

Holly K.O. Sparrow
Senior Research Associate
Administrative Office of the Courts
244 Washington Street, SW, Suite 550
Atlanta, GA 30334

PRIVATE PROBATION IN GEORGIA: A NEW DIRECTION SERVICE AND VIGILANCE

This paper reviews the misdemeanor private probation program in Georgia. Private for profit company supervision of probationers is a fairly new idea. This paper explains administration of the program in Georgia, compares the Georgia program to probation privatization in other states, and reviews the data available from the state office and a survey of local officials to determine the success and future of the program. The purpose of this paper is to help the Georgia courts in assessing how best to structure misdemeanor probation services and to provide information to other states considering privatization of probation supervision.

The paper provides a short history of probation and the privatization of corrections. This history is followed by a review of literature and an examination of the private probation programs in other states to determine if there are any national models Georgia should follow.

The major portion of the report is divided between an evaluation of the supervision of the private probation program by the County and Municipal Advisory Council and a survey of Georgia officials and private probation companies regarding their opinions of private probation. The records of the Advisory Council and the surveys of officials are used to determine the advantages, disadvantages, improvements, and problems of private probation in Georgia.

Since 1996 there has been a dramatic growth in the number of private probation contracts in Georgia since 1996. Company registration information and field audits of the Advisory Council reflect general compliance with the statutes and rules regulating private probation

programs. Advisory Council records also indicate that successful case closure is fairly high for private probation programs in the state. A majority of judges surveyed perceived the private probation services rendered to the courts accord a greater level of accountability and supervision than was previously available.

On the other hand, the survey data shows a small number of judges have been dissatisfied with the service from particular providers. Although the survey of judges from courts with a local government probation department revealed similar operational policies to policies of the private programs, the judges have unfavorable perceptions of private probation. The cost to the probationer and financial accountability of the private company to the court appear to be of particular concern.

The review concludes that the Advisory Council appears to be a viable means of oversight of the many private probation programs. It has brought uniformity by establishing standards that private companies have met as demonstrated by the results of the Advisory Council field audits. The criticisms of private probation in the surveys prove that both Advisory Council oversight and local accountability through careful contract crafting and performance supervision by the courts will be needed to insure the future success of private probation.

The literature review and other state programs reveal that there are few comparable programs to Georgia. Therefore, Georgia's development of an oversight mechanism and use of local judicial control may become a national model for misdemeanor probation privatization.

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