a problem with keeping his hands to himself, that his school and juvenile records seem to bear this out. Upon his release from the ASIS the second time, he was variously placed in foster home situations, but none of these worked out. At the time of his present offense, he was sleeping in one of the two automobiles that he owns and works on as a hobby. Jesse has never held a job mainly because of his age and general lack of skill.

MARITAL STATUS:

Single.

EDUCATION:

Following his release from the ASIS, Jesse was placed in the ninth grade at P\_\_\_\_\_ High School. His overall education, however, has been fragmented by his recurring penchant for scrapping. School officials at M\_\_\_\_\_ were unwilling to let him remain in the public school system because he upset the other students and in general was not able to cope with the situation there. Jesse says that he does not particularly like school, saying that for the most part, it was boring. He received part of his education while he was at the ASIS. He has had no other skill training.

RELIGION:

Jesse and his family are connected with the Baptist Church, but only in a superficial way. While Jesse was living at home, he became involved with the sports program directed by the Reverend A\_\_\_\_\_. He enjoyed this program and became a friend of the Reverend. This Baptist minister also acted as a go between when Jesse failed to report to his parole officer on a number of occasions.

HEALTH & PERSONAL HABITS:

Jesse has never had any serious illnesses. He did have one stay in the hospital for a case of pneumonia. He has no physical handicaps, and is strong of build. He denies associating with prostitutes, but says he likes to paly sports, shoot pool, and work on cars. He admits being drunk a few times, but says "he doesn't drink that often." He likes to watch television and go to the movies (seldom), and he seldom reads. His real hobby is centered around working on cars.

MENTAL HEALTH:

Jesse was committed to a mental hospital on the \_\_\_\_\_ day of December, 19\_\_\_\_. Correspondence from the Arizona State Hospital is a part of his juvenile file. This report indicates that Jesse's problems are mostly of the personality; that he



is not psychotic and continued hospitalization was not indicated. The report concluded that Jesse needed twenty-four hour supervision.

MILITARY HISTORY:

None.

FINANCIAL & EMPLOYMENT RECORD:

automobiles worth about \$10 each.

Jesse has not held a job for pay. He owns two junk

COLLATERAL INFORMATION:

who has had Jesse on parole, has recommended that Jesse be handled on the adult level, and that his latest criminal activity demands that society be protected from his assaults against it.

Mr. Roy B \_\_\_\_\_, Area Chief of the State Juvenile Parole,

SUMMARY & RECOMMENDATION:

Jesse \_\_\_\_\_ has had a long series of incidences of aggressive behavior. He is "easily led" into criminal acts. His home background and associations with others have not been able to bring him into line with responsible living. He fully understands the weight of his acts, yet repeatedly, involves himself in hostile activities. While in jail awaiting sentencing, he was involved in no less than three fights, and it was necessary after the third of such incidents to place him in solitary confinement for a period of six days. The act for which he now awaits sentencing is an example of the progression of his irresponsible activity, and might well have resulted in the physical incapacitation of the girl, had not Jesse been distracted by his slashed wrist.

Jesse is consistently unwilling to be a responsible person. For this reason, as well as the others stated above, it is highly doubtful that Jesse would benefit from being placed on probation. It is, therefore, respectfully recommended to the Honorable Court that it would be in the best interests in protection of this community, and in the best interest of the defendant, if he were placed in a controlled environment such as is offered at the Arizona State Penitentiary. After careful consideration, it is requested that he be sentenced to a four (4) to ten(10) year prison sentence.

Respectfully submitted,

APPROVED:

Lionel E. Rombach, Chief  
Adult Probation Officer

William G. Johnson, Deputy  
Adult Probation Officer

## APPENDIX B

## C O N F I D E N T I A L

PRESENTENCE REPORTSTATE OF ARIZONA,  
Plaintiff

- vs -

\_\_\_\_\_, Edward P.  
Defendant

CASE NO. A- \_\_\_\_\_

JUDGE:  
DATE: May 28, 1968  
ADDRESS: \_\_\_\_\_  
ETHNIC: Caucasian  
PROSECUTOR: \_\_\_\_\_  
BOND: \_\_\_\_\_ALIAS: \_\_\_\_\_  
AGE: 21  
FBI #: \_\_\_\_\_  
ATTY: \_\_\_\_\_  
OFFENSE: CONTRIBUTING  
TO THE DELIN-  
QUENCY OF A MINOR; ARS,  
13-821. (Fine up to  
\$350; Jail up to 1 year,  
or both).STATEMENT OF OFFENSE:

On the afternoon of April 14, 1968, the defendant drove his tan Chevrolet Corvair bearing Arizona License # \_\_\_\_\_ to the Sabino Canyon Park Area for the purpose of polishing his automobile. Upon arriving at the Canyon area, he and several others were asked to remain outside of the gate because the inner picnic area was too crowded. He had in his possession a six-pack of beer and because the day was hot he sat in his car drinking. At about three o'clock in the afternoon, he was finally let into the picnic area. After having finished the six-pack he was seen wandering down near the river in the area above the dam. Also in this area, were one Allen W \_\_\_\_\_, 11 years, and one Mike R \_\_\_\_\_ age 12, who were skipping stones across the water. The victim, Allen states that the defendant asked him, "How would you like to be kissed by me." And so

saying, he jumped from the platform on which he was standing and pulled W\_\_\_\_\_ into the bushes, telling M\_\_\_\_\_ to go for a walk. Once in the bushes, the defendant kissed W\_\_\_\_\_ several times and handed him a \$1 bill. W\_\_\_\_\_ then states that as he, the defendant, was lighting a cigarette, he propositioned the boy. The boy began to get scared because the defendant would not let him go. There was a short struggle as the defendant tried to place the boy on the ground, and the boy tried to loose himself from the defendant's grasp. The boy alleges then that the defendant said that he would give him more money if he would cooperate, but that he threatened him also with bodily harm if he ran back and told his parents. The boy was then allowed to go free and he joined M\_\_\_\_\_ and they both went back to where their parents were. At this time the defendant returned to his car. The boy's father gathered up his family and went to seek a policeman. The defendant was later found at the wheel of his car, was questioned by a Tucson policeman, and then brought to the police station.

SUBJECT'S STATEMENT:

The defendant states that he would often go to the Sabino Canyon area on Saturdays and Sundays for the purpose of working on his motorcycle, and then later the Corvair that he bought, and also to spend time in the company of his friends from Davis Monthan. In the afternoon of \_\_\_ April 19\_\_\_ he drove to Sabino Canyon for the purpose of polishing his car and having a few drinks of beer that he brought along with him. It was a particularly warm day, and there were several people in the picnic area. So that the picnic area would not be overly crowded, several automobiles, including the defendant's, were stopped at the gate and asked to wait. The defendant states that it was hot, and to refresh himself, he began drinking his beer. Later he was allowed to enter the picnic area, where he parked and finished his beer. He says he remembers feeling high, that is, he felt he was bordering on intoxication. From this point on, the defendant professes not to remember anything. He states that his next conscious recollection was when he remembers being awoken at the wheel of his car by a police officer at about 5 p.m. He says that he remembers the police officer reading a card regarding his rights. At this same time he remembers a friend, one Airman C\_\_\_\_\_, approaching the car but being turned away by the police officer. He then states that he sat in his car for approximately one half hour. Then was put into the squad car, after having been questioned by another police officer, and finally brought to the police station and placed in jail.

The next day he went to Court and was charged with Aggravated Assault on a Minor, and was arraigned that afternoon. His mother and fiancée came on from Texas, put up bond for him, and he was released.

OTHERS INVOLVED:

The defendant acted alone.

The immediate victim was

W \_\_\_\_\_. The immediate witness was M \_\_\_\_\_. The boys respective ages are W \_\_\_\_\_ (11), and M \_\_\_\_\_ (12).

RESTITUTION:

None.

PREVIOUS RECORD:

None.

BACKGROUND:

The defendant, Caucasian male, was born on \_\_\_\_ October, 19\_\_

in Alabama. Three months before he was born his mother divorced his father because he was an alcoholic, and was frequenting other women. At this time, she was supporting three other children: D \_\_\_\_\_, R \_\_\_\_\_, and G \_\_\_\_\_. When the defendant was three years old, his mother married his stepfather, Percy \_\_\_\_\_. He recalls seeing his real father only once. His stepfather treated his stepchildren as though they were his own. He later sired two more children: P \_\_\_\_\_ (17), and W \_\_\_\_\_ (15) who would be the defendant's half siblings. The family, however, was never in the habit of referring to Mr. \_\_\_\_\_ as a stepfather, nor his children as half-brother or sister. The defendant states that his stepfather provided for his family adequately, and that they had a very happy home. Because his stepfather was the only father that the defendant ever knew, in 19\_\_ he had his name changed from W \_\_\_\_\_ to J \_\_\_\_\_. His stepfather died in January at the age of 62 from cancer. His mother, now 53 years old, has a heart condition which severely limits her activity. The defendant's married sister, G \_\_\_\_\_, lives across the street from her mother in Texas. She also has a heart condition which is complicated by kidney trouble, and is unable to care for her one child. The defendant's fiancée stays with this family to take care of the household. A short while ago, the defendant's real father died at the age of 60.

During his last year of high school, the defendant secured a job at a local drugstore as a sales clerk and delivery boy. He states that he enjoyed his work and his employer was pleased with his efforts in that he received several raises in the year that he worked for him. Upon graduation from high school, he was married to Susan D \_\_\_\_\_. He then enlisted in the United States Air Force in July of 19\_\_, and became a jet mechanic. He was first stationed at Mountain Home Air Force Base for a period of 8 months, and brought his wife with him. In October of 19\_\_ he was transferred to Uban, Thailand. His wife and young son returned to Texas. He remained in Thailand from October, 19\_\_ at which time he was then transferred to Davis Monthan Air Force Base.

The defendant recalls a very happy home life with the several children of two fathers living harmoniously together. His stepfather was a deputy sheriff in Texas, and a respected member of the community. His mother was a hardworking person who always took good care of her family, and all her children. With the exception of the two youngest who are still in going to high school, all have married and settled down to constructive lives. With the exception of the divorce of his father and the divorce of the defendant, and of this offense, there has been no other legal or social problems with this family.

MARITAL STATUS:

The defendant is divorced from his wife Susan D. \_\_\_\_\_ to whom he married in September, 19\_\_ in Texas. Both he and his wife were eighteen years old at the time. He has one son who is now 2½ years old, and who lives in Texas with his mother. His wife has not remarried but the defendant has reason to believe that she will be married soon. She has asked him at several times if he would place his child up for adoption should she remarry, and he adamantly has refused. The defendant states that he was happily married until the time he left for Thailand. At that time, he could find no reason why his wife should seek a divorce. Two months after arriving in Thailand he began receiving letters from friends and relatives which informed him of his wife's extra-marital activities. She subsequently asked him for a divorce and he granted it. The defendant has a fiancée who is taking care of his sister's family. The defendant hopes to marry his fiancée in the near future.

EDUCATION:

The defendant graduated from high school in 19\_\_. He has had no other formal education. When he was in the 9th grade, it was discovered that he had a pinched nerve in his back which has caused a vertebra to crumble. As a result of his back injury his social life was extremely limited. He was unable to take part in any competitive sports, and was unable to contribute to anything in the way of physical labor. By the 11th grade, however, his condition had improved and he was able to take part in activities such as swimming, picnicking, water skiing, and became interested in other hobbies such as mechanics. When the opportunity presented itself, when he was a senior in high school, he got a part-time job in a local drugstore to help pay his social expenses and contribute to the family income. He states that he would like to further his education, but under the present circumstances, cannot predict when this might be and what form it might take.

RELIGION:

The defendant states that he attended church regularly with his parents, was an active member of the church, and was baptized. When he was old enough, he became a member of

DeMolay because his stepfather was a Mason, and he also wanted the defendant to become a Mason. His stepfather was also instrumental along with other members of the DeMolay Chapter in establishing a program whereby volunteer members of the Chapter would go to the Veterans Hospital on Sunday mornings and help patients from their wards to the Chapel so that they might attend church services. He did this weekly until he joined the service. As an active member of DeMolay, he received several medals for his voluntary work, several letters of appreciation from the President of the hospital, from his Congressman, and from the State Governor for his interest in his work. Again, however, he was extremely limited in his physical activities for fear of further injuring his back.

HEALTH & PERSONAL HABITS:

Mr. \_\_\_\_\_'s overall health record is excellent, with the one exception of the pinched nerve in his back which caused a vertebra to crumble, and which severely limited his physical activity. The only other surgery he has had, has been for an appendectomy. His eyesight and hearing are good, and he has sound teeth. He recalls no major sicknesses in his lifetime other than the normal boyhood sicknesses. In general, his appearance is clean and neat.

Mr. \_\_\_\_\_ smokes regularly about a pack a day. He enjoys working with his hands. He works on his car regularly, and his major duty in the Air Force is that of jet mechanic. He states that he has never used narcotics nor has been interested in them. He has had no social diseases. He enjoys water skiing, playing pool, watching television, but does not read very often. He states further that he does not gamble, but prefers activities which are quiet in nature. He likes to attend movies, and dated infrequently before he became engaged.

The defendant turned 21 in October, 19\_\_ while stationed at Davis Monthan. Prior to this time, he drank alcoholic beverages very seldom. When his stepfather died in January, he began drinking. As problems continued to pile up on him involving his family, he drank all the more. Drinking definitely contributed to his offense, and it is certain that he was intoxicated at the time the offense was committed. He states that he was intoxicated to the extent that he has no recollection at all of the offense. Since then, however, he has cut out drinking alcoholic beverages altogether, and has no intention to return.

MILITARY HISTORY:

Mr. \_\_\_\_\_ enlisted in the U. S. Air Force in July, 19\_\_ following his graduation from high school. His serial number is \_\_\_\_\_. Following basic training, he was transferred to the Mountain Home Air Force Base for eight months prior to going overseas. In October, 19\_\_

he was transferred to Thailand. Trained as a jet mechanic, he served with the \_\_\_\_\_ Air Force at Uban for one year. His primary duty was to keep F-4C Phantom Aircraft in flying condition. He states that his outfit was short of a maintenance personnel and that he was often left with the responsibility of seeing that the equipment was maintained in excellent condition. Furthermore, though he had been assigned to one aircraft, he often had to take the responsibility of caring for other aircraft which necessarily involved working overtime most every day. Eventually, he became a Crew Chief and was assigned his own aircraft. For this, he received a letter of appreciation and congratulations on the excellent condition and appearance of his assigned aircraft. He maintained this proficiency despite the fact that two months after his arrival in Thailand he began to receive reports that his wife was seeing and dating other men, and shortly afterward wrote to him and asked for a divorce. On October, 19\_\_ he was transferred to Davis Monthan where he is now stationed.

The defendant is now a jet mechanic with the \_\_\_\_\_ Operational Maintenance Squadron at Davis Monthan. Lt. \_\_\_\_\_, the Administration Officer for the squadron, states that the defendant is the ideal airman. This officer reviewed the defendant's air force record with Lt. N \_\_\_\_\_ and found that the defendant's last three section reports were excellent. While in Thailand, his unit achieved the outstanding unit award, and the defendant himself has two Vietnamese service medals along with a good conduct medal. These awards, though relatively common, serve to point out the record of this outstanding airman.

Despite the defendant's successful career with the air force, in late January of 19\_\_, he felt it necessary to apply for a humanitarian discharge from the air force. This was prompted by the sudden passing of his stepfather and the knowledge that his mother's heart condition and present home situation was such that she was not able to take care of J-----'s two younger children who are still in grade school. It was further prompted by the fact that his older brothers and sisters were unable to contribute to the support of their mother. He cited, for example, his sister who lives across the street from her mother who has heart and kidney trouble is unable to take care of her own family. He is further concerned with his younger brother's emotional condition, because there has been a definite change in his personality since the death of his father. The defendant went to Lt. N \_\_\_\_\_ for counsel regarding his hardship discharge in January of 19\_\_. Lt. N \_\_\_\_\_ immediately sent him to the Special Actions Section of Personnel to begin the paper work. The humanitarian discharge is difficult to secure because it involves a long series of

red tape. It is now several months since the discharge was initially processed and the problems at home have not grown any less, nor has the defendant's frustration. This officer is convinced that increasing frustration was a contributing factor to the offense.

Since the offense was committed on April \_\_\_\_, the defendant has been restricted to base. He has been relieved of his regular duties and placed on special maintenance duties in and around his barracks. His Superior Officer states that his attitude is excellent and that he is extremely cooperative.

FINANCIAL & EMPLOYMENT HISTORY: When Mr. \_\_\_\_ was a senior in High School, he secured a job in a local drugstore to avail himself of spending money and also to contribute to the support of his family. Shortly after graduating from high school, he joined the U. S. Air Force. He is now divorced and pays \$60 a month child support for his son. At present, he owes \$800 on a 1963 Corvair. He also has outstanding in two banks \$500 loans and he owes the Red Cross \$50. The only other large outstanding bill that he has is his car insurance which he pays regularly. His total income amounts to \$194 per month. The defendant states that he is anxious to contribute more to his family's income, and states that he has a good job lined up should he be able to be released from the Air Force. His overall financial record indicates that he has had a responsible approach to the spending of his money. Loans that he has had outstanding are a result of borrowing during the periods of family stress. His employment record is equally outstanding in that his employer gave him several raises during the time in which he was employed.

COLLATERAL INFORMATION:

There is exhibited in this case a definite progression. Mr. \_\_\_\_ has a long record of contributory efforts for others and with the exception of pinched nerve in his spine, he has had a relatively easy and enjoyable childhood. He was able to overcome his physical handicap and to channel his efforts into activities in which he would excel. He is a shy individual who does his work quietly and methodically, and who hates violence of any kind. The fact that his wife took the opportunity of his absence while he was stationed in Thailand to be unfaithful to him, was a real shock. The collapse of his marriage, however, did not affect his duty record. When he returned to the United States and was based in Tucson, the health of both his parents began to deteriorate. His concern increased. In December of 19\_\_, he requested and received an emergency leave to go home to Houston to help take care of his family. His stepfather went to the hospital and subsequently was operated on for cancer and died on the



operating table. Upon returning to Davis Monthan he applied for a humanitarian discharge, but as it is usually the case in these matters, it is very slow in coming through. The defendant became increasingly frustrated as he was not able to do enough for his family. At this same time, his former wife began to apply pressure for him to put his child for adoption, something which he will not do. The defendant began venting his frustrations by going to a local bar and by infrequent dating. He began to drink more and more. Though he maintains an excellent work record, his social life became increasingly disoriented. On the day the offense was committed he was extremely depressed, and began drinking alone to the end that he got he got thoroughly intoxicated. He is extremely humble by what he has done and is willing to make amends at all costs. He agrees to present himself to the Southern Arizona Mental Health Clinic or to the appropriate Air Force authorities for the purpose of evaluation of latent homosexual tendencies. He is not consciously a homosexual but the fact that the offense was committed on a young boy deserves qualified medical investigation.

SUMMARY & RECOMMENDATION:

The Honorable Court is considering a 21-year-old lad who has a commendable history with no previous disciplinary record of any sort. Despite his own personal problems, he has managed to maintain a superior record in the Air Force, and comes highly recommended by his superior officers. In the last seven months, however, he and his family have suffered several setbacks. His stepfather, the only father he ever really knew, died from cancer in early January. His real father died several weeks ago. His mother suffers from heart trouble which renders her unable to support her family. The defendant's increasing frustration led him to seek release in social and solitary drinking. Normally, very quiet and introspective, intoxication released him from these bindings and allowed him to participate in more aggressive behavior. The event which occurred in April 19\_\_ and for which he has pled guilty is an isolated event. The defendant remembers none, and this officer has been unable to uncover any other behavioral event parallel to the offense. It is this officer's contention that alcoholic beverages directly contributed to the offense, in that, intoxication released the defendant from his normal, responsible self. It is further contended, that the defendant's intoxication was a result of his increasing frustration and inability to take positive action to alleviate his family problems. As early as December, 19\_\_ he had taken a positive action and had enlisted the counsel of several officers. The apparent slowness of the action, however, placed burdens on him which he became less able to bear.

This officer has determined that the defendant is not a conscious homosexual nor has he a tendency towards aggressive

behavior. There is, however, the open question that the defendant might be a latent homosexual. He has indicated a willingness to be tested by the appropriate medical authorities to determine whether or not this is true. Should it be true, he has indicated a willingness to submit himself to the appropriate medical care.

Because of the defendant's long record of constructive and positive behavior, and because of the absence of any other socially deviant behavior, and with due consideration given to the superior record he has maintained in the Air Force, and the high regard of his officers, it is this officer's contention that the offense was an isolated event. It is therefore concluded that incarceration would be a negative vehicle in the defendant's rehabilitation. It is further concluded that the imposition of a fine would jeopardize the defendant's present financial situation and would place undue hardship on his family. It is therefore respectfully recommended to the Honorable Court that the defendant, \_\_\_\_\_, be availed the facilities of the Department of Probation and that he be placed on probation for the period of one (1) year.

Respectfully submitted,

William G. Johnson, Deputy  
Adult Probation Officer

APPROVED:

Lionel E. Rombach, Chief  
Adult Probation Officer

5/24/68

ah

## APPENDIX C

## C O N F I D E N T I A L

PRESENTENCE REPORTSTATE OF ARIZONA,  
Plaintiff

- vs -

\_\_\_\_\_, Raymond B.  
Defendant

CASE NO. A-\_\_\_\_\_

JUDGE: \_\_\_\_\_  
DATE: June 3, 1968  
ADDRESS: \_\_\_\_\_  
ETHNIC: \_\_\_\_\_  
PROSECUTOR: \_\_\_\_\_  
BOND: \_\_\_\_\_ALIAS: \_\_\_\_\_  
AGE: 48  
FBI #: \_\_\_\_\_  
ATTY: \_\_\_\_\_  
OFFENSE: MANSLAUGHTER  
IN DRIVING OF  
A VEHICLE; ARS, 13-456,  
Para. 3-A. With close  
Negligence, Felony. As  
amended. (Up to 1 year  
in County Jail or up to  
5 years in the ASP)STATEMENT OF OFFENSE:

At approximately 10:00 p.m., on April 9, 1967, the defendant was involved in a head-on automobile collision on the Benson Highway near the "Triple T" truck stop. The defendant was driving a 1963 Ford pick-up, and the driver of the other car was driving a 1962 Chevrolet sedan.

The facts of the accident are as follows: The defendant was proceeding South on Palo Verde Road and made a left turn on the Benson Highway proceeding east. At this point, the Benson Highway is a divided highway. The defendant made his left turn into the westbound lane. The defendant's pick-up truck struck the Chevrolet sedan, driven by Mr. M\_\_\_\_\_, head-on. The two vehicles came to a stop at the point of impact.

The defendant was alone in his vehicle, Mr. M \_\_\_\_\_ had seven passengers in his vehicle. The extent of the injuries were as follows: The driver, age 29, dead at the scene; a passenger, age nine months, dead at the scene; passenger, age nine, died April 13; passenger, age five, multiple lacerations on face and body; passenger, age seven, multiple body lacerations; passenger, age eleven, multiple abrasions and contusions; passenger, age 26, chest injuries; passenger, age 6, broken arm and head injuries; and passenger, age nine, depressed skull and body contusions.

The defendant was advised of his rights by the investigating officer of the Arizona Highway Patrol, and was asked if he would voluntarily submit to a blood test for intoxication. The defendant replied that he would. At this point, Raymond was removed by ambulance from the scene to the Pima County Hospital. While at the hospital, the defendant was read the blood alcohol report, Permission and Right Statement, twice, and advised of his rights to refuse, his right to an attorney, etc. The subject signed his signature to the form, stating that he understood. Dr. G \_\_\_\_\_ drew a sample of blood, which was given to the patrolman, who later deposited it in the City Laboratory for analysis on Monday. The results of this analysis was that there was a .28 percent alcohol content by weight, where the normal standard is .15 percent indicating drunkenness.

SUBJECT'S STATEMENT:

The defendant states that he left his home in Reno, Nevada on Saturday, July \_\_\_\_\_ to begin driving to Dallas, Texas. He is a construction worker and was driving to Dallas to investigate a job opportunity. At 6:00 a.m., Sunday morning he stopped outside Las Vegas where he had coffee and a snack. He rested by the side of the road until 8:30 a.m. He had in his possession two six-packs of beer which he sipped from time to time. At 7 p.m. that Sunday evening he arrived in Chandler, Arizona where he stopped and ate two sandwiches and drank some beer. Two hours later, he arrived in Tucson and stopped to visit friends at the Kon Tiki Restaurant. While there he socially drank two vodka Martinis. After approximately a half hour, he left the Kon Tiki and proceeded on his drive east. He drove South on Palo Verde to Interstate Ten, the Benson Highway. At the intersection of Interstate Ten and Palo Verde he made a left turn proceeding east on the Benson Highway. At this intersection, there is an island, in the center of the Benson Highway separating the eastbound and the westbound lanes. The defendant turned left into the westbound lane instead of turning left into the eastbound lane, and therefore was going the wrong way down a one way stretch. He proceeded several hundred feet down the westbound lane, traveling east, when it appeared to him that an automobile had crossed the center line of the highway while trying

to pass the semi-trailer truck. He made an attempt to turn right and avoid the on-coming vehicle but the two vehicles collided head-on. The defendant remained in his pick-up truck until he was removed by ambulance attendants. He was removed from the scene to the Pima County Hospital and later transferred to the Veterans Hospital where he remained for a period ten days. The defendant relates that he did not learn for three days the full extent of the accident until he read of it in the newspapers.

OTHERS INVOLVED:

The defendant was alone in his vehicle. The eight persons in the other vehicle are listed above.

RESTITUTION:

There is no demand for restitution pending. Expenses incurred as the results of deaths, injuries, or property damage, have been met by insurance.

PREVIOUS RECORD:

The defendant has no juvenile record. In 19\_\_ the defendant was stopped by the California Highway Patrol at a roadblock check. It was determined that the defendant had been drinking and he was charged with Driving While Under The Influence. He pled guilty to this charge and his driver's license was suspended. The defendant has no other record.

BACKGROUND:

Raymond \_\_\_\_\_, white, American male, was born on July \_\_\_\_, 19\_\_ in San Angelo, Texas. He has red hair, 6' 3" tall, and now weighs 190 pounds. His father died in 19\_\_ at the age of 41. He was a carpenter. His mother remarried a Mr. O \_\_\_\_\_ and moved to Texas where she now resides as a housewife. She is 69 years old. Her second husband is a retired invalid. The defendant has two brothers and one sister all who are younger than he is. His brother J \_\_\_\_\_ is an optometrist, is married and lives in Texas; his sister M \_\_\_\_\_ is a housewife and lives in Texas; his brother M \_\_\_\_\_, who also lives in Texas, is a radio-television technician. The defendant has three children by his first marriage: R \_\_\_\_\_ (15), D \_\_\_\_\_ (17), and C \_\_\_\_\_ (13), who reside with their mother in California. He was divorced by his former wife on the grounds of mental cruelty, after a period of separation. He states that the decision to seek the divorce was a mutual one and was brought about by several factors, with both parties contributing to the break. In 19\_\_ the defendant married his present wife who is now 42 years old. No children have resulted from this match.

The defendant graduated from high school but other than this has had no other formal education. His father was a carpenter

and at an early age he became interested in this line of work. He has now served in this industry for the past thirty years. From 19\_\_ to 19\_\_ he served as an apprentice carpenter and was then granted a carpenter's card. At the onset of World War II he enlisted in the United States Navy as a Third Class Petty Officer in Texas. He served 3 years, 9 months in the Navy in the construction division. After discharge from the service he made his home in Los Angeles, where he once again worked in the construction field. After working for a contracting firm for little more than a year, he was promoted to carpenter foreman. In 19\_\_ he was promoted to the position of construction superintendent. Since that time, he has been employed as a construction superintendent on projects ranging in cost from \$100,00 to over \$10 million in all types of construction. During this time, he managed to secure an inspector's card for reinforced concrete. He lived and worked for a period of time in Tucson on the Sears Store on East Broadway, while employed by the M\_\_\_\_ S\_\_\_\_ Construction Company. On this project, he had occasion to deal professionally with J\_\_\_\_ C\_\_\_\_, who at the time was sales manager of the C\_\_\_\_ Lumber Company. Mr. C\_\_\_\_'s recommendation is enclosed elsewhere in this file.

Except for the fact that the defendant lost his father when he was only thirteen, the defendant relates a happy and constructive childhood. He was greatly influenced by his grandmother, who he says was a devout Bible student. It was she who gave him most of his religious training. At present the defendant lives with his second wife in a trailer park in Nevada.

MARITAL STATUS:

The defendant divorced his first wife in 19\_\_. He had three children by his first marriage. These children live with their mother in California. The defendant married his present wife in 19\_\_, when he was 38 and she was 32.

EDUCATION:

The defendant graduated from high school in the 12th grade. He has had no other formal education. He has had, however, considerable vocational training. He has had formal training in blueprint reading, cost and estimating re-inforced concrete construction, concrete inspection, structural steel, and many other facets of construction. He has attended several classes taught by architects and engineers. Early in his career, he served two years as an apprentice carpenter from 19\_\_ to 19\_\_. Following his apprenticeship, he was granted a carpenter's card. During World War II, he enlisted in the United States Navy, and received considerable training in the construction division. Following his discharge, he was again employed by a contracting firm. He was promoted from carpenter to carpenter's foreman, and in 19\_\_, was promoted to the

position of construction superintendent. During this time, he was responsible for superintending multi-million dollar construction projects. He also holds an inspector's card for reinforced concrete.

The defendant relates that his education is a never-ending process. New methods and techniques have to be constantly implemented to conform with new designs. He, therefore, has constantly to keep updated in the latest methods.

RELIGION:

The defendant is a Methodist by persuasion. He was baptized in early childhood. He relates that he and his brother and sister attended Sunday School as often as they could. Most of his religious training, however, was provided by his grandmother, who was a devout Bible student. She taught him to study the Bible which he does now regularly everyday. He has an excellent knowledge of the Scriptures. Although he does not actively attend church, he indulges in daily self prayer, and has an active respect for his Creator.

HEALTH & PERSONAL HABITS:

In general, the defendant's health has been good. Except for the normal childhood diseases, the defendant has never suffered any serious illness. He has a missing toe on his left foot, next to the big toe. Arthritis is coming increasingly to be a problem. Since the accident, the defendant claims that arthritis is spreading to his knees. In the accident, the defendant suffered four fractured ribs, which were not discovered until several days after the accident, torn cartilage in the rib cage, and lacerations on the chin and right hand. Except for the arthritic pains in his joints, the defendant relates that he has completely recovered from his injuries.

The defendant is an outdoor man. He loves to fish and hunt. He smokes regularly a package and a half a day and says he prefers to stay home most of the time with his wife. He states that he has never used narcotics, has never availed himself of a prostitute, and has had no social diseases. One of the defendant's favorite past times was social drinking. He enjoyed drinking whiskey, beer, and wine. Following his accident, the defendant ceased drinking altogether.

The defendant formally enjoyed frequenting night spots for the purpose of social drinking. Since his accident, however, the defendant cut out drinking beer and whiskey. His doctor suggested that he should drink a limited amount of wine with his meals for medicinal purposes. The defendant now refuses to partake of alcohol in any form.

MILITARY HISTORY:

The defendant enlisted in the United States Navy in

Texas as a Third Classman Petty Officer. He served in the Navy for 3 years and 9 months and was discharged on the th day of October, 19  at Camp Schumacher, California. He holds an Honorable Discharge.

FINANCIAL & EMPLOYMENT RECORD:

The defendant has always been gainfully employed. He was of late employed by the L. E. D. Construction Company of California. He has worked for contractors most of his life. He has never been fired and has enjoyed several raises in position and salary after relatively short times with his various employers. In his work, he has had occasion to deal with relatively important or influential people, some of whose recommendations are included elsewhere in this report.

Following his accident, the defendant was unable to work for several days. He returned to his home in Nevada where he is now self-employed as a painting contractor.

The defendant lives in a house trailer on which he owes a mortgage of \$3,000. He owns a pick-up truck and an automobile neither of which is new. His insurance covered most of the expenses which resulted from his accident. He has no other outstanding debts. At present time his income varies as he is able to contract work. His income is supplemented by that of his wife who is a school teacher.

COLLATERAL INFORMATION:

The defendant comes highly recommended. Excellent character references have been forwarded to this officer from numerous sources. This investigation has determined that he has consistently lived a constructive and responsible life. As a young man, he finished school and got a job to contribute to the support of his family. Though he and his wife could no longer function together, he maintained a consistent record of concern and support for his children. After his divorce, he waited several years before he remarried and his second marriage has proven to be a happy constructive one. Prior to his accident he was characterized as a relaxed, happy, physically and mentally well person. He worked hard for his own family as well as for others. He is a strong man, but quiet, certainly not aggressive. Following his accident, however, this picture changed considerably. Now, comely, his wife states, he is unable to sleep completely through the night. He repeatedly has visions of the night of the accident, and occasionally has nightmares. He is extremely humbled by the results of his irresponsible behavior.

This investigator determined that the defendant had approximately ten hours rest in the sixty-four hour period prior to the accident. Also, at the time of the accident, he had been driving some twenty hours, with only a few hours rest. The



defendant admits, but cannot account for, the fact that he irresponsibly drank a potentially intoxicating beverage as opposed to a soft drink while proceeding to Tucson from Reno. His gross irresponsible behavior has humbled him greatly. Because of this, he now abstains from all alcoholic beverages, drives in an extremely cautious manner, and in general, is more conscious of the consequences of his behavior. This accident spoiled a twenty-eight year accident-free driving record.

SUMMARY & RECOMMENDATION:

This officer feels that there are three overall important factors in this case: the defendant's overall history; the defendant's drinking; and the offense itself.

Raymond \_\_\_\_\_'s personal history is that of a competent and constructive person, whose character and integrity are above average. He is a quiet person who enjoys his family and his friends. He has always had to work relatively hard for what he has. He has been able to produce a modest income and does not live above his means. He has a reputation for being fair and just in his dealings, and gives of himself unselfishly to his friends.

The outstanding deviation from the defendant's overall excellent history, is his drinking. By no means an alcoholic, he enjoys drinking socially. A large man, he had a large capacity. In retrospect, he admits gross irresponsible behavior prior to his accident. Realizing the full consequences of this kind of behavior, he has taken several steps to prevent its ever happening again. He has cut out drinking alcoholic beverages altogether, including drinking for medicinal purposes a small amount of wine with meals, which had been advised by his doctor. He states that he did not believe that he was addicted to alcohol, and to say that he does not miss it now, is an understatement.

This officer believes that the accident on the night of the ninth of April, 19\_\_, ought to be considered in light of the attending circumstances. The defendant had intended to investigate the possibility of a job in Texas, without having to take time off from work during the week. A strong and healthy person, he foolishly overestimated his endurance. The fact that he had little rest and had driven for some several hours, coupled with his attended drinking, reduced his judgement by several degrees. The tragic consequences are that of record.

In conclusion, the Honorable Court is considering a 48-year-old man, whose overall record is positive. This officer believes the events surrounding the incident, for which the defendant now awaits sentencing, should be considered with respect to this record. In consideration of the facts and circumstances herein included, this officer believes that

neither the defendant nor society would benefit from incarceration. The defendant already has instituted a self-imposed rehabilitation program which removes all the negative factors which contributed to this offense. The severe consequences of the offense, however, cannot be ignored. It is this officer's contention that the defendant should be supervised and that his progress be a matter of record. It is, therefore, respectfully recommended that the Honorable Court place the defendant on probation for a period of not less than five (5) years.

Respectfully submitted,

William G. Johnson, Deputy  
Adult Probation Officer

APPROVED:

Lionel E. Rombach, Chief  
Adult Probation Officer

5/31/68  
ah

## APPENDIX D

## C O N F I D E N T I A L

PRESENTENCE REPORTSTATE OF ARIZONA,  
Plaintiff

- vs -

\_\_\_\_\_, Eusebio G.  
Defendant

CASE NO. A- \_\_\_\_\_

JUDGE: \_\_\_\_\_  
DATE: June 6, 1968  
ADDRESS: \_\_\_\_\_  
ETHNIC: Mexican-American  
PROSECUTOR: \_\_\_\_\_  
BOND: \_\_\_\_\_ALIAS: \_\_\_\_\_  
AGE: 27  
FBI #: \_\_\_\_\_  
ATTY: \_\_\_\_\_  
OFFENSE: PETTY THEFT  
With Prior;  
ARS, 130661 and 13-663B.STATEMENT OF OFFENSE:

On the 30th of January, 1968, the defendant entered Myerson's Department Store at 42 West Congress Street and took five Truval mens' shirts from a rack, and left the store. The act was observed by one Ray Y\_\_\_\_\_ of the Pima County Sheriff's Office. The defendant was subsequently apprehended by Mr. Y\_\_\_\_\_ and Mr. B\_\_\_\_\_, a sales personnel for Myerson's, in the parking lot to the rear of the store. Sergeant B\_\_\_\_\_ was dispatched to the scene and Mr. B\_\_\_\_\_ signed a citizen's arrest. The defendant gave his name as Johnny G\_\_\_\_\_. On that day the defendant was charged with PETTY THEFT and with GIVING FALSE INFORMATION TO POLICE OFFICER.

On the 31st day of January, 1968, the Petty Theft charge against the defendant was dismissed. On that date, County Attorney N\_\_\_\_\_ authorized a complaint on Mr. C\_\_\_\_\_ for PETTY THEFT WITH A PRIOR and Warrant #\_\_\_\_\_ was issued for his arrest. Bond was set at \$500. On the third day of

February, 1968, the defendant was arrested by the Uniform Division for Public Intoxication and on the Warrant charging the defendant with PETTY THEFT WITH A PRIOR. The defendant was released on a \$500 bond.

SUBJECT'S STATEMENT:

The defendant stated that on the day of the offense he had gone to the Employment Office for the purpose of securing a new job. He had in his possession two bottles of Thunderbird Wine. He states that on that day he had been drinking since early in the morning. He left the Employment Office and walked downtown and entered Myerson's Department Store. There he took five shirts valued at \$6 each from the rack and walked out of the store. He stated that at the time he was intoxicated.

OTHERS INVOLVED:

None.

RESTITUTION:

None. The shirts in question were recovered.

PREVIOUS RECORD:

The defendant has a lengthy record. Since 1959, his FBI rap sheet records some twenty-six offenses. (The FBI record is found elsewhere in this file). Several of these offenses involve aggressive behavior and thievery of one kind or another. In April 1964, the defendant was sentenced to four to six years in the Arizona State Prison on the charge of Grand Theft. Three years later, on the 22nd of April, 1966, subject was paroled. Six months later, on November 30, subject was returned to the prison as a parole violator on the charge of Grand Theft. Subject was released from prison on June 12, 1967, when his time expired.

Most of the defendant's record results from acts committed while intoxicated. The offense which now awaits trial is an example. The defendant has paid several fines and has spent several days in jail for acts stemming from intoxication.

BACKGROUND:

Please refer to Presentence Report submitted by Mr.

Robert E. Long, Chief Deputy, Adult Probation Officer on the 17th day of April, 1964.

MARITAL STATUS:

Single. The defendant states that he had a common-law wife who bore him one child, now age six. Mrs. S \_\_\_\_\_ now is in Phoenix. The defendant does not see his common-law wife and does not support his child.

HEALTH AND PERSONAL HABITS:

The defendant is in good health. He has had no major sicknesses since his release from prison in June 1967. He does not appear to be handicapped in any way, but appears to be of dull, normal intelligence.

His personal habits include smoking, and drinking wine, beer, and whiskey. He drinks either by himself or in low-class establishments, and is constantly inebriated. At times, when he is intoxicated, he resorts to violent behavior. He is not an alcoholic in the sense that alcoholism is his sickness, but that he has such a low level of resistance to alcohol that this is his central problem. He is generally apathetic about his ability and desire to do constructive things and prefers to lose himself in an alcoholic stupor. He has no constructive hobbies, fails to hold any steady job, but prefers a life unpressured by responsibilities.

FINANCIAL AND EMPLOYMENT RECORD:

The defendant is unemployed and lists no financial or property assets. After his release from prison in April, 1966, he secured a position with the Rite-Way Heating and Cooling Company which he held for three months. He had not worked for three months when he was returned to prison in November as a parole violator. Following his second release, he went to California and worked three months securing jobs harvesting crops. He returned to Tucson in November 1967, and has not worked since. In mid-February he began collecting unemployment checks, which he has collected for the past sixteen weeks. These checks amounted to \$19 each, \$5 or \$6 of which he would give to his cousin for room and board. The rest of the funds he generally spent on alcohol.

COLLATERAL INFORMATION:

This officer interviewed Mr. W \_\_\_\_\_ and Mr. H \_\_\_\_\_ who are connected with the Young Mexican-American Association. These gentlemen expressed a warm concern for Eusebio. They stated that the defendant has become an active member in their organization. The organization meets on the first Tuesday of every month, on Saturdays for the purpose of neighborhood improvement and carries on a sports program. Eusebio has at various times attended these meetings, worked on their renewal projects, and serves as a coach in the evening softball practice sessions. To date, since the defendant's release from prison, this is the defendant's one positive affiliation. It has proven to be a constructive past time for him.

Mr. W \_\_\_\_\_ and Mr. H \_\_\_\_\_ have offered to carry on a program of rehabilitation for the defendant. Unfortunately, the Young Mexican-American Association does not have the facilities, nor its directors the time, to carry on a rehabilitative program

adequate for the defendant's needs. At best, the YMAA could only contribute to the defendant's welfare and responsible behavior; it could not guarantee it.

Through his dealings with the YMAA, the defendant has come to realize that his chief problem is drinking. He has historically done nothing about it. His common-law wife was also a heavy drinker. She was aided by Teen-Challenge, Phoenix, Arizona. In the past, she has tried to encourage the defendant to avail himself of a similar program. Teen-Challenge is a voluntary program, and the defendant has stated that if he were placed on probation he would voluntarily go to Phoenix for this purpose.

SUMMARY AND RECOMMENDATION:

The Honorable Court is now considering a 27-year-old

Mexican-American, a native of Tucson, who has an extensive history of irresponsible behavior. For the most part, alcohol was a contributing factor to his record. He states that it is wine which causes him to act "Crazy." He states further that he no longer drinks wine, but still drinks beer. He now states that he is anxious to find employment, to control his drinking, and to return to live with his father. This officer feels that this responsible behavior is atypical and the result of the specter of a prison sentence, especially when one considers his record since his release from Arizona State Prison in June 1967; he worked at odd jobs for days at a time only when he needed money for personal supplies or for liquor; he sought no steady employment; squandered unemployment income on liquor.

It is this officer's conviction that the defendant is a poor risk for probation. Incarceration would force the defendant into an extended dry period, which would in effect aid in his subsequent rehabilitation. The defendant has had two prior opportunities to amend his behavior and attitudes, but has lacked the will; he violated his parole; has remained unemployed since his subsequent unconditional release. This officer believes that the defendant's contemporary attitude demand the relatively conclusive attention to be gleaned from incarceration. It is, therefore, concluded that for the welfare of this community and the subsequent welfare of the defendant, the Honorable Court impose a sentence in the Arizona State Prison of from one (1) to three (3) years.

Respectfully submitted,

APPROVED:

William G. Johnson, Deputy  
Adult Probation Officer

Lionel E. Rombach, Chief  
Adult Probation Officer

6/4/68

ah

## APPENDIX E

## C O N F I D E N T I A L

PRESENTENCE REPORTSTATE OF ARIZONA,  
Plaintiff

- vs -

, Charles L.  
Defendant

CASE NO. A- \_\_\_\_\_

JUDGE: \_\_\_\_\_  
DATE: April 3, 1968  
ADDRESS: \_\_\_\_\_  
ETHNIC: Anglo  
PROSECUTOR: \_\_\_\_\_  
BOND: \_\_\_\_\_ALIAS: \_\_\_\_\_  
AGE: 21  
FBI #: \_\_\_\_\_  
ATTY: \_\_\_\_\_  
OFFENSE: USE OF TELEPHONE  
TO TERRIFY,  
INTIMIDATE, THREATEN,  
HARASS, ANNOY OR OFFEND;  
ARS, 13-895 (\$500 fine or  
1 year in Pima County Jail  
or both).STATEMENT OF OFFENSE:

On or about July 1, 1967, the defendant telephoned Mary Anne R \_\_\_\_\_ to terrify, intimidate, threaten, harass, annoy and offend her. The defendant was originally charged with Five Counts of violation of ARS, 13-895, that is, Making Annoying Telephone Calls. On March 20, 1968, after pleading guilty to Count One listed above, the County Attorney entered a motion to dismiss the other Four Counts. The circumstances surrounding this offense are as follows: Mr. B \_\_\_\_\_ is an avid viewer of "Divorce Court" and other legal trial-type programs on television. He also reads the local newspapers ferreting out trials and the dispositions of criminal cases. It seems that in this particular instance, the defendant was interested in the fact that certain Pima County Superior Court judges were denying the press the right to cover trials involving capital offenses, such as, the case of Arizona versus Y \_\_\_\_\_ -- a murder case. The subject read articles in local newspapers

authored by a University of Arizona professor who criticized the judges for barring the press from the courtroom. These articles and television newscasts prompted him to make anonymous telephone calls to the judges at their homes and offices. Thus from July 1, 1967 through December 10, 1967, he telephoned Judge R \_\_\_\_\_ at her home and office. He also telephoned Jo Ann S \_\_\_\_\_, Judge R \_\_\_\_\_'s secretary at the office. He also called Tom R \_\_\_\_\_, Judge R \_\_\_\_\_'s brother, in his home requesting Judge R \_\_\_\_\_'s telephone number. He also called Albert M \_\_\_\_\_, defense attorney for Mr. Y \_\_\_\_\_.

The subject in all instances refused to give his name but did call his victims repeatedly, stating they had violated the American people's constitutional rights and wanted explanations why the judges did this terrible unlawful act. He also told Mr. M \_\_\_\_\_ that he was a friend of Sheriff B \_\_\_\_\_ and that he and the sheriff were going to arrest him as Mr. M \_\_\_\_\_ was a "a Hitler and a Commie." The subject's calls were very persistent and kept Mr. M \_\_\_\_\_'s telephone line constantly busy. This denied other people from calling him at his office. On December 10, 1967, the defendant was calling Judge R \_\_\_\_\_'s residence. The babysitter, Mrs. R \_\_\_\_\_, answered the telephone and happened to recognize the subject's voice as she attended school with him. She also coaxed the defendant to give his name. Hence, the police were notified and went to the subject's residence. He was confronted with the facts of the case and admitted making the telephone calls. Thus, he was arrested and charged with making annoying telephone calls. The police had attempted to trace the subject's calls but this was not satisfactory as he would not stay on the line long enough for the telephone company to make the necessary connections to ascertain from where the telephone calls were coming.

For further details, please refer to Tucson Police Department Case Report # \_\_\_\_\_.

Subject's version: "I got this idea when a University of Arizona professor attacked Robert R \_\_\_\_\_ for barring the free press from news coverage. Since this professor teaches Constitutional Law and knew the judge did wrong in the S \_\_\_\_\_ case, I was wanting to know why the judge ignored the professor and did the same thing in the Y \_\_\_\_\_ case. I was supporting a journalism professor, who was supporting the United States Constitution. I did not know of another way to get in contact with them."

It should be noted at this point that when this officer asked the defendant if he knew he was doing wrong, due to the fact he had not given his name when calling, the defendant thought and then eventually answered, "Yes, I knew I was doing wrong."



SUMMARY AND RECOMMENDATION:

The Court is now considering a 21-year-old male that comes from a home of marginal economic means; however, he was adequately provided for medically and educationally. No traumatic experiences were manifested. When his father died, the subject was sixteen years of age and the defendant's response to his death was flat and non-emotional. His mother is protective but anxious to help her son achieve and prevent him from becoming involved in any difficulties. She is able to exercise control over him, but in this particular case she was totally unaware of his clandestine telephone calls. The causative factors in the subject's antisocial activities stem from his mentality, his ability to be influenced by any one with authority, his avid interest in legal matters, especially of the bizarre type, i.e., murders, strikes, and any trial that involves a prominent citizen. One could consider this lad as a savant, inasmuch as when he applies his intelligence to one particular endeavor is able to achieve. It is felt that he is easily impressed and that the attention and recognition he is receiving from this offense inflates his ego.

Although there are many negative aspects in this case, it is felt that he should not be incarcerated inasmuch as he would be taken advantage of and influenced by these felons with whom he would have contact while in jail. His mother has pledged that she will do everything in her power to more strictly supervise his activities. The subject also contends he will never again be involved in any crime as long as he lives. Due to above stated aphorisms, it is respectfully recommended to the Honorable Court that the defendant be given a suspended sentence with one (1) year probation.

Respectfully submitted,

Robert E. Long, Chief Deputy  
Adult Probation Officer

APPROVED:

Lionel E. Rombach, Chief  
Adult Probation Officer

3/27/67

REL:ah

APPENDIX F

C O N F I D E N T I A L

PRESENTENCE REPORT

STATE OF ARIZONA, )  
 Plaintiff )  
 )  
 - vs - )  
 )  
 \_\_\_\_\_, John Thomas, )  
 Defendant )  
 \_\_\_\_\_ )

CASE NO. A- \_\_\_\_\_

JUDGE: \_\_\_\_\_  
 DATE: April 3, 1968  
 ADDRESS: \_\_\_\_\_  
 ETHNIC: Anglo  
 PROSECUTOR: \_\_\_\_\_  
 BOND: \_\_\_\_\_

ALIAB: \_\_\_\_\_  
 AGE: 19  
 FBI #: \_\_\_\_\_  
 ATTY: \_\_\_\_\_  
 OFFENSE: GRAND THEFT;  
ARS, 13-661,  
13-663, as amended and  
13-671, as amended. (1  
to 10 Years, Arizona  
State Prison).

STATEMENT OF OFFENSE:

On or about December 3, 1967, the subject stole from a person of B \_\_\_\_\_ a sum of United States Currency (\$21). The defendant was originally charged with Robbery by Lethal Weapon. However, this charge was amended to Grand Theft and the defendant pled guilty.

The circumstances surrounding this offense are as follows: Mr. C \_\_\_\_\_ had been a resident of Augusta, Georgia. He had been having difficulty maintaining steady employment and decided that he and his wife would go west to California where he would try to get into the movies, preferably into combat movies. While traveling through the state of Texas, they met Pamela W \_\_\_\_\_ (15). The subject's wife, K \_\_\_\_\_, is also (15). While staying at the Ramada Inn in Texas, the subject became destitute and had both his wife and Pamela prostituting

for him. It should be noted that Pamela was a runaway from San Bernardino, California. After acquiring enough money to continue to Arizona, they arrived at M \_\_\_\_\_ Motor Hotel and took apartment # \_\_\_\_\_. Mr. C \_\_\_\_\_ contacted the bellboy and told him that he had a couple of girls who would engage in intercourse for a fee. Hence, on the night of December 3, 1967, at approximately 10:30, the victim, B \_\_\_\_\_, was stopped by some of his friends and was informed that there were some girls in business at the hotel, apartment # \_\_\_\_\_. Thus B \_\_\_\_\_ and his companion, M \_\_\_\_\_, went to the hotel and into apartment # \_\_\_\_\_. After knocking on the door, they were admitted by K \_\_\_\_\_ who was lying on the bed smoking. B \_\_\_\_\_ entered into conversation with her, kissed her, and she informed him that the other girl would be back in a few minutes. The subject then picked up the girl and his hand slipped and she was accidentally poked in the eye. In approximately five to ten minutes, Pamela returned but told the two men that they were going to the Black Door for a drink and would be back around twelve midnight. B \_\_\_\_\_ and M \_\_\_\_\_ left the apartment and returned at midnight. They knocked on the door of the apartment and Mr. C \_\_\_\_\_ told them to wait. In a few minutes, Mr. C \_\_\_\_\_ came to the car and told them to come in. Once inside apartment, C \_\_\_\_\_ accused B \_\_\_\_\_ of hitting his wife in the eye and trying to rape her. C \_\_\_\_\_ pointed a .22 Caliber pistol at B \_\_\_\_\_, ordered the other lad to leave and told B \_\_\_\_\_ to empty his pockets on the couch. B \_\_\_\_\_ complied and C \_\_\_\_\_ told him to get out and not come back or he would kill him. B \_\_\_\_\_ went to M \_\_\_\_\_'s where he borrowed a dime from a friend and called police. Hence, the subject was arrested and the two girls were sent to Pima County Detention Home.

For further details, please refer to attached thermofax copies of victim's statement.

SUMMARY & RECOMMENDATION:

The Court is now considering a 19-year-old lad who has been afoul of the law for the past six years. He comes from an intact home of apparent stability and high moral atmosphere. Evidently his father, a Presbyterian minister, has expended and exhausted almost every resource to aid this boy in overcoming his antisocial behavior. The subject has no respect for his mother and has threatened both parents with bodily harm. Voluntary commitments to psychiatric facilities and prior probation counseling have failed to curb his felonious behavior. In the current offense he used a lethal weapon to rob a man who was a customer for the subject's wife and girl friend who were prostituting. The defendant stated, "I purchased this gun in Georgia as I was not going to be taken alive either to the jail or to a mental institution."

Probation authorities in Georgia and Florida feel the defendant is dangerous and should be incarcerated for a lengthy period

of time. The defendant's attitude is unrealistic and he has illusions of grandeur feeling that he could go to Hollywood and star in combat-type movies. If he is truly a psychopathic personality, most psychiatrists would term it untreatable and the only cure for this is old age. Due to the above stated facts, it is felt that the defendant is a highly speculative risk for probation, and that he has used hospitalization as a means to avoid confinement in a correctional institution in prior occasions, and this only a dodge to avoid imprisonment.

Therefore, it is respectfully recommended to the Honorable Court that it would be in the best interest and protection of any community, and in the best interest of the defendant, if he were placed in a controlled environment such as is offered at the Arizona State Penitentiary. After careful consideration, it is requested that he be sentenced to a five (5) to eight (8) year prison sentence.

Respectfully submitted,

Robert E. Long, Chief Deputy  
Adult Probation Officer

APPROVED:

Lionel E. Rombach, Chief  
Adult Probation Officer

3/29/68

REL:ah

## APPENDIX G

## C O N F I D E N T I A L

PRESENTENCE REPORTSTATE OF ARIZONA,  
Plaintiff

- vs -

, Juan A.  
Defendant

CASE NO. A- \_\_\_\_\_

JUDGE:  
DATE: May 21, 1968  
ADDRESS:  
ETHNIC: Spanish-American  
PROSECUTOR: \_\_\_\_\_  
BOND: \_\_\_\_\_ALIAS:  
AGE: 24  
FBI #: \_\_\_\_\_  
ATTY: \_\_\_\_\_  
OFFENSE: UNLAWFUL  
POSSESSION OF  
A NARCOTIC DRUG (HEROIN);  
ARS, 36-100.2, as amended.  
(3 to 10 years, ASP).STATEMENT OF OFFENSE:

On or about February 17, 1968, the defendant possessed the narcotic drug heroin. On February 17, 1968, while being questioned in connection with a Grand Theft at AWECO Supply Company, the defendant was searched and a paper with heroin was found in his shirt pocket. The defendant was arrested for UNLAWFUL POSSESSION and transported to the Pima County Jail. On May 2, 1968, he was found guilty by court trial of the charge.

The circumstances surrounding this offense, according to police reports and the defendant, are as follows: The subject had been using heroin for approximately four months prior to his arrest. He was with two other companions who are narcotic addicts and on the 17th day of February, 1968, the subject and two other Mexican males went to AWECO Supply Company. The three Mexican males went to the counter and asked to purchase a 98¢ drill bit, while the other Mexican male walked around inside the

store picking up an impact wrench and a head grinder valued at \$286.50. When the clerk in the store ordered them to return these merchandise, they ran to the subject's vehicle and fled the scene. As they were fleeing the scene, the license number of the vehicle was noted. Hence, the police traced the vehicle to the subject and he was returned to the scene of the crime and was indentified by the store clerk. When the defendant was placed under arrest and searched, the officers removed from his right breast shirt pocket a folded multi-color piece of paper. Inside of this packet was a powdery substance which was later identified by Captain K\_\_\_\_, Tucson Police Department laboratory, as heroin and the approximate weight was 145.6 mgs. of heroin and procaine cut with coolaid. Hence, he was formally charged with Unlawful Possession of Heroin. The defendant did not divulge the names of his accomplices and has not mentioned their names at this time.

For further details, please refer to attached copies of police report # \_\_\_\_\_.

SUMMARY & RECOMMENDATION:

The Court is now considering a 24-year-old native Tucsonian who comes from a large intact family of average economic means. No traumatic childhood experiences are manifested. At the age of sixteen, he dropped out of school due to poor grades and managed only to obtain menial labor. The only constructive period of his adult life was spent in military service. After his discharge, he only managed to hold low-paying jobs and kept them for periods of six months or less. The longest employment he enjoyed was with the Highway House for five months as a busboy.

The causative factors in his criminality stem from too much unsupervised leisure time, lack of positive goals, that is job, education, and security. He dissipates his time by associating with undesirables. His lack of interest in positive conduct coupled with his inability to find suitable employment made him an easy prey for pushers. During the interviews he related easily and was not given to a violent aggressive temperament. He would not state the names of his accomplices, i.e., in the Grand Theft at AWECO Supply Company, stating that they would get him if he told on them, but he did volunteer the information that they were addicts. His attitude at this point is good. Although, experience with addicts over the last ten years has been for this officer unproductive, in that 99 percent have reverted to the habit, it is believed that this lad is at the optimum point for counseling and treatment. He is not a threat to the community at this point, but if he continues with the use of heroin, he could join the ranks of those who are continually afoul

with the law for shoplifting and theft in connection with their narcotic habit. It is felt that the subject is a speculative risk for probation; however, due to the above stated.

It is respectfully recommended to the Honorable Court that the defendant receive a suspended sentence with five (5) years probation.

Respectfully submitted,

Robert E. Long, Chief Deputy  
Adult Probation Officer

APPROVED:

Lionel E. Rombach, Chief  
Adult Probation Officer

5/20/68

ah

## APPENDIX H

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
 IN AND FOR THE COUNTY OF PIMA

STATE OF ARIZONA,  
 Plaintiff

- vs -

\_\_\_\_\_, Robert F.  
 Defendant

CASE NO. A-

PETITION TO REVOKE PROBATION

Comes now the Adult Probation Officer and to the Honorable Court represents and petitions:

That on the 26th day of September, 19\_\_, the above-named defendant, \_\_\_\_\_, was in the above-entitled action having been duly convicted by jury of the crime PETIT THEFT WITH A PRIOR, and was then placed on probation for a period of three (3) years with the following conditions:

1. That he violate no laws of any kind, federal, state or municipal
2. That he report to the Adult Probation Department at times and in a manner directed by them.

Reason for revocation:

1. That the defendant has failed to comply with his probation in that he has violated his probation. Due to the fact that he has not contacted this office since January 9, 1968, and that he has issued five (5) checks on insufficient funds to Lucky Stores.



2. And that on April 24, 1968, this office was contacted by Mrs. S\_\_\_\_\_ who stated the subject had been having intercourse with her 15-year-old daughter and she is now six months pregnant.

Wherefore, your petitioner requests that the Court reconsider the defendant's probation status and that he be sentenced to confinement in the Arizona State Penitentiary.

Respectfully submitted,

Robert E. Long, Chief Deputy  
Adult Probation Officer

Dated this 29th day of April, 19\_\_.

APPENDIX I

PIMA COUNTY ADULT PROBATION DEPARTMENT

PERSONAL HISTORY

NAME \_\_\_\_\_ ALIAS \_\_\_\_\_ Ph. No. \_\_\_\_\_  
 (Last) (First) (Middle)

ADDRESS \_\_\_\_\_ PREVIOUS ADDRESS \_\_\_\_\_

BORN \_\_\_\_\_ AGE \_\_\_\_\_ BORN WHERE \_\_\_\_\_ RACE \_\_\_\_\_  
 (Month) (Date) (Year)

EYES \_\_\_\_\_ HAIR \_\_\_\_\_ HEIGHT \_\_\_\_\_ WEIGHT \_\_\_\_\_ RELIGION \_\_\_\_\_

IDENTIFYING MARKS OR SCARS \_\_\_\_\_

CITIZENSHIP \_\_\_\_\_

FATHER \_\_\_\_\_ AGE \_\_\_\_\_ RESIDENCE \_\_\_\_\_  
 OCCUPATION \_\_\_\_\_

MOTHER \_\_\_\_\_ AGE \_\_\_\_\_ RESIDENCE \_\_\_\_\_  
 OCCUPATION \_\_\_\_\_

STEPFATHER \_\_\_\_\_ AGE \_\_\_\_\_ RESIDENCE \_\_\_\_\_  
 OCCUPATION \_\_\_\_\_

STEPMOTHER \_\_\_\_\_ AGE \_\_\_\_\_ RESIDENCE \_\_\_\_\_  
 OCCUPATION \_\_\_\_\_

NAMES AND AGES OF BROTHERS - SISTERS

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

MARRIED \_\_\_\_\_ WHEN \_\_\_\_\_ WHERE \_\_\_\_\_ WIFE'S MAIDEN NAME \_\_\_\_\_

AGE AT MARRIAGE: HUSBAND \_\_\_\_\_ WIFE \_\_\_\_\_ DIVORCE \_\_\_\_\_ SEP. \_\_\_\_\_  
 DECEASED \_\_\_\_\_

NAMES AND AGES OF ALL CHILDREN:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

GRADES COMPLETED AT SCHOOL \_\_\_\_\_ TRADE \_\_\_\_\_ OCCUPATION \_\_\_\_\_  
OWN HOME \_\_\_\_\_ PROPERTY \_\_\_\_\_ RENT HOME \_\_\_\_\_ ROOM \_\_\_\_\_ BUSINESS \_\_\_\_\_  
CAUSE OF TROUBLE \_\_\_\_\_

MILITARY RECORD: ENLISTED OR INDUCTED \_\_\_\_\_ WHEN \_\_\_\_\_ WHERE \_\_\_\_\_  
OVERSEAS \_\_\_\_\_ DISCHARGED WHEN \_\_\_\_\_ WHERE \_\_\_\_\_ PAPERS \_\_\_\_\_

JUVENILE RECORD \_\_\_\_\_ POLICE RECORD \_\_\_\_\_

NAME AND ADDRESS OF EMPLOYER \_\_\_\_\_

HEALTH \_\_\_\_\_

PERSONAL HABITS \_\_\_\_\_

FINANCIAL STATUS \_\_\_\_\_

RESTITUTION \_\_\_\_\_

OTHERS INVOLVED \_\_\_\_\_

BACKGROUND \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature

Dated this \_\_\_\_\_ Day of \_\_\_\_\_ 19\_\_\_\_.

APPENDIX J

C O N F I D E N T I A L

PRESENTENCE REPORT

STATE OF ARIZONA,  
Plaintiff

- vs -

NAME,  
Defendant

CASE NO. A-

JUDGE:  
DATE:  
ADDRESS:  
ETHNIC:  
PROSECUTOR:  
BOND:

ALIAS:  
AGE:  
FBI #:  
ATTY:  
OFFENSE:  
(Arizona Revised Statutes  
Number), (Punishment)

---

STATEMENT OF OFFENSE:

SUBJECT'S STATEMENT:

OTHERS INVOLVED:

RESTITUTION:

PREVIOUS RECORD:

BACKGROUND:

MARITAL STATUS:

EDUCATION:

RELIGION:

HEALTH & PERSONAL HABITS:

MILITARY HISTORY:

FINANCIAL AND EMPLOYMENT RECORD:

COLLATERAL INFORMATION:

SUMMARY AND RECOMMENDATION:

Respectfully submitted,

Name of probation officer

APPROVED:

Lionel E. Rombach, Chief  
Adult Probation Officer

Date:

Officer's and secretary's initials

## APPENDIX K

YOUR PERSONAL LETTER TO THE JUDGE

The Honorable (Name of Judge)\_\_\_\_\_.

Please write on one side of paper and make your letter as readable as possible.

Write a statement about the role you played in the offense. What is your attitude (mental posture) about the offense?

How did you feel when you took part in the offense and what are your present feelings about the offense?

Do you want probation and what does probation mean?

What would you do if granted probation? That is, what are your plans as to work, residence, etc.

How do you feel about the possible term in the County Jail or a sentence to the Arizona State Prison, which ever is possible in your case?

Is it fair for people (the public) to pass laws that control the individual's behavior?

Name three values (important things or ideas in life) that Society seems to support and you approve.

Name three values Society seems to support and disapprove. Why do you disapprove?

What is the job of the police following an offense?

Why do we have Courts and what is their role in criminal action?

Do you feel that Courts have treated you fairly and legally?

Write down anything else you may wish to tell the Judge were you able to talk with him before he passes sentence.



APPENDIX L

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF PIMA

STATE OF ARIZONA,  
Plaintiff

- vs -

NAME

Defendant

CASE NO. A-

JUDGEMENT AND SENTENCE SUSPENDED

Convicted of: \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, the defendant being present in open court, in person and by his counsel, \_\_\_\_\_, and the deputy county attorney, \_\_\_\_\_, being present on the part of the State, and this being the time heretofore fixed for passing judgment, the defendant, \_\_\_\_\_, was duly informed by the Court of the nature of the information filed against him for the crime of \_\_\_\_\_, committed on or about the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_; also of his arraignment and plea of \_\_\_\_\_ as charged in the Information on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

The defendant being asked if he had any legal cause to show why judgment should not be pronounced against him, and no sufficient cause being shown or appearing to the Court, thereupon the Court renders its judgment, that, WHEREAS, you, \_\_\_\_\_ having been duly convicted in this Court of the crime of \_\_\_\_\_ it is found by the Court that you are so guilty of said crime.

It appearing to the Court that the ends of justice will be subserved if sentence be not imposed upon the defendant at this time and the defendant placed upon probation.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED, according to the Statutes of the State of Arizona in such cases made and provided, that the imposition of sentence in this cause be suspended for a term of \_\_\_\_\_ years and \_\_\_\_\_ months, and that said defendant be placed on probation under the charge and supervision of the Probation Officer of this Court, subject to which restriction the defendant shall be permitted



to go at large, conditioned, however, on his good behavior and on his complying with such other conditions of probation as the Court may designate, the Court expressly reserving all the rights by law granted to impose sentence at any time within the said period of probation if the interest of justice should so require and if the defendant should at any time violate the said conditions of his probation or his conduct otherwise not warrant a continuation of the suspension of sentence herein granted, under the following conditions:

- 1) That he violate no laws or ordinance, city, state or Federal.
- 2) That he make reports and carry out orders of the probation officer.
- 3) That he specifically avoid any assaults or physical attack on any member of society.

\_\_\_\_\_  
Judge.

APPENDIX M

PROBATION REPORT

Name of your Probation Officer \_\_\_\_\_

DATE \_\_\_\_\_

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

PHONE \_\_\_\_\_

I HEREBY REPORT FOR THE MONTH OF \_\_\_\_\_, 19\_\_\_\_

EMPLOYED BY \_\_\_\_\_

KIND OF WORK \_\_\_\_\_

DAYS EMPLOYED PAST MONTH \_\_\_\_\_ EARNINGS \_\_\_\_\_

WITH WHOM DO YOU RESIDE \_\_\_\_\_

HAVE YOU BEEN ARRESTED THIS PAST MONTH OR HAD CONTACT WITH  
THE POLICE? \_\_\_\_\_

IF SO, STATE CAUSE \_\_\_\_\_

HAVE YOU VIOLATED ANY OF THE TERMS OF YOUR PROBATION THE PAST  
MONTH? \_\_\_\_\_ IF SO, GIVE REASON \_\_\_\_\_

\_\_\_\_\_  
I HAVE READ THIS REPORT AND SWEAR THAT THE STATEMENTS ARE  
TRUE. I REALIZE THAT ANY UNTRUE STATEMENT SHALL CONSTITUTE  
A VIOLATION OF MY PROBATION.

SIGNED: \_\_\_\_\_

APPENDIX N

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF PIMA

STATE OF ARIZONA, )  
Plaintiff )  
- vs - )  
NAME )  
Defendant )

CASE #: A-

PETITION TO TERMINATE PROBATION

Comes now the Adult Probation Officer and to this Honorable Court represents and petitions:

That on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, the above-named \_\_\_\_\_, was in the above-entitled action convicted after a plea of guilty to the crime of \_\_\_\_\_, and on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, was placed on probation for a period of five (5) years conditioned that the defendant be a law-abiding citizen, and that the defendant continue to support his family and be a good father to his family. That the defendant follow the instructions and directions of the Probation Officer.

That the said defendant has, by deliberate and painstaking attention, complied with the conditions as stipulated by the Court plus his attitude has been such that he has profited from consultation with the probation officer and others in both cognizant and emotional adaptation.

The ends of justice appear to be subserved by the termination of probation because:

1. Further supervision does not appear necessary for the protection of society.
2. The defendant would have more liberty to pursue academic and vocational studies.
3. It should bolster his self-esteem, rendering him a more capable individual.
4. The time, energy and expense used to effect contacts with the probation officer could be used in home and social endeavors.

Therefore, your petitioner prays that said defendant's probation be terminated as provided by Arizona Revised Statutes, Section 13-1657 (D).

Respectfully submitted,

\_\_\_\_\_  
(Name of Officer)  
(Title)

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

## APPENDIX O

SUPERIOR COURT OF ARIZONA  
Pima County

## JUDGES

Honorable Robert O. Roylston  
Presiding Judge

Honorable John Collins  
Division Number One

Honorable Norman S. Fenton  
Division Number Ten

Honorable William C. Frey  
Division Number Four

Honorable Lee Garrett  
Division Number Two

Honorable Lawrence Howard  
Division Number Nine

Honorable Jack G. Marks  
Division Number Eight

Honorable Mary Ann Richey  
Division Number Five

Honorable Richard O. Roylston  
Division Number Seven

Honorable Alice Truman  
Division Number Six



B. At any time during the probationary term of the person released on probation, any probation officer may, without warrant or other process, at any time until the final disposition of the case, re-arrest any person so placed in his care and bring him before the court, or the court may, in its discretion, issue a warrant for the re-arrest of any such person and may thereupon revoke and terminate the probation, if the interests of justice so require, and if the court, in its judgment, has reason to believe that the person so placed upon probation is violating the conditions of his probation, or engaging in criminal practices, or has become abandoned to improper associates, or a vicious life.

C. Upon the revocation and termination of the probation, the court may, if the sentence has been suspended, pronounce sentence at any time after the suspension of the sentence within the longest period for which the defendant might have been sentenced, but if the sentence has been pronounced and the execution thereof has been suspended, the court may revoke such suspension, whereupon the sentence shall be in full force and effect, and the person shall be delivered to the proper officer to serve the sentence.

D. The court may at any time during the period of probation revoke or modify its order of suspension of imposition or execution of sentence. It may at any time, when the ends of justice will be subserved thereby, and when the good conduct and reform of the person so held on probation warrants it, terminate the period of probation and discharge the person so held, and in all instances, if the court has not seen fit to revoke the order of probation and impose sentence or pronounce sentence, the defendant shall, at the end of the term of probation, be discharged by the court."

## APPENDIX Q

PIMA COUNTY ADULT PROBATION DEPARTMENT  
PROBATION REPORT

January, 1968

Defendants	29
Offenses	40
Sentences	40

Part I -- Defendants

A. Age

<u>Age</u>	<u>No. of Defendants</u>
18	1
19	4
20	3
21	3
24	2
25	2
26	2
29	1
31-34	3
35-39	3
45-49	2
50-54	2
55-59	1

B. Race

Anglo-American	17
Spanish-American	5
Negro	5
Indian	1
Armenian	1

C. Sex

Male	26
Female	3



D. Religion

Protestant	15
Catholic	12
Other	1
None	1

E. Citizenship

All defendants were listed as citizens of the United States

F. Education

<u>Years of schooling</u>	
1-4	1
5-6	5
7-8	7
9	2
10	3
11	2
12	4
GED (Governmental Equivalency Diploma)	2
13	3
16 plus	1

G. Marital Status

Single	17
Married	5
Divorced	4
Separated	1
Common-law	2

H. Children

None	19
1	4
2	3
3	1
5	1
6	1
Illegitimate	3

(No. of defendants admitting to birth of illegitimate children)

I. Employment Status (at time of arrest)

Employed	13	
Unemployed	16	(15 of these defendants committed crimes against property)

J. Military Background

Active members of the armed services	1
Previous military experience	9

1. Type of Discharge

a. Honorable.....	6
b. Medical.....	1
c. General.....	1
d. Undesirable....	1

2. Registered for draft	16
-------------------------	----

3. Reason not inducted:	
a. Health.....	1
b. Mental.....	3
c. Criminal record	1
d. Others (not called.....)	11

4. Women (no previous military experience)	3
--	---

## K. Property Owner (Defendants that have claimed the ownership of tangible property other than personal effects, furniture, or automobile)

Owner	2
Non-owner	27

L. Previous Juvenile Record

None or unknown	20
Adjudicated	9
Institutionalized	5

M. Previous Adult Record

Prior felony conviction	11
Prior misdemeanor conviction	19
Prior Jail sentence	14
Prior Prison conviction	8
No prior criminal record	4

N. Dispositions

Probation	14
Jail	2
Prison	13

Part II -- Offenses

Section One:

A. Criminal Homicide		
Vehicular Manslaughter	1	
B. Rape		
Rape, Second Degree	1	
C. Robbery		2
D. Aggravated Assault		2
E. Burglary		7
First Degree	5	
Second Degree	1	
Second Degree with Prior	1	
F. Grand Theft		1
	<u>Total</u>	<u>14</u>

Section Two:

A. Other Assaults		2
Aggravated Battery	1	
Simple Assault	1	
B. Offenses Involving Checks		7
Forgery	2	
Drawing Check on No Account	5	
C. Fraud		4
Obtaining Money, Property, or Valuable Consideration by False Pretense or Confidence Game		
D. Stolen Property		1
Accessory to Receiving Stolen Property		
E. Sex Offenses		1
Molestation of a Child		
	<u>Total</u>	<u>15</u>

Section Three: Miscellaneous Offenses

A. Petty Theft	3
B. Petty Theft with a Prior	3
C. Conspiracy	5
<u>Total</u>	<u>11</u>

Part III -- Sentencings

A. Probation	
3 months	1
6 months	2
1 year	4
2 years	3
3 years	2
5 years	2
<u>Total</u>	<u>14</u>

B. Prison	
1-3 years	1
2-3 years	2
2-4 years	1
3-4 years	1
3-5 years	3
3-Life	1
4-5 years	1
4½-5 years	1
5-7 years	2
10-12 years	1
<u>Total</u>	<u>14</u>

C. Jail	
6 months	2

Part IV -- Caseload Summary

Number of probationers on January 1, 1968	311
New Cases	14
Terminations or expirations	20
Revocations	0
Number of Probationers on January 31, 1968	305

Total Number Of Probationers

Lionel E. Rombach, Chief.....	79
Robert E. Long, Chief Deputy.....	80
Daniel Sakall, Deputy.....	66
Joseph Pobrislo, Deputy.....	42
James E. Henry, Deputy.....	38
Total	<u>305</u>

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