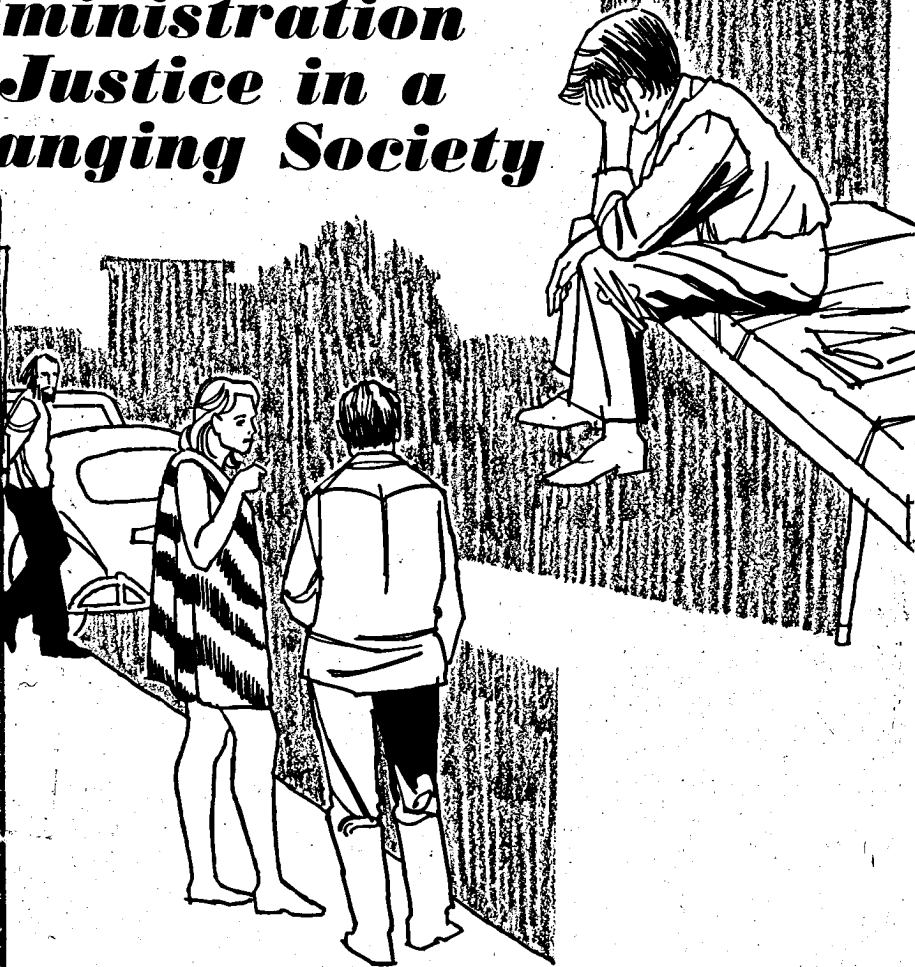




Administration of Justice in a Changing Society



Time, said St. Augustine, is a three-fold present: the present as we experience it, the past as a present memory, and the future as a present expectation. By that criterion, the world of the year 2000 has already arrived, for in the decisions we make now, in the way we design our environment and thus sketch the lines of constraints, the future is committed. The future is not an overarching leap into the distance; it begins in the present.

DANIEL BELL, Chairman, The
Commission On The Year 2000;
The American Academy of Arts
and Sciences, 1967.

ADMINISTRATION OF JUSTICE
IN A CHANGING SOCIETY

A Report On Developments In The
United States--1965 to 1970
Prepared For The Fourth United
Nations Congress On The Prevention
Of Crime And Treatment Of Offenders

Kyoto, Japan
August 1970

Library of Congress Card Number 74-606845

ACKNOWLEDGMENTS

The document which follows represents a summary of major trends and developments in the field of social defense in the United States since the Third United Nations Congress on the Prevention of Crime and Treatment of Offenders in 1965. Responsibility for the planning of the publication was assigned to an Editorial Committee which was chaired by H.G. Moeller, Deputy Director, Bureau of Prisons, U.S. Department of Justice. Other members of the committee included:

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The report draws heavily upon official reports published and information furnished by agencies of the United States

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Special thanks is also due to Mr. John Conrad, Chief, Center for Crime Prevention and Rehabilitation, National Institute of Law Enforcement and Criminal Justice, who assumed the responsibility for the final chapter of the publication, "Research In Support of Correctional Planning."

This publication was made possible by a grant from the Law Enforcement Assistance Administration, U.S. Department of Justice.

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SOCIAL FORCES AFFECTING THE ADMINISTRATION OF JUSTICE

The Changing Society

The five year period since the last United Nations Congress on the Prevention of Crime and Treatment of Offenders has seen pronounced changes in the United States. Dramatic shifts have taken place on broad social fronts. As a consequence, the complex problems in the administration of justice can best be understood through an awareness of the impact of these changes on the United States and its people.

Social institutions in the United States today are undergoing considerable change, as forces impinge on them in attempts to make them more responsive, to the perceived needs of their clientele. The unrest in the inner city areas of America's urban centers and on the nation's college campuses is viewed by many as an overt manifestation of a need to be involved in those educational, social, and political processes which affect people's lives.

Social conditions related to population growth, urbanization, education, poverty, employment and adequate housing all have decided effects on the United States' crime problem. In the less immediate past such issues have been on the periphery of concern to those involved in the administration of criminal justice. It is becoming increasingly evident, however, that in order to prevent and reduce criminal and delinquent behavior cognizance must be taken of such conditions. Law enforcement, courts, and rehabilitative agencies all have a vital stake in how society deals with such fundamental problems.

Population Characteristics and Trends

In 1969, the United States' total population passed the 200 million mark. By 1985, it is expected to reach more than 250 million. Within this total population, the increase in the youthful population has been a source of concern during recent years for those directly concerned

with crime and delinquency. The projections indicate that it will continue to be. While the increase from 1960 to 1985 in all age groups will be 40.6 percent, the increase in the same time span in the 15 to 44 age group will be 57.2 percent. Metropolitan regions will experience an even greater rise in this same time span for this particular age group; in these areas of the country there will be a 75 percent increase.

Perhaps of greater social consequence, however, is the projection that between 1960 and 1985, non-whites in the 15 to 44 age bracket will have increased by nearly 92 percent, as opposed to a 53 percent increase in the number of whites in the same age group. Thus, not only will there be a large number of persons in this important age group, but a significant proportion will be non-white.

More significant than total population trends, though, is the fact that the United States is becoming a nation of urban dwellers at a very rapid rate. For example, in 1950, 62 percent of the population lived in metropolitan areas. But by 1985, current projections indicate that nearly 75 percent of the total population of the United States will reside in metropolitan areas.

Apart from an anticipated general increase in the workload of criminal justice agencies other implications of these projections seem clear. The offender of the future is increasingly likely to come out of the inner core of large cities, wherein will be found only 37 percent of the metropolitan population--but the preponderant proportion of the economically, educationally, and socially disadvantaged.

In terms of the broad range of its effects, the growth in the 15 to 44 age group will be the most significant change in the population's age structure in the foreseeable future. Not only will this growth be reflected in the demand for millions of new jobs, but its impact will also be felt in accelerated demands for higher education and vocational training. In addition to these pressures, the increase in this population bracket will account for significantly higher numbers of arrests and correctional clients. Today, a majority of all crimes against property are committed by people under 21 years of age. These

young persons also account for a substantial number of arrests for major crimes against the person. Beyond this, the recidivism rates for young offenders are generally higher than for the older correctional population.

A burgeoning youth population will cause considerable strain on the country's criminal justice system. Not only will larger numbers of youthful offenders be entering the system, but they also will be bringing with them more complex problems brought about by changes in the labor market and other social structures.

The problems likely to be posed by the nation's young will need to be placed at the top of the national agenda in order to prepare adequately for the expected increase of persons entering the criminal justice system. Population trends when viewed against a backdrop of other changes in the social fabric of the United States take on added significance in terms of their implications for the effective control of crime and delinquency.

Technological Change and Its Implications for the Administration of Justice

Technological change, which is such a shaping phenomenon in any society, is not itself new; it has proceeded at a relatively orderly pace throughout the history of the United States. Its effects have always been most apparent following a radical invention or discovery, such as electricity, the automobile, synthetics, and, most recently, the high-speed computer.

The present period differs, though, from earlier ones in an important way. Innovation in the past led, in the main, to more effective ways of solving problems or satisfying needs. The computer, on the other hand, leads directly to additional innovation, through its ability to store and analyze information and generate extensive new knowledge--the raw material of invention and discovery. Thus, the consequences of present-day technology bear more directly on the rate of change than did previous innovations. As a result, the United States is in

an era of unprecedented change, with change being the rule rather than the exception.

Current patterns of innovation create jobs tending to require more education and training and a higher degree of sophistication in general than did many of the disappearing jobs. This trend clearly affects most of all the two groups which are central in the administration of justice--the young and the non-whites. For these two groups, present trends in the employment structure do not improve their positions when projected 10 or 15 years.

Consequently, present national policy is moving toward systematic public and private manpower planning. Planning must take into account the need to generate whole new employment markets, expand relevant education and training opportunities, and devote more attention to a myriad of adjustment problems which accompany rapid and constant change.

It seems clear that for the United States, in its present state of economic and social development, the greatest growth in the foreseeable future will be in the service occupations. Thus, increasing numbers of offenders must be trained and prepared to assume roles in human service occupations, (e.g., counselors, teachers, community aides, health workers). Traditional barriers to such employment opportunities have been reduced considerably during the last few years in order that offenders may compete successfully for positions in these service occupations. Hiring policies and practices which formerly excluded those with arrest records are being modified, so that otherwise qualified offenders can have the same range of occupations open to them as has the general population.

Changing Conceptions of Crime and Delinquency

In recent years there has been increasing concern in the United States about the social, economic, and political conditions which impede progress in the reduction of crime and delinquency and in the reintegration of adjudicated offenders into the community. In the past, preventive and rehabilitative efforts have been hampered by

the complex and often contradictory assumptions about the causes of criminal and delinquent behavior and how offenders can best be "cured." This issue has been described by Professor E. K. Nelson of the University of Southern California who has noted:

As in the primitive stages of the development of the medical sciences, ideas about better ways of meeting problems have tended to evolve randomly rather than through an additive interrelating of theory and practice.

The most pervasive ideology concerning correctional treatment has stemmed from the assumption that offenders violate norms and laws because of some form of personality defect. There has been increasing evidence, on the other hand, that much of what we call criminal behavior is a result of faulty conditioning by major social institutions--the family, the school, religious and recreational institutions, and the world of work. Contemporary correctional practice has not gone very far in discovering how to intervene in the activities of these institutions in a way which would be complementary to intervention in the psychological difficulties of individual offenders. Correctional practitioners have been quite isolated and have sought to perform alone a task which cannot be pursued successfully without the close support and cooperation of the larger community. Until a wide range of community leaders and citizens involve themselves in opening and adapting resource systems into which offenders must gain entry if they are to become law-abiding, little substantial progress can be expected.

As a result of the changing ideology, criminal justice agencies have begun to fashion their concepts and practices in ways which consider the society and its social institutions and neighborhoods, as targets as well as instruments for change. The changing views, as regards rehabilitative efforts, have been as much a function of concern from within correctional ranks as from outside the criminal justice system. In this connection, the opinions of a national sampling of personnel working in probation and parole settings were asked for in a study

conducted in 1968 by the federally sponsored Joint Commission on Correctional Manpower and Training. This study revealed that a great majority of correctional personnel in the U.S. are not satisfied with the programs of which they are presently a part. For example, they were asked to what extent they thought correctional personnel were attempting to help offenders by influencing the community to make such things as jobs, schooling and housing more readily available to offenders. Less than a third responded, "a great deal." More than half of the probation and parole personnel surveyed, indicated that "some but not a great deal" was being done, while nearly a quarter of them admitted that such assistance was being provided on behalf of offenders "hardly at all."

When these same persons were asked, however, about the amount of emphasis they felt should be placed on enlisting community help, more than 90 percent said that more should be done in this area. The reasons commonly given for feeling that there should be more emphasis on community support were:

- The local community must develop a greater awareness of offender problems and correctional efforts.
- The local community must assume more responsibility for the rehabilitation of offenders.

Persons working in probation and parole settings in the U.S. also seem to be in considerable agreement about the most serious problems facing offenders in the community. Such items as "finding employment," "being accepted in the community," and, "finding stable family and social relationships," were chosen most often by the respondents in the national sample of correctional personnel. Significantly, "personality problems" ranked lower in importance than those factors which dealt more with the community and with the offender's family and companions. Thus, finding a decent job, being accepted in the community and finding stable family and social relationships have become the areas on which this country's correctional workers feel the criminal justice system ought to focus in the future.

On the whole, correctional agencies in the United States

are moving toward a greater community involvement in the rehabilitative process. The one-to-one counseling methods which have dominated American rehabilitative efforts for so many years appear to be giving way to fresh ideas and new approaches. Group counseling, the use of neighborhood aides, halfway houses, pre-release guidance centers, community correctional centers, community development programs, job training, job counseling and placement, and various other activities designed to expand the range of services to a diversified population of offenders are being introduced around the country. In addition, prevention activities are being taken more seriously. More community programs are being developed which are designed to reduce the flow of persons into the criminal justice system.

The heavy emphasis on community based programs as alternatives to confinement is being felt increasingly. In most jurisdictions in the U.S., commitments to institutions have been declining in recent years. Institutional populations are showing marked reductions in many areas while community based alternatives are experiencing a considerable increase.

The climate in the United States today is one of experimentation and reassessment of the policies and practices of the past. There is growing recognition that many of the traditional ways for combating crime and delinquency have not been effective. Thus, there is an acute awareness that a "more of the same" philosophy will have little or no effect on present efforts to reduce significantly the incidence of crime and delinquency in the United States.

Advocacy for Offenders

Agencies of criminal justice, in recent years, have become more outspoken about those conditions which operate against the successful rehabilitation of offenders. In a very real sense, the criminal justice apparatus of the country has moved toward assuming an advocacy role in pressing for a climate which is more conducive to the reintegration of the offender into the mainstream of community life.

The United States continues to be in a period of economic expansion and relatively good employment opportunities. But, the dynamics of the employment market tend to isolate the least educated and trained, the young, and the non-whites. These, of course, are the very groups from which the criminal justice system continues to draw the bulk of its clients.

As a result, there is a growing recognition that efforts to change the behavior of offenders must also take into account the more general problems of society. Increasingly, there is an attempt to engage society, its communities, and its social structures to make reintegrative efforts more productive. The problems of the times require more imaginative correctional programs. National, state and local leadership is being enlisted to press for those changes which are needed to bring about a more favorable climate for the rehabilitation of offenders and for their reintegration into the normal life of the community.

Legal Trends in the Administration of Justice

Changes in the legal framework within which criminal justice agencies (i.e., police, courts, corrections) operate have made a sizeable impact on the administration of justice in recent years. United States Supreme Court decisions and those of lower courts call for providing the accused as well as the convicted offender with greater legal safeguards. Until such increased judicial intervention, correctional agencies, for example, were relatively free to administer their programs with little outside interference. While there existed internal scrutiny, review and legislative committees or citizen groups which probed into correctional activities, the courts rarely interfered in post-adjudicatory matters. In addition, legislative guidelines on basic policies and decision-making criteria either were non-existent or too vague to be meaningful.

Perhaps one of the most dramatic examples of the sweeping changes which may be brought about by United States Supreme

Court decisions are those which flowed from the famous *Gault* decision of 1967. In essence, the Supreme Court ruled that juveniles have the right to notice of charges, the right to counsel, the right of confrontation and cross-examination, and the protection of the privilege against self-incrimination. The motivational force for the highest court of the land to take action in a field it has virtually ignored since its inception, seemed to stem from a gap between expectation and performance. While acknowledging the well-intentioned motives which guided the creation and administration of juvenile courts, the Supreme Court had grave concern over actions being taken under the guise of "what is in the best interest of a child". There was considerable evidence that this country's juvenile procedures, in effect, had become a criminal process for children offering neither effective help nor procedural safeguards.

The *Gault* decision and others in a similar direction have opened the door for greater legal challenges to administrative procedures being carried out within broadly mandated laws. Vague statutes are being questioned as more attorneys become involved in the administration of justice at various procedural stages. Decisions affecting the pre-arraignment process similarly have had a great impact on law enforcement agencies. Advisement of constitutional rights and the provision of counsel in all stages of criminal and juvenile procedures have become the rule of the land.

All in all, court decisions of recent years have caused some rather drastic departures from prior practices. While these changes have been perceived by some as hindering effective law enforcement and rehabilitative methods, a vast majority of thoughtful citizens feel that the balancing of individual rights with those of society is essential to the survival of a free society.

To ensure the legal rights of the accused as well as those under correctional supervision, there has been a considerable increase in the provision of legal counsel to those who cannot afford legal aid. Public defenders, who are paid completely from state or local government funds have become increasingly active in recent years.

Their number has grown steadily and their presence is being felt more and more in courts across the land. Similarly, the federal government through the establishment of Neighborhood Legal Services under provisions of its anti-poverty program has brought increasing legal assistance to the poor. The growth of privately supported legal aid services has also done much to ensure that all those desiring legal counsel may be represented in those cases where the client lacks sufficient resources to retain his own legal adviser.

The increasing appearance of attorneys at all stages of proceedings, along the administration of justice continuum, is quite possibly the most significant event in this field in many years. While the full impact of these legal challenges is yet to be felt, the fact that they are and will continue to be made is a major force in shaping future policy and practices in this field.

Diversion and Efforts Toward Decriminalization

Recent years have seen, too, increasing pressures to restrict the scope of the criminal sanction. Numerous critics of the nation's criminal laws have noted the tendency to attempt to regulate the private moral conduct of citizens. The opponents of present laws argue that attention to acts which often are without victims, dissipates the resources of an excessively burdened criminal justice system. The result is that a preoccupation with a highly moralistic criminal law depletes the time, energy, and manpower available for dealing with the types of crime involving violence and stealing--which are the primary concern of the criminal justice system.

Criminologists, Norval Morris and Gordon Hawkins have catalogued the following "offenses" for which they believe the criminal sanction is now inappropriately used: drunkenness, narcotics and drug abuse, disorderly conduct and vagrancy, abortion and sexual behavior. In addition, they feel that the juvenile court should retain jurisdiction only over conduct by children which would be considered criminal were they adults. Morris and Hawkins argue that redefining criminal behavior

would do much to reduce the pressure on police, courts, and correctional services and thus improve considerably the effectiveness of the criminal justice system. They hold that it is "improper, impolitic, and usually socially harmful for the law to intervene or attempt to regulate the private moral conduct of the citizen."

The President's Commission on Law Enforcement and Administration of Justice noted in 1967 in its task force report on the courts, that "only when the load of law enforcement has been lightened by stripping away those responsibilities for which it is not suited, will we begin to make the criminal law a more effective instrument of social protection."

As a corollary to the increasing concern with what has been termed "the overreach of the criminal law," movements are gaining momentum in the United States today to divert from the criminal justice system those who do not stand to benefit from it. Screening and intake functions are becoming increasingly central to the operation of police departments, courts, and probation agencies. Significant proportions of arrested persons are being diverted from the adjudicatory process when it is felt that other societal mechanisms afford a greater opportunity for producing the desired results. Diversion has the added advantage of reducing the effects of stigmatization which is still a result of the formal adjudication process. Educating the general public to more fully accept the convicted felon or adjudicated delinquent is viewed by many as a costly and time-consuming endeavor. Thus, efforts to reduce the stigmata of formal adjudicatory processes, while attempting to provide appropriate community services to those who may be diverted from the criminal justice system, continue to progress and hold much promise for the future.

Pretrial Freedom

The past few years have seen a searching reexamination of the system of pretrial release. Sweeping changes have already been made and more are in the offing during the immediate future.

During late 1965 a national conference of considerable importance was held in New York City to address the problems attendant to pretrial release and to suggest badly needed changes in the prevailing system. With financial support from the U.S. Department of Health, Education and Welfare, the Institute on the Operation of Pretrial Release Projects brought together nearly 250 participants from jurisdictions throughout the country where local bail reform efforts were underway. Panels of experts explored in depth the following topics:

- The privileged nature of communication between bail interviewers and defendants.
- The implications of the absence of counsel at such interviews.
- Possible prejudicial use of bail reports.
- Use of bail for preventive detention.
- Project coverage and excluded offenses.
- Types of investigative personnel.
- Use of objective point-weighting systems or subjective criteria to determine eligibility for release.
- Use of summonses, citations, and stationhouse release without bail.

The Bail Reform Movement

The Vera Institute of Justice in New York City has pioneered in bail reform efforts in the United States. In 1961 the Institute, in cooperation with New York University Law School, launched the Manhattan Bail Project--an experiment with increased use of release on recognizance as an alternative to bail.

The bail project demonstrated that judges released more defendants on their own recognizance when presented with verified information about their family ties, residence,

and employment, than without such information. Further, it showed that defendants with community ties could be depended upon to return to court whether or not bail was posted. As a consequence of such findings, and other studies dealing with the extent of pretrial detention in several jurisdictions, the Attorney General's Committee on Poverty and the Administration of Federal Criminal Justice recommended a policy of increased use of release on recognizance in the federal system. The Manhattan Bail Project also led to the establishment of a permanent pretrial release operation in New York City and to changes in bail practice in the District of Columbia, as well as in more than 100 communities in well over half of the states in the United States.

A similar promising development in the movement to increase pretrial release without bail--the growing use of procedures which advance the point of release from arraignment to an earlier stage in the proceedings--has been pioneered by the New York City Police Department in its experimental Manhattan Summons Project. Conducted in conjunction with the Vera Institute of Justice, the program inaugurated the use of police release procedures to avoid detention on minor criminal charges, such as simple assault, petty larceny, malicious mischief, and disorderly conduct.

A number of other jurisdictions have since adopted the plan and extensions are being made to cover major misdemeanors as well as some felonies. It should be noted that these programs do not eliminate arrest; the defendant may still be brought to the police station for identification, booking, search, questioning, fingerprinting, and photographing. But, once brought to the precinct station, the accused is interviewed and his residence, employment, family ties, and other community roots are verified precisely as in a bail program. If found to be a good risk the accused may be released and given a citation requesting his appearance in court at a later date.

The use of police release procedures has a number of advantages, not the least of which is the avoidance of unnecessary loss of liberty for the accused. Additionally, the police are left free to devote more time to active police patrols and less to transporting and guarding

prisoners. Further advantages accrue by facilitating more orderly scheduling of court appearances and substantially eliminating the need to set monetary bail for the defendant who can demonstrate his reliability by appearing in response to the summons or citation.

Legislative Efforts

Since 1964, legislation encouraging use of release without bail or on nominal cash bail has been adopted by a number of states as well as the federal government. In 1966, the United States Congress passed a comprehensive Bail Reform Act, which governs the conduct of federal courts as regards bail practices. In signing the Act, the President noted that "[the Bail Reform Act] does not restrict the power of the courts to detain dangerous persons in capital cases or after conviction." He indicated also that the Act would essentially enlarge justice by applying equal rights to all, irrespective of economic means, and he urged all Americans to "rise above the debate between rights of the individual and the rights of society, by securing and protecting the rights of both." It seems clear that the United States has taken considerable strides toward the adoption of policies and practices which will guarantee equal opportunities to pretrial release irrespective of ability to pay.

Public Attitudes Toward Crime, Corrections, and the Administration of Justice

Crime in the streets has become a major domestic issue for the vast majority of citizens. The attitudes and perceptions of the public toward crime, corrections, and the administration of justice appear to be central to any country's attempts to effectively cope with its crime problem.

In 1967, a major opinion survey was conducted in the United States of a representative national sample to assess public opinions and feelings. The study was done under the auspices of the Joint Commission on

Correctional Manpower and Training.

Highlights of the survey include the following:

- . The Public is aroused over the growing incidence of crime in the United States. Eighty-nine percent of those surveyed claim that crime rates have increased, or at least not decreased, in their areas in recent years.
- . Only half of the adult public believe that the nation's prison systems have done a good job helping to deal with the problem of crime.
- . While only 48 percent of all adults feel that rehabilitation is the major focus of prisons today, 72 percent feel this should be the main emphasis.
- . Only 7 percent feel that the main emphasis in prison should be punishment.
- . While the public understands and supports rehabilitation as the primary goal for correctional agencies, only 5 percent feel that corrections has been "very successful" in rehabilitating criminals. However, 49 percent say "somewhat successful."

One might have expected that a public disillusioned with its country's penal institutions would support community based alternatives as a more satisfactory method of rehabilitating offenders, but responses with regards to appropriate dispositions of hypothetical offenses showed little support for the use of probation.

Results of the survey make it clear that people are uneasy about having offenders in their midst. This is especially disturbing when one considers the fact that more than 95 percent of all those confined in correctional institutions in the United States will eventually be released. The American public expresses considerable fear about the trouble offenders might cause and the bad influence that might result, particularly on the young.

Reintegration of the offender into society is recognized as a major problem--60 percent of Americans see finding

employment as a serious problem for offenders and 42 percent view being accepted and trusted in the community as a problem. Yet, there is little apparent awareness of how their own attitudes contribute to offenders' problems.

Clearly, the public is apprehensive about the role they, as individual members of society, might be able to play in the rehabilitative process. While recognizing the importance of promoting community support to the offender, there is considerable reluctance to extend that help oneself.

These and other facets of the national public opinion survey make it abundantly clear that the American public does not know nearly enough about crime and its correctives. Public attitudes in these matters appear to be formed without sufficient facts. A large part of the present lack of public interest and legislative support for correctional programs may be due to the lack of information about the investment of public funds and what the returns have been in men, women, and youngsters who have come back to the free community to lead useful lives.

On the other hand, a responsible citizenry in a free society has the obligation to become better informed about how its offenders are being dealt with. Matters of such basic public policy should not be left solely to the professionals. Where information is not freely given, it should be demanded; where help is not always solicited, it should be offered; where financial support is insufficient, greater support should be provided. Any society can drastically reduce crime and delinquency if it determines to do so. But crime and delinquency can never be reduced without public involvement.

The Increasing Role of the Private Sector

In recent years, national attention has focused upon the ways in which government and private industry may collaborate more effectively to cope with the urgency of

pressing social problems in the United States. For the criminal justice system this trend means that the range of its sources of assistance has greatly increased. The potential of industry's vast resources and technology is becoming increasingly clear as the nation attempts to make its criminal justice system more efficient as well as more effective.

Whereas in years past the private and governmental sectors were seen as distinctly separate entities, the national climate of the United States is such today that it is often difficult to see where government leaves off and private industry starts in any given area of endeavor. Rather than big business versus big government, America is now in an era where the full potential of the two sectors is being realized. Sometimes this means it is more efficient and possible for one or the other of the sectors to perform certain functions and to provide certain services. At other times it seems more desirable that collaborative relationships be formed in order to address particular pressing problems together.

Among the better known programs designed to bring together the resources of private industry and the federal government is JOBS, which pools the resources of industry and the government with funds allocated by the United States Department of Labor. The National Alliance of Businessmen, which coordinates the program, has set an objective of bringing 500,000 of the nation's hard-core unemployed into meaningful occupations. The implications for criminal justice agencies are clear since the hard-core unemployed are all too often clients of the criminal justice system or are likely to be if work opportunities are not made available. In recent months some JOBS programs have been tailored especially for released institutionalized offenders and for those residing in the community under conditions of probation.

Other programs, national in scope, have been developed in recent years which have the potential for providing considerable assistance in coping with problems of offenders. With the advent of these large-scale efforts of private industry, the opportunity for more effective integration of offenders into meaningful job markets has been increased substantially.

In addition, private industry is becoming more involved with correctional agencies in developing programs of vocational training and work experience. The skills, techniques, and resources of the private sector are also being used increasingly in the development of basic education programs, in the formulation and execution of complex research designs, and with the on-going development of the staffs of criminal justice agencies.

Private industry has become increasingly useful in the rehabilitative process by its participation in the following types of programs:

Work-release: The work-release programs of recent years, wherein prisoners have been allowed to leave their place of confinement during the day in order to work in nearby business and industries are proving to be quite effective. These programs have brought private industry into contact with the correctional institution at a new level of intensity and confidence. In many instances, private employers have become interested in the institution's entire problem of vocational training and work-preparedness programming and, concurrently, in the prison population as a manpower resource.

The forging of a link between the institution and real job situations in the community appears to have great potential as a correctional tool when integrated with necessary training, counseling, and educational experiences. The expansion of such programs at federal, state and local levels of government is increasing correctional effectiveness as well as building a strong base from which to launch additional collaborative programs between government and private industry.

Vocational Training: One of the major needs of contemporary corrections is to be able to provide training for its clients which is integrated with real work situations in the community. There are increasing indications that private industry, with its command of extensive resources and a reservoir of experience and techniques, can develop efficient and effective training programs for problem populations.

Governmental units are adopting policies that stimulate and encourage the capacity of correctional agencies to become involved in joint training ventures with private industry. In the past many training programs in correctional facilities have not been as effective as they might have been because they lacked direct linkages with the world of work. To be truly effective, correctional programs must be closely aligned with education, training, and work opportunities in the community. The transition from confinement to free society can be enhanced considerably by establishing such linking mechanisms.

Basic Education: Private industry in the United States has been demonstrating that it has a capability to address the needs of educationally, and socially disadvantaged groups. Federal contracts have facilitated the expansion into the educational market place of many of America's industrial giants. While in many instances their primary contribution has been in the development of educational hardware, a number have demonstrated considerable skill in the development of instructional and teaching techniques.

Staff Development: Private industry has made remarkable advances in its staff development programs. Much of the relevant literature regarding training and staff development is a direct result of experiments undertaken in the private sector. Historically, government has lagged far behind industry in planned staff development. Agencies of criminal justice in particular have not made any significant investment in training.

Within the past five years a number of agencies have begun or greatly expanded their training activities. Industrial training expertise is playing an ever greater role in the expansion of these efforts.

Research and Development: The "systems" approach pioneered by private industry is showing increasing utility in the administration of justice. Fragmentation of function makes imperative the need to systematize and coordinate the activities of all of the component parts of the criminal justice system. Information systems are badly needed for the nation's criminal justice agencies.

Private enterprise has developed concepts, methodologies, and techniques which are proving useful in attempts to rationalize the criminal justice system. Decision-making is being aided through a systems approach to problem solving.

The Law Enforcement Assistance Administration (LEAA) of the Department of Justice is making a major effort to increase the involvement of some of the nation's largest corporations in the control and treatment of criminal and delinquent behavior. A special unit within the Corrections Division of LEAA has been actively seeking the help of private industry in bringing its resources to bear on criminal justice programs. To date, this venture has resulted in the submission of more than a dozen proposals for innovative projects in corrections involving private industry and correctional agencies.

As a matter of public policy, the engaging of private industry to carry out program functions in criminal justice agencies has the advantage of linking these agencies to the broader community. Involving the private sector in this manner is expected to increase public understanding, support, and commitment of resources to the system. The concept of reintegration of offenders into the community includes the implicit assumption that as many community structures as possible are to be involved in one way or the other in the correctional task. Additionally, the inclusion of the private sector adds a potentially powerful ally to the criminal justice system's support group.

STRENGTHENED NATIONAL LEADERSHIP IN THE ADMINISTRATION OF JUSTICE

National Study Commissions

During the past five years, four national study groups have made a series of recommendations which bear directly on the administration of justice. While each commission had a different mission, each arrived at quite similar conclusions about the nature of contemporary society and the prescriptive means by which some of its ills can best be alleviated. The findings of these independent commissions reinforce the necessity to view crime and delinquency in a societal context. They speak to the underlying social and economic conditions which contribute to criminal and delinquent behavior.

The four study groups were:

- The President's Commission on Law Enforcement and Administration of Justice which submitted its final report in February of 1967.
- The National Advisory Commission on Civil Disorders which completed its work on March 1, 1968.
- The Joint Commission on Correctional Manpower and Training which filed its final report and recommendations during November of 1969.
- The National Commission on the Causes and Prevention of Violence whose work was completed in late December of 1969.

Each of these commissions has contributed significantly to a deepening of understanding of the country's problems and prospects and its attempts to increase the quality of life for all its people. The major findings and recommendations of these commissions are summarized on the following pages.

*The President's Commission on Law
Enforcement and Administration of Justice*

Commonly known as "the Crime Commission," this study group produced the most comprehensive analysis ever undertaken in the United States about the root causes of crime, those who are its victims and what can be done to reduce it. The Crime Commission's final report made more than 200 specific recommendations - concrete steps which the Commission felt could lead to a more safe and just society. These recommendations called for a greatly increased effort on the part of the federal government, the states, local governments, civic organizations, religious institutions, business groups, and individual citizens. They also called for basic changes in the operations of police, schools, prosecutors, employment agencies, defenders, social workers, prisons, housing authorities and probation and parole authorities. The Commission noted that many people thought that controlling crime was solely the task of the police, the courts and correctional agencies. As its reports made clear, however, crime cannot be controlled without the interest and participation of schools, businesses, social agencies, private groups, and individual citizens.

While acknowledging the seriousness of the problem today and the increasing challenge for the years ahead, the central conclusion of the Crime Commission was that a significant reduction in crime is possible if that objective is vigorously pursued.

Summary of Specific Recommendations

Preventing Crime: The Commission observed that the prevention of crime covers a wide range of activities: eliminating social conditions closely associated with crime; improving the ability of the criminal justice system to detect, apprehend, judge, and to reintegrate into their communities those who commit crimes; and reducing the situations in which crimes are most likely to be committed.

New Ways of Dealing with Offenders: The Crime Commission indicated that the development of a far broader range of alternatives for dealing with offenders was predicated essentially on the belief that, while there are some who must be completely segregated from society, there are many instances where segregation does more harm than good. Furthermore, by concentrating the resources of the police, the courts, and correctional agencies on the smaller number of offenders who really need them, it was felt that it should be possible to give all offenders more effective treatment.

Eliminating Unfairness: One of the fundamental problems facing the criminal justice system is the need to eliminate injustices in order to win the respect and cooperation of all citizens. The Commission felt it essential that society give the police, the courts, and correctional agencies the resources and the mandate to provide fair and dignified treatment for all. Fair treatment of every individual--fair in fact and also perceived to be fair by those affected--is an essential element of justice.

Personnel: Higher levels of knowledge, expertise, initiative, and integrity must be achieved by police, judges, prosecutors, defense attorneys, and correctional authorities so that the system of criminal justice can improve its ability to control crime.

Research: The Crime Commission also asked that every segment of the system of criminal justice devote a significant part of its resources for research to ensure the development of new and effective methods of controlling crime.

Money: Almost all of the specific recommendations involve increased budgets. Substantially higher salaries must be offered to attract top-flight candidates to the system of criminal justice. The Commission was clear in its admonition to the public that in order to control crime better, the police, the courts, and correctional agencies will require much more money.

The numerous reports and recommendations of the Crime Commission have had a considerable effect on the administration of justice during the three years since they were presented as a basis for a national blueprint for the United States' criminal justice system. Many of the Commission's recommendations have already been implemented as will be seen in later sections of this report. In addition, the work of the Commission serves to place crime and the criminal justice system at the top of the nation's agenda. This visibility should prove helpful in the amelioration of long standing problems in crime control and crime prevention in the United States.

The National Advisory Commission on Civil Disorders

By executive order, the President of the United States, established a National Advisory Commission on Civil Disorders on July 29, 1967.

The Commission was to investigate and make recommendations with respect to:

- . The origins of the recent major civil disorders in cities, including the basic causes and factors leading to such disorders and the influence, if any, of organizations or individuals dedicated to the incitement or encouragement of violence.
- . The development of methods and techniques for averting or controlling such disorders including the improvement of communications between local authorities and community groups, the training of state and local law enforcement and national guard personnel in dealing with potential or actual riot situations, and the coordination of efforts of the various law enforcement and governmental units which may become involved in such situations.
- . The appropriate role of local, state and federal authorities in dealing with civil disorders.
- . Such other matters as the President may place before the Commission.

Summary of Conclusions

This Commission came to the basic conclusion that a series of drastic and decisive steps must be taken or the country will continue to drift toward "two societies, one black, one white--separate and unequal." According to the Commission, disorders in the nation's inner cities had accelerated the movement toward separatism and deepened the division among the people of the United States. The Commission felt strongly that racial division need not be inevitable. The alternative which the country must take was one designed to ensure the early "realization of common opportunities for all within a single society." More significantly, perhaps, the Commission noted that it will require new attitudes, new understanding, and above all, new will from all citizens. It was seen as imperative that the nation adopt strategies for action that will provide quick and visible progress.

The Commission made a number of specific recommendations in areas relevant to the administration of justice. The following are illustrative of the views expressed and are by no means inclusive:

The Community Response: The Commission conducted investigations in cities which had experienced disorders during the summer of 1967. It established that virtually every major episode of violence was foreshadowed by an accumulation of unresolved grievances and by widespread dissatisfaction among Negroes. Overcoming these conditions is essential for community support of law enforcement and to maintain civil order.

State and local governmental units, the Commission observes, should increase the communication with inner city residents and provide increased opportunities for meaningful involvement of ghetto residents in establishing policies and programs which affect the community.

Police and the Community: The abrasive relationship between the police and minority communities has been a major source of grievance, tension, and disorder. The responsibility, however, must be shared by the total society.

The police are faced with demands for increasing protection and service in the ghetto. Yet aggressive patrol practices, thought necessary to meet these demands, themselves create tension and hostility. The resulting grievances have been further aggravated by the lack of effective mechanisms for handling complaints against the police.

In order to alleviate tensions, improve law enforcement and decrease the potential for disorder, the Commission recommended that city government and police authorities:

- . Provide more adequate police protection to ghetto residents to eliminate their high sense of insecurity and the belief in the existence of a dual system of law enforcement.
- . Establish fair and effective mechanisms for the redress of grievances against the police and other municipal agencies.
- . Establish a community service officer program to attract ghetto youths between the ages of 17 and 21 to police work. These junior officers would perform duties in ghetto neighborhoods, but would not have full police authority.

In summation, the Commission stated:

"We have set forth goals and proposed strategies to reach those goals. We discuss and recommend programs not to commit each of us to specific parts of such programs, but to illustrate the type and dimension of action needed."

Many of the specific recommendations of the Commission are already being implemented and others are in various stages of discussion and planning. The findings of the Commission doubtless will have a profound effect on the shape of criminal justice agencies in the United States in the years ahead.

*The Joint Commission on
Correctional Manpower and Training*

On September 10, 1965, the United States Congress enacted the Correctional Rehabilitation Study Act of 1965. The Act provided for "an objective, thorough, and nationwide analysis and re-evaluation of the extent and means of resolving the critical shortage of qualified manpower in the field of correctional rehabilitation." The Joint Commission on Correctional Manpower and Training, a private non-profit corporation comprised of 95 international, national and regional organizations associated with corrections and higher education, was designated as the entity to implement the research and study program called for by the Act. In its final report, released during November of 1969, the Joint Commission made a number of specific recommendations to the President, the Congress, the Secretary of the Department of Health, Education, and Welfare, and the state governors.

Summary of Conclusions

The Commission noted that the field of corrections had tended to grow piecemeal and that seldom had there been an opportunity for growth to be accompanied by systematic planning.

The Commission also stated that the public and its legislators must find solutions to the problem of recidivism by changing harsh laws and eliminating huge isolated prisons, by expanding program resources, and by alleviating discriminating practices which deprive offenders of employment, education and other opportunities. The Commission noted that to be concerned about the incidence of crime is not enough. Its effective control increasingly must become a matter of active interest to broader segments of society. Little will be accomplished, said the Commission, by increasing agency budgets and staffs without simultaneously providing the means for changing community attitudes toward offenders. The Commission emphasized that the "whole community and its social institutions must become involved in reshaping correctional rehabilitative methods."

Summary of Recommendations

The Joint Commission made more than fifty specific recommendations for upgrading present manpower in the field of corrections; raising the quality and quantity of those entering correctional work, and for more effective utilization of manpower resources.

The following recommendations are illustrative of those contained in the Commission's final report:

Fostering Cooperative Relationships: The Commission felt that to understand the problems, responsibilities, and aspirations of correctional workers, it is essential to look at the total system in which they work.

All correctional activities fall within the framework of the administration of criminal justice. Yet, the criminal justice system itself is not an easily discernible unit with clearly interrelated parts. It is a complicated system, with elements differentially responsive to political, professional and vested interest considerations. Mutual interests and responsibilities call for cooperation among all sectors of the system-- police, prosecutors, courts, and corrections.

Recruitment and Retention Factors: Commission studies found that recruitment of correctional personnel needs to be carried out in a more coordinated manner. The Commission found severe shortages of highly trained specialized manpower in correctional agencies around the nation. Administrators reported difficulty in being able to attract and keep qualified personnel, especially in penal institutions which are often in isolated locations. To aid in the recruitment of correctional personnel, the Commission recommended the launching of a comprehensive nationwide recruitment program using brochures, television, magazines and other mass media.

Correctional Employees and their Educational Preparation: Correctional agencies in the United States employ more than 111,000 persons. A breakdown of the total number of employees found 68 percent of them employed in correctional institutions; 30 percent working in probation,

parole and juvenile detention programs; and the remaining 2 percent in federal and state central offices.

On any given day these employees as a group are responsible for over a million adult and juvenile offenders. The annual operating budget for the country's correctional enterprise is more than a billion dollars. The bulk of correctional personnel (73 percent) are employed by states. Local governments employ 20 percent; the federal government 7 percent.

Commission studies discovered a wide range of major areas of study and levels of educational attainment among the nation's correctional employees. Nearly three-fourths of all correctional workers (excluding custodial staff in institutions) have at least a bachelor's degree. A sizeable number of professional staff members have advanced degrees.

Several correctional agencies in the United States are aggressively recruiting neighborhood aides, ex-offenders, and other non-professionals, and assigning them to jobs they can do. At the same time, these agencies are providing new employees with opportunities to upgrade their qualifications and skills under a work-study type of program. The Commission advocated the development of a career ladder for correctional personnel which would begin at community or case aide levels and end at journeyman status following the completion of a prescribed program involving work experience and education.

Volunteers: The Commission found that a number of correctional agencies had found a potential link with the community through the use of citizens who volunteer to work with offenders.

The results of Commission studies showed that while unpaid workers should never be viewed as replacements for full-time staff already working in the system, they can function well in a team under supervision. It was found that volunteers who are professionals (more than half of those now working with correctional agencies are college graduates with graduate training or professional degrees) are often used in work commensurate with their training and abilities.

The Commission noted that volunteers can also make important contributions to corrections as a whole. Their work as volunteers has given them a more favorable attitude toward corrections, and they are therefore in a position to exert a positive influence on community attitudes toward the problems and needs of corrections. They can also help offenders enter areas such as jobs, schooling, training opportunities, recreation, unions, and other activities.

Action - A Shared Responsibility: The Commission noted that the achievement of correctional rehabilitation is a shared responsibility. It is shared, said the Commission, among correctional personnel, legislatures, the executive branch of government at federal, state, and local levels, institutions of higher education, the private sector, and the public.

The National Commission on the Causes and Prevention of Violence

On June 10, 1968, the President of the United States issued an executive order which established the National Commission on the Causes and Prevention of Violence. The Commission was directed to investigate and make recommendations with respect to:

- The causes and prevention of acts of violence in our society, including assassination, murder, and assault.
- The causes and prevention of disrespect for law and order, of disrespect for public officials, and of violent disruptions of public order by individuals and groups.

Summary of Conclusions

The Commission documented a fact that was of concern to all Americans--the rise of violence in the United States in recent years. Whether one considered assassination,

group violence, or individual acts of violence, the decade of the 1960's was considered by the Commission to be more violent than the several decades preceding it. The United States has endured other cycles of violence in its history but, the Commission noted, the present cycle is a more difficult one because of conditions which surround it. For example, two-thirds of America's population reside in urban areas, where violence especially thrives.

The Commission catalogued characteristics of violent crime in the cities which showed that:

- . Violent crime is overwhelmingly committed by males.
- . Violent crime is concentrated especially among youths between the ages of fifteen and twenty-four.
- . Violent crime is committed primarily by individuals at the lower end of the occupational scale.
- . Violent crime stems disproportionately from the ghetto slum.
- . The victims of assaultive violence generally have the same characteristics as the offenders: victimization rates are generally higher for males, youths, poor persons, and blacks. Robbery victims, however, are very often older whites.

Summary of Recommendations

The Commission made a number of recommendations designed to basically alter those conditions of modern-day society which provide the basis for acts of violence. Many of these recommendations carry special significance for the administration of justice. Among these are:

- . The United States should double its investment in the prevention of crime and the administration of justice, as rapidly as that investment can be

wisely planned and utilized. Central offices of criminal justice should be created at the metropolitan level to make all parts of the criminal justice process--police, courts, corrections--function more effectively. In addition, private citizens' organizations should be formed to work as counterparts to these offices in every major city in the nation.

- Public officials, including law enforcement officers, should intensify their efforts to develop more effective tactics in handling both peaceful demonstrations and violent disturbances. The Commission's analysis of control measures in major mass demonstrations has shown that official behavior may determine whether protest remains peaceful or erupts into violence.
- Young people must be given a greater role in determining their own destiny and in shaping the future course of society. Responsible participation in decision-making may, for many, be a substitute for the violence that is born of frustration.
- Action must be taken to improve the conditions of family and community life for all who live in the cities, and especially for the poor who are concentrated in the ghetto slums. It is the ghetto slum that is disproportionately responsible for violent crime, by far the most acute aspect of the problem of violence in the United States today.
- Safety in America's cities requires nothing less than progress in reconstructing urban life. The United States must take more effective steps to realize the goal of a useful job at a reasonable wage for all who are able to work. Better educational opportunities must be provided for all children. Those families unable to care for themselves should receive a basic annual income.

At various points in its final report, the National Commission on the Causes and Prevention of Violence endorsed the recommendations of the three national commissions cited earlier. In many instances, the same or

similar conclusions were reached by all four commissions. Each called for a reordering of present national priorities in order to increase the resources available to urban centers. Similarly, each pointed to the need to supplement greatly the funds currently available to the country's criminal justice system in order to make it more efficient and effective.

Taken as a whole, the monumental published works of these four national commissions represent a significant effort on the part of the United States to conduct an appraisal of its problems, goals, and priorities for the future. With such voluminous tasks having been performed during the past five years, the United States entered the 1970's with more facts, insights, and guideposts for improvements than in any other period in its history.

Constructive, positive solutions to the pressing problems of a highly urbanized and technologically-centered society are rapidly being reached. The last five years of comprehensive analysis of major social problems have become a point of departure. An era of innovation is beginning for the nation's system of criminal justice.

Commission on Correctional Facilities and Services

On May 7, 1970 the American Bar Association (ABA), with the support of Warren E. Burger, Chief Justice of the United States Supreme Court, announced the creation of a Commission on Correctional Facilities and Services. The newly-formed eighteen member inter-disciplinary Commission will launch a nationwide program to improve facilities and procedures for the rehabilitation of criminal offenders.

In announcing the creation of the Commission, Bernard G. Segal, President of the American Bar Association, noted "(that) in spite of the importance of the corrections system and rehabilitation factors in dealing with crime they are the most neglected phases of criminal justice in the United States. It is the part of the judicial system that the public least sees, and further, society

has traditionally been reluctant to look at it.... The correctional process is the payoff stage in the administration of criminal justice."

The Commission will not be conducting extensive new research but will instead be attempting to implement the recommendations of prior national study groups. Thus, the major work of the Commission will concern itself with examining the present state of correctional services and facilities, focusing public attention on what needs to be done to modernize and bring them up to recognized standards. In addition, it will attempt to stimulate nationwide action programs in the states and communities throughout the country, enlisting the active support of state and local bar associations, corrections organizations, labor, industry, and commercial groups, and citizen organizations.

The Commission intends to focus public attention on the needs and shortcomings of present correctional facilities, services, and programs. Its ultimate goal is to energize action at all levels of government so that modern correctional and rehabilitative procedures prevail.

Federal Legislation

Several comprehensive pieces of federal legislation were enacted during the past five years. The intent of the legislation is to improve appreciably the country's system of criminal justice. In addition, there have been a number of amendments to existing federal legislation in such areas as education, employment, and economic opportunity designed to include more fully the activities of criminal justice agencies in these areas.

Two acts signed into law in mid 1968 relate directly to the administration of criminal justice. The first of these was the "Omnibus Crime Control and Safe Streets Act." The second was the "Juvenile Delinquency Prevention and Control Act."

The Omnibus Crime Control and Safe Streets Act has the greatest significance for the country's total system of

criminal justice. This Act was a direct outgrowth of the findings and recommendations of the President's Commission on Law Enforcement and Administration of Justice. It was designed to provide the basis for the development of a comprehensive national plan for the nation's criminal justice agencies. Specifically, the Act authorized assistance to "state and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government". In essence, the Omnibus Crime Control Bill provides a unified strategy for crime control. The Congress is presently considering amendments to the original Act which would make specific provision for increased aid to correctional agencies for construction of new facilities, modernization of existing ones and for innovative community-based programs.

Law Enforcement Assistance Administration

The Act made provisions for establishment of the Law Enforcement Assistance Administration (LEAA) within the U.S. Department of Justice to coordinate the nation's anti-crime efforts. The LEAA is implementing many of the recommendations of the President's Commission on Law Enforcement and Administration of Justice and the Joint Commission on Correctional Manpower and Training. Funds allocated by the LEAA are designed to:

- Help states, in cooperation with local communities to develop comprehensive crime control plans.
- Reduce street crime by devising new means of protecting the public.
- Recruit and train personnel for law enforcement agencies, correctional systems and other criminal justice agencies.
- Help curb riots.
- Reduce organized crime.

- Give financial aid to police and correctional workers pursuing college degrees.
- Improve relations between the police and the community.
- Support research on new equipment and crime control techniques.
- Prevent crime by enlisting the participation and cooperation of all citizens and the nation's public and private institutions.

During the fiscal year 1969 (the first year of LEAA operation), \$63 million were spent in organizing comprehensive state plans, action programs at state and local levels of government, a variety of research and assistance projects, and an education assistance program for criminal justice personnel. The importance given to comprehensive planning is seen by the fact that nearly one-third (\$19 million) of the total allocation for fiscal 1969 was earmarked for state planning grants.

To further implement and expand its first year's activities, the United States Congress has appropriated \$268 million for fiscal 1970. Of this amount, \$21 million is allocated for further planning, almost \$183 million is slated for direct disbursement to the states for action programs, and over \$32 million is earmarked for innovative projects to be funded directly by the LEAA in its discretionary grants program. At least one-third of the \$215 million allocated for action and discretionary grant projects is expected to be spent for the improvement of correctional programs.

LEAA has requested \$480 million to continue its program of state and local assistance during the 1971 fiscal year.

Office of Law Enforcement Programs

The Office of Law Enforcement Programs is responsible for overseeing the planning and action grant programs

made possible by the Act. Planning grants were distributed to each state during fiscal 1969 in accordance with population, with a minimum of \$100,000 per state. LEAA funds may cover up to 90 percent of planning cost; the state must provide the remaining 10 percent. So that local participation will be assured, the law requires that a state make 40 percent of all planning funds available to its local governments.

State Planning Agencies: The Act enables each state to establish a state criminal justice planning agency, supported by LEAA funds. Each state planning agency is expected to survey the state's law enforcement and criminal justice needs, including programs for crime prevention and citizen action. From this analysis, each state is to develop a comprehensive plan for attacking the state's overall law enforcement problems. Each state planning agency is required to have a supervisory group that represents major criminal justice functions--police, corrections, and court systems--as well as citizen interests and units of local government.

In accordance with LEAA guidelines, each state plan is to focus on the problems of crime: how much there is, what causes it, how it may be prevented, how it best can be controlled, how to treat people who commit crimes, and how to improve and expedite the process of criminal justice. Each plan is also to examine the physical and human factors that produce crime. It should also analyze the needs of police, prosecutors, defense attorneys, courts, and the correctional process and offenders.

The comprehensive state plan should also incorporate innovations and advanced techniques; describe general needs and problems, existing systems, available resources, and administrative machinery for implementing the plan. It should also define the direction, scope, and general types of improvements to be made.

In addition, the state plan should reflect needs and activities that are associated with law enforcement--welfare, education, housing, health and sanitation, urban renewal and other functions related to crime control.

Action Phase: All states in the country now have established State Planning Agencies; have submitted their comprehensive plans; and are embarking on a number of innovative action programs made possible through the availability of federal funds.

Now that comprehensive crime control plans have been established in each state, the LEAA and related agencies in the federal government have turned to providing technical assistance and whatever other aids might be most helpful in ensuring that creative approaches and the latest technology are applied in the nation's crime control program.

The following are illustrative of the action programs planned for fiscal 1970 by correctional agencies in the states:

- Multi-service community correctional centers.
- Residential group homes for youthful offenders.
- Juvenile detention centers.
- Job counseling, job development, job placement, and follow-up services for juveniles and adults.
- Pre-release programs for offenders who will soon return to the community.
- Treatment centers and programs for drug addicts and alcoholics.
- Programs to educate and stimulate the public interest in correction programs.
- Youth service bureaus.
- Supervisory and management training.
- Pre-service and in-service training for correctional officers and probation and parole officers.
- Training of aides to probation and parole staff.

- . Training of volunteers.
- . Increasing the number of probation, parole, and court staff.
- . Workshops for all criminal justice personnel.
- . Establish data banks for use by courts, police, corrections, and other social agencies and community organizations.
- . Strengthen court and probation systems.

Discretionary Programs: These funds are viewed as a means by which LEAA can advance national priorities, draw attention to programs not emphasized in state plans, and provide special impetus for reform and experimentation within the total criminal justice system. They have been made available in response to needs which have been identified in major crime studies and analyses, by law enforcement groups, in prevailing professional goals and standards, and are addressed to issues and gaps suggested in the course of implementation and analysis of the first year's state plans. Discretionary grants will be directed toward:

- . The law enforcement and crime control needs of the nation's large cities where high incidence of crime and law enforcement problems present the most difficult challenges.
- . Small states to enhance their ability to maintain effective police, court, and correctional systems.
- . Special police improvement programs including--expanded laboratory services, policing services for multi-story housing, fellowship and exchange programs for command personnel, professional aides for police, and statewide police or criminal justice standards and training systems.
- . Corrections improvement programs in the areas of community-based programs, jails and juvenile detention facilities, regional facilities for

special offender types, manager and trainer development, and fellowship and exchange programs for administrators in corrections.

- . Court improvement programs for prosecutor training, technical assistance to local prosecutor's offices, and court management studies.
- . Organized crime programs - such as state and interstate intelligence systems, and statewide investigatory and prosecutorial units.
- . Civil disorder units for prevention, coordination and technical assistance purposes.
- . Special state narcotics and dangerous drug bureaus, metropolitan narcotic and drug enforcement and prevention groups.
- . Criminal justice training grants for Indian law enforcement programs.
- . Statewide criminal justice statistics and information systems which meet national standards.

Law Enforcement Academic Assistance

The complex responsibilities of police and correctional personnel require a broad range of knowledge and skill that only higher education can provide. The LEAA program is designed to help fill the educational need by giving financial assistance to law enforcement, corrections and other criminal justice personnel. It also assists students preparing for criminal justice careers.

The National Institute of Law Enforcement

The National Institute of Law Enforcement and Criminal Justice sponsors and conducts research and development activities relating to causes and prevention of crime, detection and apprehension of offenders, management of

criminal justice, rehabilitation of offenders, and collection and dissemination of criminal justice statistics.

The Institute has developed a five-point strategy intended to:

- Utilize the research and development knowledge of the social and physical sciences, system analysis and operations research, technology and management in solving the problems facing criminal justice.
- Stimulate collaboration between local research institutions and local law enforcement and criminal justice agencies.
- Provide the research and development community with a clear statement of law enforcement priorities and requirements.
- Demonstrate the potential contributions of research and development in order to stimulate management awareness of opportunities for improvement.
- Facilitate exchange of information and new knowledge.

*The Juvenile Delinquency Prevention
and Control Act of 1968*

The Juvenile Delinquency Prevention and Control Act of 1968 is designed to help states and communities to strengthen and improve juvenile justice and juvenile aid systems, and to provide diagnostic, treatment, rehabilitative, and prevention service to youth who are delinquent, or in danger of becoming delinquent. To accomplish these aims, grants, technical assistance and information services are authorized in the following areas:

- Planning comprehensive anti-delinquency programs.
- Providing rehabilitative services.

- . Implementing community-based prevention services.
- . Developing new techniques and practices.
- . Training professional personnel.
- . Furnishing technical assistance.
- . Providing information services.

Among those eligible for aid are: states, local communities, public and private non-profit agencies, correctional systems, courts, law enforcement agencies, youth agencies, universities, and school systems.

Responsibility for administering the Act is with the Office of Juvenile Delinquency and Youth Development (OJDYD) of the United States Department of Health, Education, and Welfare. The programs of the Office are designed to be complementary to those of the LEAA. Wherever possible, emphasis is being placed on support of state and local programs which are intended to prevent youngsters from becoming involved in the formal juvenile justice systems.

The Office is currently working on the development of model programs of effective and meaningful prevention. These programs would be designed as guides for local communities. Local adaptations are anticipated in order to make model programs more significant for the sponsoring community.

During the first year of operation under the Act, OJDYD provided states and communities with more than \$4 million in grants designated to begin and carry forward anti-delinquency projects. An additional \$10 million has been appropriated by the United States Congress to further implement the provisions of the Act during the second fiscal year of operation which began on July 1, 1969. The Administration has requested \$15 million during fiscal 1971 to expand the activities undertaken during the first two years.

A number of innovative projects have been sponsored by OJDYD thus far. Among those promising to yield important insight into the effective control and prevention of delinquency are the following:

- A project intended to provide a summer facility for approximately three hours per day, in which a wide range of rehabilitative services will be available to probationers. The purpose will be to determine the effect of intensive probation supervision on juvenile offenders; to evaluate the role of the probation officer in providing these services; and to test the involvement of the community in planning, coordinating, and participating in a juvenile delinquency rehabilitation program.
- A project to establish a Youth Services Bureau, as an independent agency, staffed to accept referrals from schools, police, courts, other social agencies and families. The Bureau will coordinate existing resources in the community, conduct research, fill gaps in available services, and act as a comprehensive delinquency prevention agency. The program's goals are to rehabilitate youth already manifesting delinquent behavior, intervening at the first signs of trouble, eliminating delinquency-breeding conditions, promoting healthy development of children, coordinating community resources and educating the public in delinquency prevention methods.
- A school-centered project designed to coordinate the services of various agencies in a community to work with the community high schools in detecting, preventing, and remediating social maladjustment. A comprehensive educational counseling service will be developed and implemented by school counseling staff. The goal is to develop a comprehensive program to utilize community resources in order that problem youngsters may be handled in the community rather than by the traditional court process.

Presidential Leadership

Both former President Lyndon B. Johnson and President Richard M. Nixon have assumed decisive leadership roles in the country's effort to effectively combat crime and delinquency. As noted earlier, a number of National Study Commissions were created during President Johnson's administration.

In addition, former President Johnson issued a number of crime control messages to the Congress, as well as to the people of the United States.

President Nixon has continued this effort to place crime control at the top of the nation's priorities. In addition to lending his full support to the implementation of the programs of the Department of Justice's Law Enforcement Assistance Administration and the Department of Health, Education, and Welfare's Office of Juvenile Delinquency and Youth Development, President Nixon issued a directive to the Attorney General on November 13, 1969, asking him to take immediate action to improve the nation's correctional efforts.

Mr. Nixon's specific concerns were as follows:

- To end the crisis-oriented, stop-gap nature of most reform efforts, the President asked the Attorney General to develop a ten-year plan for reforming the country's correctional activities.
- Explorations should begin on the feasibility of pooling the limited resources of several governmental units in order to set up specialized treatment facilities.
- Special emphasis should be placed on programs for juvenile offenders--including group homes, modern diagnostic and treatment centers, and new probation mechanisms.
- The United States must expedite the design and construction of a federal psychiatric study and treat-

ment facility for mentally disturbed and violent offenders.

- A federal law should be drafted concerning the mentally incompetent offender which could not only serve the federal jurisdiction but which might also serve as a model for states. A comprehensive study is required to take up both the constitutional and medical problems involved in dealing with the mentally incompetent who is accused of crime, sentenced for a crime, or found innocent because of his mental condition.
- The local jail concept should be replaced with a comprehensive, community-oriented facility which would bring together a variety of detention efforts, court diagnostic services, treatment programs both for those who are incarcerated and for those on supervised release, and the halfway house concept. The highest priority and available funds, wherever possible, should be used to encourage centers of this sort.
- The federal government should do all it can to help the states and localities carry the burden of criminals and accused persons who are housed in state and local facilities. This aid should be through programs offering technical and financial assistance. This federal assistance should be especially directed toward the development of parole and probation programs and other alternatives to incarceration.
- Private industry can help rehabilitate criminals in many ways, such as retraining and hiring those who have served time. Voluntary agencies and professional organizations can also help those who are released from jail, tutoring them in new skills, helping them locate jobs, advising them as they readjust to civilian society, and cooperating with the courts in their probationary programs.
- The Department of Justice should significantly expand its existing training programs for those who work in correctional institutions, both newcomers

and experienced employees. The Justice Department's efforts to disseminate information should also be expanded.

- Experience with halfway houses, institutions which offer a mediating experience between prison and complete return to society, has been most successful. The Attorney General is asked to prepare legislation which would expand the halfway house program to include a greater number of convicted offenders. Similar residential centers are needed for probationers and parolees.
- The United States needs extended research both on existing correctional programs and in suggested new methods. The Attorney General is asked to marshal the combined resources of the Department of Justice in a major new research effort.
- Correctional programs have proliferated in recent years with little or no effort at consolidation or coordination. Among the federal agencies presently involved in correctional activities are the Bureau of Prisons, the Board of Parole, the Office of The Pardon Attorney and the Law Enforcement Assistance Administration--all at the Department of Justice. Also involved are the Social and Rehabilitation Service, the Office of Education and the Public Health Service of the Department of Health, Education and Welfare. The Manpower Administration of the Department of Labor and the Office of Economic Opportunity also play major roles. The Attorney General is directed to coordinate these various federal activities in the field of correctional rehabilitation.

In concluding his statement, President Nixon said: "One of the areas where citizen cooperation is most needed is in the rehabilitation of the convicted criminal. Men and women who are released from prison must be given a fair opportunity to prove themselves as they return to society. We will not insure our domestic tranquility by keeping them at arm's length. If we turn our back on the ex-convict, then we should not be surprised if he again turns his back on us.

None of our vocational education programs, our work-release efforts, our halfway houses, or our probation and parole systems will succeed if the community to which an offender returns is unwilling to extend a new opportunity. Unions, civic groups, service clubs, labor organizations, churches and employers in all fields can do a great deal to fight crime by extending a fair chance to those who want to leave their criminal records behind them and become full and productive members of society."

*President's Task Force On
Prisoner Rehabilitation*

On September 12, 1969 President Nixon established the President's Task Force on Prisoner Rehabilitation, "to review what the public and private sectors are now doing in the area of prisoner rehabilitation and to recommend what might be done in the future." In addition, the Task Force was to:

- Provide the needed overview of problems faced by the ex-offender to determine how best to help him achieve a lastingly productive and rewarding return to society.
- Appraise the effectiveness of present rehabilitation programs, to suggest how such programs might be improved or better coordinated, and to consider additional steps that could be taken.
- Focus on proposed legislative or executive action for 1970.

The Task Force submitted its report in early January of this year. Its analysis of societal conditions which contribute to the occurrence of criminal and delinquent behavior and which inhibit efforts to rehabilitate offenders, underscored the findings of the four national commissions noted earlier.

Many of the specific recommendations of the Task Force are being implemented by the Law Enforcement Assistance Administration through its aid to the states and its

discretionary grant provisions for innovative correctional programs. The Task Force made a number of proposals for an enhanced federal role in correctional rehabilitation which are now being studied by the appropriate federal agencies.

In addition, the Task Force urged increased experimental efforts directed toward the diversion of adults and youths from the formal criminal justice system. Deferred adjudication and other measures designed to reduce the stigmatizing effects of the formal criminal justice process were suggested as ways to enhance the effectiveness of the nation's crime control efforts.

Inter-Agency Council on Corrections

In response to President Nixon's November 13, 1969 directive on corrections, the Attorney General of the United States has established an Inter-Agency Council on Corrections "to assure coordination of the federal agencies involved in correctional activities, particularly those which assist state and local correctional activities."

The Law Enforcement Assistance Administration has been designated to coordinate the activities of the new Council. Among the Council's functions would be the following:

- Coordinate the common efforts of federal agencies involved with corrections.
- Facilitate an exchange of information regarding federally-supported projects.
- Encourage effective utilization of research findings.
- Bring about a cross-fertilization of ideas from the various participating agencies leading to innovative efforts on the part of the federal government.
- Serve to stimulate an interest in corrections throughout the federal agencies whose legislative

authority allows or requires their participation in the corrections field.

Related Federal Programs

During the past five years, major units of the federal government such as the Departments of Health, Education, and Welfare, Housing and Urban Development, Labor, and the Office of Economic Opportunity have been directing more and more resources to state and local criminal justice agencies. Space limitations preclude a cataloging of all of the federal programs which bear directly on criminal justice activities. The following descriptions are illustrative of this heightened federal response to the problems of state and local criminal justice agencies.

Department of Labor

The Department of Labor has increased significantly its support of correctional programs in the past few years. The Department's vast experience and resources are being used increasingly in the nation's efforts to more effectively reintegrate offenders into normal community life.

The Department is presently strengthening its programs in the broad field of offender rehabilitation. During the recent past, it has experimented with several successful approaches for supplying assistance to offenders, through in-prison training, pre-trial manpower services, job placement, and bonding for post-prison jobs.

Labor is currently involved in efforts to engage the full capacities of private employers, and of the manpower system in order to link the offender with the labor market and reasonable employment opportunities. The Department has had considerable experience working with private employers on behalf of poor persons, most notably in its JOBS program with the National Alliance of Businessmen. This experience is now being brought to bear on the problems of offenders.

The Department of Labor's activities in relation to offenders include research and demonstration projects designed to enhance the employability of offenders. In addition, it has supported a number of inmate training programs under provisions of the Manpower Development and Training Act (MDTA).

Inmates in these prison training programs are provided with job training, remedial and basic education; educational, vocational, personal-social counseling services; job development and placement services; and follow-up services. The program has introduced into various prisons the concept of future-employment oriented training as a significant part of prison rehabilitation.

Since this program was begun two years ago, nearly 3,500 inmates in 22 states have become involved in training programs. More than \$4.5 million have been invested so far by the Department of Labor in this promising approach to meeting the training and employment needs of incarcerated offenders.

The Department of Labor also administers a "New Careers" program for offenders. Experimental programs now underway are endeavoring to train offenders for careers in a variety of human-service occupations. This program, too, promises to be of considerable benefit in facilitating the reintegration of offenders into society by preparing them to assume meaningful occupational roles.

Of special significance to correctional agencies is the Department of Labor's new bonding assistance program. Certain occupations in the more rapidly expanding areas of employment have been closed to ex-prisoners for a variety of reasons, including legal restrictions on employment in certain areas and difficulty in obtaining bonding.

The bonding barrier is being addressed through an experimental project authorized by a 1965 legislative amendment to the Manpower Development and Training Act. The project is exploring the effect of bonding assistance on the placement of former inmates. Since many bonding companies refuse to provide bonds for persons with conviction records, ex-prisoners are unable to get jobs in

financial institutions and insurance companies, for example, even though they may be qualified to do the work.

Under this program, the federal government contracts with a commercial underwriter to provide bonds for ex-prisoners and others who have participated in a federally assisted manpower program but are denied employment because of prison records or for other reasons unrelated to ability. This program promises to demonstrate that this bar to employment can be overcome by the willingness of the federal government to pay the cost of the bond.

Department of Housing and Urban Development

The Department of Housing and Urban Development administers a program of considerable importance to local criminal justice agencies. Under provisions of the Demonstration Cities and Metropolitan Development Act of 1966, the "Model Cities Program" is underway in a number of major cities.

The Act provides for a new program designed to demonstrate how the living environment and the general welfare of people living in slums and poor neighborhoods can be substantially improved in cities of all sizes in all parts of the country. It calls for a comprehensive attack on social, economic and physical problems in selected areas through concentration and coordination of federal, state, and local, public and private efforts. The legislation provides for financial and technical assistance to enable cities to plan, develop, and carry out comprehensive local programs containing new and imaginative proposals to develop "Model" neighborhoods.

Model Cities Programs have the potential for significantly altering the physical and social structure of neighborhood areas wherein much crime and delinquency occur. This in itself is important to criminal justice agencies. In addition, however, all Model Cities must include programs designed to make marked progress in reducing the incidence of crime and delinquency in the selected target areas.

Local governments are encouraged to involve police departments, criminal and juvenile courts, probation agencies, social service agencies, human relations agencies, local service groups, community service agencies, schools, recreation departments, employment agencies, and related groups in order to develop the crime and delinquency prevention and treatment component of their comprehensive plans for Model Cities Neighborhoods.

To help local communities develop the most meaningful and comprehensive plans possible for effective crime control, the Department of Housing and Urban Development awarded technical assistance grants to the National Council on Crime and Delinquency and the International Association of Chiefs of Police. To date, technical assistance has been provided to nearly 30 cities and more are scheduled to benefit from this planning assistance during the coming year.

Department of Health, Education and Welfare

In addition to the major thrust being made by the Department's Office of Juvenile Delinquency and Youth Development, other units of the Department have been deeply involved in the administration of justice in direct support programs for many years.

The National Institute of Mental Health

For many years the National Institute of Mental Health provided research funds for much of the experimental work which has taken place in the United States on crime and delinquency. The Institute continues to support innovative research projects and provides leadership in bringing mental health resources to bear on the treatment and prevention of criminal and delinquent behavior. The Institute also provides support for more than 60 training projects in the areas of crime, delinquency, corrections, and law.

The Office of Education

Similarly, the Office of Education has a number of programs which provide additional resources to state and local governments in recent years in order to enrich their educational offerings for offenders. Illustrative of the Office's involvement, is its administration of a program designed to support state and local efforts to improve the educational opportunities for adjudicated delinquent children. Since spring of 1967 when the program started, more than \$30 million have been allocated for this purpose. More than 56,000 delinquent children have benefited from this program in more than 400 institutions.

Another example of the Office's commitment to more effective control of crime and delinquency, is its Teacher Corps programs. During the past two years pilot projects have been sponsored by the Teacher Corps in several correctional institutions. Promising college graduates desiring to follow a career of teaching in socially and economically deprived sections of major cities are assigned to a two-year work-study program leading to a Master's Degree in Education. Work experience is gained from teaching in the institution and the academic portion is received from a nearby participating college or university. While it is too soon to measure the effectiveness of these experimental efforts, it seems safe to conclude that the addition of such well trained and highly motivated teachers to augment existing personnel should prove to be most beneficial.

Education is becoming increasingly important to the attainment of a meaningful occupational role in society. Criminal justice agencies look forward to increased levels of assistance from the Office of Education. This help will ensure that all offenders are offered the opportunity to compete effectively in a society where adequate educational preparation takes on more and more importance.

Rehabilitation Services Administration

One of the most rapidly growing rehabilitative activities

under the Vocational Rehabilitation Act as amended, is the development of programs designed to serve adult and juvenile offenders. Administered by The Department of Health, Education and Welfare's, Rehabilitation Services Administration, the overall program is designed to utilize fully the State-Federal Vocational Rehabilitation Program by expanding services to meet the needs of the increased number of offenders who are being referred. As a rehabilitation service, the primary orientation has been in correctional institutions. The prevention dimensions, however, are also finding expression in diverse activities and cooperative relationships being developed in a variety of settings with other public and private agencies.

The expansion of services to the offender has been developed generally under the Basic Support program of the Rehabilitation Services Administration in cooperation with state and federal correctional agencies and probation offices, as well as with state training schools and local courts. Programs vary in scope from the assignment of part-time counselors to correctional institutions, to the installation in reformatories of comprehensive vocational rehabilitation units, including a full array of personnel, equipment and services.

Under its training grant authority, the Rehabilitation Services Administration has been supporting conferences which bring together professionals from both the correctional and vocational rehabilitation fields to explore ways of working together more closely. Social workers and rehabilitation counselors being trained in programs supported by training grants often have an opportunity for field placement in correctional agencies.

Office of Economic Opportunity

The Office of Economic Opportunity (OEO), through its support of local anti-poverty efforts in local communities, has contributed significantly in a number of direct and indirect ways to the nation's criminal justice agencies. In addition to the funds which have been made available directly to local community action programs since the OEO was established in 1964, two nationally

administered programs have special relevance to the administration of criminal justice.

Brief descriptions of these two promising innovative efforts follow:

Project NewGate: NewGate is an educational program developed for prison inmates. Enrollees are recruited inside the prison and begin a program aimed toward a college degree. Most student prisoners attend classes in the prison. Some are allowed to attend classes at a nearby campus on "educational release" but they must return to custody at night. NewGate was originated two years ago at the Oregon State Penitentiary. It works cooperatively with the correctional and educational systems of the State of Oregon.

The program has since been expanded to five other states and to an institution for youthful offenders run by the U.S. Bureau of Prisons. The program objectives are similar in each of the experimental projects presently underway.

NewGate works both inside and outside the prison. The inside portion is generally comprised of three parts:

- . Academic program.
- . Pre-release training.
- . Campus simulation -- where the program simulates campus life on the outside as much as possible.

The post release aspect of the program attempts to smooth, as much as possible, the transition from institutional life to normal living in the free community. Financial help and supportive counseling services are provided to ensure that the releasee stays in school and in other ways makes a satisfactory adjustment to the outside world.

Follow-up evaluations are soon to be made on each of the existing programs in order to assess the impact upon the individual offenders and the institutions sponsoring the projects.

Volunteers in Service to America (VISTA): Volunteers in service to America accepts adults of all ages who elect to spend a year of service working with disadvantaged populations in various communities in the United States. As of January 31, 1970 there were 114 VISTA volunteers in 10 different U.S. cities working in crime and delinquency programs.

The projects in which VISTA volunteers are presently actively engaged are varied. Illustrative of the programs in which they are presently working are the bail program sponsored by the Bar Association of San Francisco, California and the Juvenile Court Program in Denver, Colorado. VISTA's are also involved in other juvenile court and adult court programs.

TRENDS IN THE ADMINISTRATION OF JUSTICE AND CORRECTIONAL PROGRAMMING

Role of State Governments

State governments have been spending more and more money on police, corrections, and judicial administration. The National Governors' Conference recently reported that state expenditures in these areas rose over \$200 million or 13 percent from 1967 to 1968. On a per capita basis, expenditures in these fields rose 94 cents from \$7.19 to \$8.13. The Conference cautions that these figures underrepresent the actual expenditures in these fields, since all states do not necessarily report under these three headings the activities of such related personnel as attorneys-general, prosecutors, public defenders, juvenile delinquency and youth workers, coroners or medical examiners, and special narcotics programs. Known expenditures for police, corrections, and judicial administration on the part of state governments rose to a new high of \$1.6 billion during 1968.

The Law Enforcement Assistance Administration's block grant program which began during the 1969 fiscal year will increase significantly each state's funds and coordination role in the administration of justice.

Role of Local Governments

Local governments, too, are allocating significantly greater proportions of their funds to criminal justice agencies. Much of crime in the United States is concentrated in the nation's largest cities. For example, in the 15 cities with the highest crime rate index, the city's proportion of the state crime index is at least twice as large, and in some instances four times greater, than the city's proportion of the total state population.

As a consequence, America's cities are increasing their efforts to more effectively control crime and delinquency. At the same time that more funds are being allocat-

ed to law enforcement and administration of justice activities, efforts are being made to coordinate governmental activities with those of local private agencies and citizen groups.

Large portions of the funds appropriated by the federal government's Law Enforcement Assistance Administration are being channeled increasingly to the major cities where the crime problems are most severe.

The President's Commission on Law Enforcement and Administration of Justice directed attention to a fact long known only to experienced correctional workers: local jails in the United States have remained the most neglected component of the entire criminal justice system. Not only do the vast majority of all offenders pass through local jails as they enter the criminal justice system, but an estimated 9 out of 10 sentences to imprisonment are served in these institutions.

Concern over local jails is now more widespread than ever before. There is increasing agreement that a new approach to the solution of chronic jail problems is needed: one that begins by taking out of jails the great number of people who do not belong in them and that ends by fashioning these facilities into correctional centers and incorporating them as essential parts of a larger correctional effort. Although still in preliminary stages, major strategies for accomplishing this are the attention that planning groups and correctional program managers are giving the identification of possible new roles for jails, various forms of technical assistance designed to improve operating practices, and increased efforts to train jail personnel in the complexities of effective institution management.

Program Trends

As noted in previous sections, the United States has been undergoing considerable change during the past five years. As a direct result of this accelerated rate of change, the operations of criminal justice agencies have experienced much strain. Added pressures are

producing widespread changes in the ways in which offenders are handled. In addition to the impact upon offenders themselves, agencies are restructuring the manner in which they are organized in order to improve both the quantity and quality of service provided to society and to the offender population.

A great number of experimental programs concerned with offender rehabilitation and the administration of justice have been conducted during the past five years. The results of these projects are shaping the form and substance of criminal justice activities of the future.

The descriptions that follow are merely illustrative of the many innovative efforts presently underway in the United States and are by no means exhaustive.

Vocational Training of Offenders

Primarily through the use of U. S. Department of Labor funds, vocational training programs in institutions and in the community for adjudicated offenders have mushroomed in recent years. Systematized training of incarcerated offenders began in 1964 when the U.S. Departments of Labor and Health, Education and Welfare joined together to fund a series of grants for experimental-demonstration manpower training programs in correctional institutions. The projects funded were: (1) the Staten Island Mental Health Association to conduct a manpower program at Rikers Island (New York City Jail); (2) the National Committee on Children and Youth for a program at the District of Columbia Reformatory inorton, Virginia; and (3) the Rehabilitation Research Foundation for a program at Draper Correctional Center, a state prison in Elmore, Alabama.

These experimental-demonstration projects had a dual commitment to try out experimental approaches in training specific target groups of offenders for employment and to disseminate findings to other professionals in the field.

Draper Correctional Center: The Draper Project was

funded for four years and enrolled 392 inmates on a voluntary basis, ranging in age from 16 to 44 years. The median age was 24.5. More than 90 percent were school dropouts, and about 90 percent had no vocational skill or training.

The Draper Project demonstrated that a balanced program of counseling, job training, supportive services, education, job development and placement, and follow-up can help inmates obtain work after they are released and avoid becoming repeat offenders.

Similar findings from the Lorton, Virginia and Rikers Island projects led the U. S. Department of Labor to expand its efforts by supporting a number of other projects in institutions, courts, and probation and parole settings.

An experiment which carries vocational training through to another step is that being conducted by the U. S. Bureau of Prisons at its McNeil Island Penitentiary. The penitentiary devised a pilot apprenticeship program conducted with both labor and management cooperation outside the penitentiary and which met the training standards set by private industry. It became the first apprenticeship program for inmates to be approved by the U. S. Department of Labor for nationwide application in other prisons. On the basis of the success of the McNeil Island program, the Department of Labor's Bureau of Apprenticeship and Training is encouraging other prisons across the country to start similar programs.

Post-Release Employment

A number of projects which are specifically related to post-release employment opportunities for offenders also have been funded by the Department of Labor. The following are illustrative of these.

Barriers to Post-Release Employment: An effort likely to have considerable significance to corrections and other criminal justice agencies is a study being con-

ducted by Georgetown University (Washington, D.C.) under contract with the Office of Manpower Research of the U.S. Department of Labor. Plans call for a national study of the effects of a criminal record on the employability of offenders with state and local public agencies. The study is designed to identify the legislative and administrative policies and practices of state and local governments related to the employment of individuals with criminal records (juvenile, arrest, and conviction records) and to determine the extent to which they act as barriers to these individuals in obtaining public employment. Study findings would provide a basis for the development of model legislation, and appropriate policy and program recommendations to promote legal, administrative and behavioral reform geared to more open employment policies in this area. The researchers are to conduct a comprehensive review and examination covering constitutional, statutory and administrative rules and regulations as well as interpretive cases of selected political jurisdictions including all 50 States, 310 cities in the U.S. with over 50,000 population, 300 counties with over 100,000 population, and selected multi-jurisdictional organizations regarding the employment of individuals with criminal records.

Project Fresh Start: Project Fresh Start was conducted by the Archdiocesan Opportunity Program of Detroit, Michigan. The program was conducted in conjunction with the Detroit House of Correction. In the past, when women were released from the Women's Division of the House of Correction, there were no provisions made to aid them in their attempt to relocate in the community. The purpose of Fresh Start was to establish a program of job opportunities and job placement to enable women in the correctional institution to make a satisfactory adjustment to normal life in the free community.

The project incorporated job orientation in typing, key punch operation, food service, and as nursing aides. It also featured job placement services, halfway houses, counseling services, and follow-up support after release to the community. There were 150 women in the Detroit House of Correction enrolled in the program. From this group 79 were released from the institution and placed in jobs. In terms of post-release performance those partici-

pating in the program faired much better than those in the general jail population. Only 9 percent of those in the Fresh Start experimental group became recidivists as opposed to a 49 percent rate for those who were in the normal program of the facility.

Project DEVELOP: DEVELOP is the acronym for "Developing Educational-Vocational Experiences For Long Term Occupational Adjustment Of Parolees." The project was carried out under a contract with the Manpower Administration of the U.S. Department of Labor. It was implemented in the New York City jurisdiction of the New York State Division of Parole.

The project provided a comprehensive approach to the problems of vocational appraisal, motivating, counseling, educating, providing skill training and selective job placement of undereducated and undertrained young male parolees.

Special features included:

- . Establishment of an employment evaluation and diagnostic center in order to make effective use of established techniques in educational-vocational testing and appraisal, and to help parolees prepare for and attain suitable educational and occupational objectives.
- . Provision for training costs and supporting allowances for parolees as required.
- . Recruitment and training of special project workers (career consultants) to provide intensive counseling, continuing vocational guidance and selective job placement services to parolees.
- . Effective use of community educational and vocational training facilities and resources in order to help develop the educational potential and work skills of parolees.

- . Close coordination of the project with related programs and services of other state and private agencies to facilitate the provision of rehabilitative services to parolees.
- . Provision for fidelity bonding of parolees as required.

The experimental group consisted of 115 parolees enrolled in the project during the first five months of operation. A comparison (control) group of 115 parolees was selected by computer, matching the experimental group on important variables.

Effectiveness was measured in terms of new delinquencies and recidivism. "Delinquency" is defined by the New York State Division of Parole as a technical parole violation or arrest for a new crime. "Recidivism" means return to a state correctional institution for conviction of a new crime or for technical parole violation.

Project limitations precluded any long-range follow-up of those in the experimental and control groups. As a consequence post-release performance behavior was measured only from two months to ten months.

Within these definitional and time limitations the project findings showed that those in Project DEVELOP had a delinquency rate of 15 percent as compared to 23 percent for the comparison group. The recidivism rate for project parolees was 6 percent as opposed to the corresponding rate of 12 percent for the control group.

While these statistics indicated a clear trend for less delinquency and recidivism for DEVELOP parolees as compared to the control group, the period of follow-up was too short to provide any conclusive findings.

It was noteworthy that for both groups, the majority of delinquency occurred within approximately the first three months of parole supervision. DEVELOP parolees tended to complete a longer period of parole before becoming delinquent.

In addition, a study of individual cases revealed that even among many delinquent or recidivistic parolees, the DEVELOP experience made for personal changes and improvements in employability. Counseling, casework, tutoring, educational and vocational training opportunities and selective job placement seemed to improve their general adjustment in the community and employment outlook.

Differential Treatment of Offenders

For the past several years researchers and correctional practitioners have been developing typologies for the differential treatment of offenders. Through these studies, demonstration, and practical experiences they have built an impressive body of knowledge.

The U. S. Bureau of Prisons makes the point well in a recent document entitled Differential Treatment-A Way to Begin, by drawing the comparison between physical and mental health diagnosis. As the Bureau puts it:

"When an individual becomes physically ill, an attempt is made to prescribe medication which will be effective in ridding him of the disease-causing agent. Penicillin is very effective in treating illness caused by pneumococi but it is not used when treating tubercular patients where such drugs as INH, PAS, Streptomycin, etc., are employed.

An analogy can be made to the mental health area. It may well be that psycho-analysis, while the treatment of choice for some types of psychological deviance, is not a universally effective therapeutic approach for all behavioral disorders. Different therapeutic methods are maximally effective with various types of patients or in certain kinds of settings.

It has long been recognized that criminal behavior is not unicausal. The fact that a particular individual acts in a socially defined inappropriate manner is the consequence of a host of social, environmental, and personal factors. However, while the idea that people differ from one another is readily accepted, the notion

that offenders are also different has less wide currency."

The Bureau also pointed out that differences among offenders which usually come to mind are those associated with offenses rather than personality type. This kind of distinction based on offenses or classes of offenses is reflected in laws with shorter or longer sentences being imposed on the basis of offense.

This approach tends to be simplistic, however, and is essentially descriptive rather than prescriptive. Advocates for differential treatment models contend that classifying offenders in ways that suggest different kinds of treatment approaches facilitates the assessment of the usefulness of treatment alternatives.

A system for categorizing offenders that has been developed by Dr. Herbert C. Quay of Temple University, underlies the treatment approach which is being taken by the U. S. Bureau of Prisons in the operation of its new Robert F. Kennedy Youth Center, located at Morgantown, West Virginia.

Robert F. Kennedy Youth Center-U.S. Bureau of Prisons: Utilizing dimensions developed by Dr. Quay, the Kennedy Youth Center staff is attempting to develop a methodology which will utilize profile data to classify new admissions into homogeneous, treatment-meaningful groups. Every new admission to the Kennedy Youth Center is classified into one of four categories depending on which dimension he receives his highest score.

The focal point of the Kennedy Youth Center is the optimum utilization of these treatment-relevant categories for the correction of youthful offenders. The Youth Center program is thus a major concentrated effort to gain more precise answers to the question which continues to plague all correctional practitioners: What kind of treatment programs, conducted by what kinds of workers, in what kinds of settings, are best for what kinds of youthful offenders?

It is around this central concept that the Kennedy Youth Center has developed its differential treatment approach. The major goals and objectives of the Center thus are:

- . Establish an institutional environment where growth and positive changes in students will take place.
- . Develop a classification system which will identify and direct the proper student to the most appropriate treatment programs.
- . Provide specific treatment to meet individual student needs.
- . Establish security and control programs in keeping with the mission of the institution and the custodial requirements of the facilities.
- . Establish a public relations program which will explain to the community the mission of the institution and elicit its support.
- . Establish a relationship with the West Virginia University which will provide training for university students and research in all disciplines so a more successful treatment program can be developed.
- . Assist in developing and participate in a program of evaluative measurement using thorough scientific research to study the effectiveness of the program to meet its goal and objectives.

The treatment program being implemented at the Youth Center thus attempts to: 1) classify students into treatment-related behavioral categories, 2) assign these students to staff, approximately matched, according to their interests and ability to work with a particular type of student and, 3) outline treatment strategies for each behavioral category which will provide a framework within which will begin the development of differential treatment programs.

Community Treatment Project - California Youth Authority:
 Perhaps the best known of the country's efforts at controlled experimentation in the correctional field is the California Youth Authority's Community Treatment Project, now in its ninth year of operation. Operating within a

rigorous evaluation design, it offers an excellent illustration of the profitable partnership which can develop when carefully devised program innovations are combined with sound research. Under the overall direction of Dr. Marguerite Warren this program is partially funded by the National Institute of Mental Health.

It has handled juveniles whom local probation departments have in effect "given up on" and have committed to the state juvenile correctional system - The California Youth Authority (CYA). These youths have generally accumulated four or five delinquent contacts prior to being sent to the CYA; and on these grounds alone their problems, or those which they pose for their environment, could be regarded as fairly serious. Their average age at first commitment to the CYA is sixteen, with nearly all falling between the ages of thirteen and nineteen.

In the Community Treatment Project, four separate experimental parole units are involved in four California cities with each unit handling 80-85 cases at full build-up. Youths who are committed to the CYA ordinarily undergo a period of institutionalization which averages eight to ten months. After this they are returned to their communities on parole status. The Community Treatment Project (CTP) was developed as an alternative to this method of handling youths.

A feature which has characterized this program from its start has been that youths assigned to the CTP are, in all cases, paroled directly back into their community (after a number of weeks at a reception center) where they immediately begin the CTP program of intensive supervision and treatment. As is the case in the regular CYA program, successful completion of the CTP generally takes two and one-half to three years.

Experimentals (those selected for the project) are assigned to low caseloads - twelve youths for each parole agent. Each caseload generally contains only one or two types of youth. Each parole agent is assigned to work only with those kinds of youngsters with whom he appears to be especially well suited (or, "matched").

The following are among the program elements which may be

utilized: (1) careful placement planning, particularly during initial phase of the youth's program; (2) use of group homes and other out-of-home placements; (3) accredited school programs located within the CTP.

Differential treatment comes into play as follows: The kind of treatment which a given youth will receive is based principally upon the particular diagnosis - that is, classification, which he receives upon entering the program. This classification, which is arrived at through interviewing (primarily) and testing, provides a short-hand way of indicating the major type of needs or difficulties which have led to the individual's delinquency.

The classifications which are used at CTP are one part of a general theory of individual development based on interpersonal maturity levels. This theory distinguishes seven levels of increasing interpersonal maturity, known as "I-Levels." Each given I-Level refers to certain dominant ways in which individuals interpret their environment. For each I-Level, a classification manual provides detailed descriptions of many of the central personal concerns and interpersonal desires of individuals who are currently functioning at the particular level.

The Community Treatment Program has successfully demonstrated that it does reduce recidivism. The findings suggest that this type of community program is relevant to both the interests of individual clients, and to the concerns of the larger society.

The project has demonstrated also that community programs can result in considerable financial saving. For example, simply as a result of community programs, the State of California has saved several million dollars in building costs. When a correctional system is capable of handling many hundreds of offenders by means of intensive programs within the community, expensive institutions do not have to be built. An additional cost factor is that of maintaining a youth. This comes to \$5,800 per year within a CYA institution versus \$2,300 for a parolee in the Community Treatment Project.

Chiefly as a result of the demonstrated benefits of CTP the California Youth Authority is now operating five

"in-lieu-of-institutionalization" community units in addition to the four on-going CTP units.

Community Residential Centers

In recent years community-based small residential centers have grown in popularity across the United States.

The "halfway house" concept has been in vogue off and on in this country for more than a century. But in the past most of these community residences for offenders were sponsored by religious and other humanitarian groups. Most of them were dedicated to giving shelter and the bare necessities of life to the homeless ex-prisoner while he tried to re-establish himself in society.

A more positive and dynamic role for community residential centers has evolved recently. They are being seen as a hopeful substitute for the large prison as well as a bridge back to the community. Such centers provide soon-to-be released offenders with a supervised environment and program needed to help them make a successful re-adjustment in their home communities.

Many states and local communities as well as the U.S. Bureau of Prisons have created residential community centers in recent years. The movement to build solid "bridges" between correctional agencies and the community that will enable selected offenders to participate in work, training and other aspects of community life, has gained considerable momentum and seems destined to be an increasingly important aspect in the spectrum of correctional services. Present estimates indicate that more than 300 centers are in operation across the country.

Expansion of Manpower Resources

The New Careers concept of training economically and socially disadvantaged persons to assume meaningful jobs in the expanding human services field (e.g., welfare, corrections, education, recreation, health) has been

gaining national recognition and increasing implementation. Basically, it is a strategy of hiring and training poor people to help other people. Its aim is not merely to train disadvantaged persons for any job, but rather, a job with career potential.

For offenders the potential of the New Careers movement is fourfold. It would:

- . Seek to use their knowledge as a resource rather than a liability.
- . Involve them actively in rehabilitative processes.
- . Constitute a "rite of passage" back from an offender to a non-offender.
- . Provide him with a career which could be a source of personal and social esteem rather than a source of stigma and degradation.

The following are illustrative of New Careers programs in the United States.

New York State Division For Youth: The former Executive Director of the New York State Division for Youth, Milton Luger, has explained the rationale for engaging offenders and ex-offenders in the reform process in these words:

We want to make them a part of our rehabilitation program efforts mainly because we need them..... Some ex-offenders can do important, sensitive, skillful things which professionals cannot do. They understand some things better than staff do. They can have an impact on other offenders which professionals have too often been unable to achieve. In other words, they're not to be considered cheap labor; they can be chief contributors.

A variety of forces combined to justify the role of new careerist in the Division for Youth programs. It was recognized that major social, economic, and cultural differences existed between the staff of the Division for Youth and the youth that were being served. Frequently, staff were unable to understand the life style

and behavior norms of delinquent youth from the inner city and, conversely, the youth had problems understanding the orientation of staff. The staff and the youth, because of their disparate backgrounds, evaluated events in the correctional process from their separate and divergent frames of reference. The Division for Youth reasoned that bridges to understanding could be built by employing offenders and ex-offenders for significant roles in the correctional process.

Traditionally, corrections has trained and/or rehabilitated offenders for return to the community and for employment by industry or other commercial businesses. The Division for Youth sought to expand employment opportunities by creating new careers for offenders in the correctional system itself. This innovation was also to provide for the offender population concrete evidence that youth could aspire to significant roles in the field of corrections if they demonstrated potential ability to be helpful to others.

A task analysis in the helping services inevitably concludes that many people are over-trained for many of the functions they perform. Further, it has been found that the clients of the system are capable of performing a number of these functions more expeditiously and more adequately than the professionals. The Division for Youth, based upon an analysis of job functions, determined that new career positions could be created for about 10 percent of their staff.

New Careerists are now occupying significant jobs including work supervisors in camps, child-care personnel in homes, and as parole and intake workers.

The RODEO Project - Los Angeles, California: The Los Angeles County Probation Department has been testing the value of a community worker program in south central Los Angeles called RODEO (Reduction of Delinquency Through Expansion of Opportunity). The program was initially meant to provide intensive in-community supervision of those probationers who would otherwise have to be confined in a correctional institution. The project was started in March of 1967. A year later it had demon-

strated the ability to keep 75 percent of the boys in the project in the community at a considerable dollar savings. The project has subsequently been expanded to four sections of metropolitan Los Angeles. Services for girls as well as boys, adults as well as juveniles, are now part of the on-going program.

RODEO has developed a unique team approach. Two community workers--residents of the community being served--are assigned to work with a probation officer. Each three-man team is responsible for the supervision of thirty juveniles up to the age of 18, ordered to the project by the Juvenile Court.

Extensive training is required in building a workable probation officer - community worker team. Mutual respect and two-way communication are essential ingredients of the training process. Because of its success, the project now appears to be a permanent part of the on-going programs of the Los Angeles County Probation Department.

California Probation Subsidy Program

In 1966, the California state legislature approved a probation subsidy program which is being implemented by that state's Youth Authority. California already had a long history of state support of local correctional efforts. For example, experience in working with county probation departments by subsidizing their camps, ranches, and special school programs had taught the Youth Authority that successful probation services require a partnership between the state and local governments.

The California legislation authorized the Youth Authority to make available a maximum payment of \$4,000 to counties within the state for every offender, juvenile as well as adult, who is not committed to a state correctional institution but whose incarceration would have been expected on the basis of past performance. Quotas were established on a county-by-county basis, using commitment rates from previous years. These in

turn were adjusted for anticipated population growth in each jurisdiction.

Thus, probation departments are encouraged to reduce their rates of commitment of offenders to state institutions by offering payments that are commensurate with the degree of reduction achieved. The funds to pay for improved probation services come from savings made by the state as a result of the reduced commitments to adult and juvenile state institutions.

Currently, nearly all of California's 58 counties are participating in the subsidy plan. The participating counties represent 95 percent of the State's total population.

The success of the program may be viewed by noting the results in terms of the youth authority's experience with adjudicated juvenile delinquents. During the first two years that the subsidy program was in operation, the reduction in number of commitments to CYA institutions was over 1,600.

The net savings to the State was \$4.3 million. The rate of first commitment to the California Youth Authority was 26 percent below the average rate for the preceding five-year period. Acting upon this sharp reduction, the Youth Authority deferred indefinitely the construction of all but one new institution. Prior to the advent of the probation subsidy plan several new institutions were on the drawingboards in order to keep up with California's growing population.

During this same two-year period, the Youth Authority approved over 500 probation officer positions for special supervision programs within the participating counties. This, of course, made it possible to reduce the size of many individual caseloads -- for instance, from about 70 down to 50 youths for each probation officer.

The subsidy program makes provision also for a commitment on the part of the participating county to attempt substantial improvement in the level of kinds of services to be offered probationers. Accordingly, it would

be insufficient for a county to simply reduce the size of existing caseloads. To become eligible for subsidy funds, it must also demonstrate that it has developed innovative approaches designed to improve probation services.

The California experience is being carefully observed by other states. Assuming the continued success of the program, there is a good likelihood that more and more states will turn to increasing their level of support of local probation efforts.

This support may come either through adoption of the California plan as it now stands or by variations attuned to particular needs of individual states.

Improving Judicial Administration

Chief Justice Warren E. Burger of the United States Supreme Court recently sounded a call to action in the reform of the nation's court system. Addressing the Annual Meeting of the American Bar Association, The Chief Justice stressed the need to overhaul the United States' court machinery.

Specifically, he noted that this country's court system suffers from "a lack of up-to-date procedures and standards for administration and management and especially the lack of trained administrators." He emphasized that "only by the adoption of sound administrative practices will the courts be able to meet the increased and increasing burdens placed on them. The time has passed when the court system will carry its load 'if each judge does his job'. There must also be organization and systems so as to leave the judge to his job of judging."

The courts in the United States today have not, in the main, adopted systems, procedures and techniques commonly used in business and in public administration generally.

This is at least partially a result of the lack of well

trained court administrators. Historically, judges have been required to assume management burdens in addition to their full-time judicial work, the nature of which required their primary focus of attention. As a result, a lower priority has been assigned to administrative problems.

The courts in the United States have grown both in terms of volume of activity and complexity. But the administration and management of courts have not kept up with these changes.

A growing awareness of these deficiencies in a vital part of the criminal justice system has led to greater need to train and develop court executive officers. The modern court may well be one of society's most complex institutions. In addition to deciding cases, the present-day court supervises the administration of estates, investigates family relationships, supervises juveniles and convicted persons, counsels foundering marriages, manages juror systems, collects and disburses large sums of money and maintains detailed legal records.

Institute for Court Management: A major development in judicial administration occurred earlier this year with the creation of the nation's first Institute for Court Management. A joint project of the American Bar Association, the American Judicature Society and the Institute of Judicial Administration, the Institute will become a major research and training center for future court executives.

The Institute will be located at the University of Denver Law Center in Denver, Colorado. The first class is scheduled to begin during the summer of 1970.

Among the program's objectives are:

- . An understanding of the purpose of the courts and their relationship to other governmental units.
- . An understanding of the basic division of functions.

- An understanding of the judicial process and the role each of the participants plays.
- An understanding of the constraints on traditional concepts of management imposed by unique characteristics of the courts and the decision-making process.
- An understanding of how sound financial management applies to the operation of the courts.
- An understanding of the capabilities and cost of modern automation devices and how they may be used in the courts.
- An understanding of the management and development of personnel and the constraints imposed on personnel management by public personnel systems and union activity.
- An understanding of the management styles most applicable to the courts.
- An understanding of scientific method and its relation to the problem of court management.
- An appreciation of the need to communicate with the public.

The Institute is funded by private foundations as well as federal government sources. Each class will last 26 weeks.

LEAA's Discretionary Grant Program: The Department of Justice's Law Enforcement Assistance Administration has selected improved court administration as one of its priorities for the present year's discretionary grant funds. A number of court management studies and demonstration projects are expected to be sponsored during the present fiscal year.

Forecasting Correctional Need

Many correctional systems have begun relatively long-range forecasting of their needs. Illustrative of this type of planning is that presently being undertaken by the Department of Corrections of the District of Columbia.

In its general forecast for 1970-1979, the D.C. Department of Corrections affirms its commitment to "the development of a model correctional system for the nation's capitol. The system's mission is to protect the public through the prevention of crime by persons committed to the Department for control and rehabilitation."

To accomplish this goal, the Department anticipates developing by the end of the present decade a total program configuration including the required facilities and management organization appropriate to the operation of a model system.

The requirements of the system are:

- Increased effectiveness in the correctional process whereby the already relatively low recidivism rates of the Department may be substantially further reduced.
- The correctional process will be achieved through the optimum deployment of resources under cost effectiveness principles.
- The organization will be change-adaptive and responsive to new technology, research, and innovation.

A major component in the Department's general forecast is the expansion of community correctional centers. These are facilities located in the community where ex-inmates of correctional institutions may be assigned as a halfway step toward parole or discharge. Such centers provide a constructive living environment, participation in work-release and related services to ease the transition back to freedom in the community. These centers also provide a work-release experience for

misdeemeanant offenders sentenced directly by the courts in lieu of incarceration, serve as a facility for restricted bail-bond cases, and offer more intensive supervision of persons on parole status.

By 1971 the Department hopes to have operating 15 community treatment centers and two new satellite or decentralized treatment centers for narcotic addicts. The Department's prediction is that the development of the various community correctional center programs combined with the narcotic addict treatment programs will:

- Reduce recidivism by ten to twenty percent.
- Achieve greater flexibility within the system and improve correctional services at much less operating costs (\$1,500 per person in community correctional centers versus \$2,500 if incarcerated).
- Save over \$20 million in capital outlay costs of new institutional capacity for over 1,000 offenders who -- without the new center and addict programs -- would have to be incarcerated.

Citizen Participation in the Prevention and Control of Crime and Delinquency

Citizen participation in the treatment and control of offenders is one of the oldest concepts of corrections in this country. Citizen participation takes place in a variety of organizational contexts and in a number of ways. Among these are:

Prevention: Private citizens oftentimes are represented on policy and governing boards of many volunteer agencies whose services contribute to the prevention of crime and delinquency. Examples of such agencies are boys clubs, boy scouts, girl scouts, child welfare agencies, mental health organizations, prisoner aid associations, and such national organizations as the National Council on Crime and Delinquency, which includes prevention activities in its functions. There are over 100,000

non-governmental health, education, welfare and related organizations, a majority of which could be said to contribute directly or indirectly to the prevention of delinquency. Most of these organizations exist because of the financial support and participation of the public.

Services to the Court: Volunteer services to the courts have expanded rapidly during the past 5 years. It is estimated that there are more than 1,000 courts today with volunteers at work. Last year alone, it is estimated that volunteers contributed three million hours of service to courts. The Boulder Juvenile Court, Boulder, Colorado, and the Municipal Court of Royal Oak, Michigan have been in the forefront of this movement. The Boulder experience began in the early 1960's with 10 volunteers and a single job category. Since then, over 600 volunteers have worked for the court in some 30 jobs ranging widely in character and level of responsibility. The Office of Juvenile Delinquency and Youth Development of the U.S. Department of Health, Education and Welfare has provided considerable financial support to the Boulder project, thus allowing it to become a national clearinghouse for information on volunteer programs in courts. In addition, this support has enabled the staff of the Boulder volunteer project to disseminate widely the results of their pioneering efforts.

The Royal Oak program is attributed to an enterprising municipal court judge who has been unable to obtain necessary funds and authorized positions from city officials to establish a probation department. So he proceeded to enlist the aid of concerned citizens from whom he recruited and trained volunteers to perform probation officer duties. This program is now about 5 years old and has become one of the most widely publicized new approaches to providing services to misdemeanor offenders. Several hundred volunteers are now used in the program and published reports claim the program has been successful in the rehabilitation of those committing relatively minor crimes. Similarly, successful ventures are presently in operation in the Denver Juvenile Court, as well as in scores of other jurisdictions around the country.

The Vera Institute of Justice in New York City is currently sponsoring an experimental program in one of the New York courts which has the effect of diverting from the criminal justice system selected offenders who are receiving services from various community programs. Acceptance in the program and successful performance on the part of the offender selected under a deferred sentencing procedure can result in no formal disposition being entered in the record.

Services to Correctional Institutions: Volunteer citizens began participating in various programs and activities of prisons and jails nearly 200 years ago. Until very recent times, virtually all state correctional institutions and many jails were administered by boards of directors or boards of trustees whose membership was drawn from local citizens. The trend, however, has been to place responsibility for the operation of major correctional institutions in state correctional agencies.

Citizen involvement has been retained, though, through the appointment of auxiliary groups in specialized areas. One of the best examples of this more specialized use of citizens is seen in the California Management-Labor Advisory Committees.

Usually referred to as Trade Advisory Committees, these groups are organized around correctional institutions to meet several needs.

- . Provide current advice and counsel to ensure that extensive programs of vocational education are consistent with the needs of counterpart industries in the community.
- . Open up opportunities for the placement of released prisoners who are either fully trained or partially trained to ensure that they will obtain employment and continued opportunities for training.
- . Involve both the labor unions and employers in each separate industry so that they would feel they had a stake in the enterprise of trained and employed released offenders. Each Trade Advisory Committee is organized within a specific craft or industry,

for which training in an institutional setting is feasible.

Currently, more than 1,000 persons in California serve on more than 70 such committees.

In an attempt to meet the range of needs of offenders in institutions, a number of special organizations are in existence to provide direct services to inmates and to plan leadership roles in prison reforms. Some of these exist in states, while others such as the John Howard Society and the Osborne Association have national stature. In addition, national organizations like the Salvation Army and Volunteers of America have long provided special services to offenders and to the families of offenders.

Indirect Services to Offenders: A number of private organizations in the United States today provide corrections with a range of indirect services such as public education, support of legislation, and sponsorship of demonstration programs and basic research. Increasing numbers of organizations are also becoming active in the development of community resources for offenders.

For example, the National Association of Manufacturers, The National Alliance of Businessmen and America's largest labor union--the AFL-CIO--are committed to nationwide efforts to expand opportunities for occupational training and meaningful employment opportunities for offenders.

So too, have colleges, universities and local public school systems opened their doors to the enrollment of offenders and former offenders and actively participate in the development of curricula designed to meet special needs of offenders.

The broadest efforts, however, have been those sponsored by The National Council on Crime and Delinquency (NCCD). In recent years, NCCD has established Citizen Councils in 21 states which include about 85 percent of the population of the United States. Each Citizen Council consists of leaders from influential groups such as business, industry, labor, public news media, agriculture, religion

and active civic organizations. All Council members donate their time and pay their own expenses to meetings and on-site visits for orientation and study of all aspects of crime and delinquency problems in the state.

Council members work for better legislation, increased appropriations, improved administration, higher personnel standards and general reform in juvenile and criminal justice.

The NCCD has also organized Citizen Action Committees in 130 cities and has established a special program service bureau to provide technical staff assistance to other organizations with large citizen memberships. The objective is to channel the efforts of the organizations into support of special projects related to crime, delinquency and corrections.

There is increasing awareness in the United States today that effective use of individual volunteers and organized citizen groups represents one of the greatest resources for broadening the base of collaborative effort in the prevention and control of crime and delinquency. On a national scale, President Nixon, by Executive Order, recently established a Cabinet Committee on Voluntary Action. The Committee's Chairman is the Secretary of the Department of Housing and Urban Development. The Department, in response to the Executive Order, has created an Office of Voluntary Action to plan and coordinate the country's national efforts in this regard.

Corrections, along with other agencies in the nation's criminal justice system will doubtless benefit considerably from the anticipated efforts of the Cabinet Committee.

RESEARCH IN SUPPORT OF CORRECTIONAL PLANNING

Research came late to corrections in the United States. The early work of Burgess on prediction, of the Gluecks on criminal careers, and of Clemmer on the prison community are still distinguished contributions to social science. Each met with indifference from contemporaries in correctional administration. In retrospect, no impact on correctional policy can be attributed to social research until the mid-fifties.

The objectives of the system are still multiple and in nearly irreconcilable conflict. Whether the conflict can be resolved remains to be seen. However, during the last fifteen years, the assumptions underlying correctional administration and practice have been modified. Few would doubt that the changing of the offender has taken primacy over merely controlling him. This shift in the order of importance of correctional goals cannot be attributed solely to the influence of research. It is a shift which could not have taken place without new questions and new knowledge. The habit of examining experience has begun to take hold.

Influences upon Correctional Administration

Four contingencies are accountable for this change in the character of correctional administration. Without an awareness of these contingencies, the rapid development of empiricism in corrections and its probable future course in the United States is difficult to understand. These are circumstances peculiar to the American scene, perhaps, but similar combinations of concerns and resources will no doubt be reproduced in many other countries.

First, although there is debate about the extent that the rates of commission of major crimes have truly increased, it is certain that public anxiety about crime has steadily mounted during the past two decades. A growing consensus exhorts the police to apprehend more

criminals, the courts to convict them, and the correctional systems to rehabilitate them. No longer is it thought to be enough that the prison should safely keep the offender until the appointed day of his release. The correctional administrator is increasingly asked how many of his releases recidivate and urged to take measures to secure that fewer of them return to the community to commit new crimes. The stringency of this new requirement is obvious. The principles of control and surveillance are well known and effective. The methods of people-changing are uncertain at best. Clearly the need for new knowledge and new skills can only be satisfied by research.

Second, the costs of incarceration of offenders have been mounting steadily with the cost of living. Legislatures and fiscal officers see correctional costs requiring increasingly greater shares of public budgets. They understandably seek economy from changes in sentencing policy and programs. Evaluation of present policy and programs is the course of prudence in the search for economy without loss of public protection. The methods of evaluation call for the tools of statistical and social science research.

Third, the increasing confidence of the behavioral sciences, arising from the maturity of theory through the test of application in many arenas of human action, has opened new questions. The availability of reliable, although still conceptually crude, measures of intelligence, educational achievement, personality variables, and the probability of recidivism has required administrators to provide for increasingly complex classification procedures. Differentiations thus resulting distinguish the program requirements of offenders as they are received into correctional systems. Admittedly the study of the effectiveness of programs administered has not achieved a high order of precision. Nevertheless, the potentialities of evaluative research leading to experimental innovations are widely recognized. They will no doubt be pursued in the future with much more vigor as experience with this kind of research becomes wider.

Fourth, the technology of the computer has for the first time made possible the reliable processing of the enor-

mous volume of data needed for an understanding of the correctional system's determinants and consequences. Through these means it becomes possible to provide decision makers as well as researchers with feedback on the outcome of correctional programs for both individuals and groups. The means for analytic study of correctional intervention are at least available, thereby opening the door to true empiricism where *a priori* beliefs about human conduct formerly reigned unchallenged.

Historians of science have shown that great advances in technology immediately precede major gains in knowledge. Just as microscopes magnified the power of the biological sciences and statistical analysis vastly augmented the power of the economist to adjust the monetary structure for the national welfare, it is to be expected that the advent of a systems approach rooted in the behavioral sciences will significantly increase the effectiveness of corrections in the United States. Most important, this approach will define those aspects of the correctional system which can be linked to the objective of people-changing. It will also establish those determinants of criminality over which present correctional methods can have little influence. The prospect of major improvements in correctional effectiveness is brighter at a time when pressure on the system is unprecedentedly severe.

Significant Trends in Recent Correctional Research

Three themes predominated in correctional research during the sixties. The prediction of behavior through various mathematical algorithms continues to arouse interest as a means for introducing more rationality in sentencing policy. The process of social invention received considerable support from social science research in the renewed effort to achieve effectiveness in the change of offenders' behavior. The application of systems analysis, an instrument for the economic assessment of goal-achievement, opened new possibilities for strengthening the correctional apparatus by identifying unproductive excrescences and reinforcing useful programs. At the decade's close, none of these strategies had been pursued to the

point of decisive change in the system of corrections. It is reasonable to expect, however, that as innovators accumulate experience and confidence in their methods, there will be emulation by administrators hoping to increase the contribution of penology to the control of crime.

Space will not allow a comprehensive review of the projects which compose the three research strategies defined above. Something should be said, however, about the status and significance of the work done so far and now under way. Details of specific projects must be sought in the bibliographies such as those published by the National Council on Crime and Delinquency and by the National Institute of Mental Health.

Prediction

Administrative use of the prediction strategy has not so far realized the hopes of its advocates, although it has proved to be a valuable research instrument. The mathematical complexity of the devices so far developed and the conservatism of parole boards has deterred their full exploitation. Recently, however, the United States Board of Parole has taken an initiative to use prediction methodology as an element of decision-making. There is even some discussion of the adaptation of the prediction strategy for use by courts and prosecutors. The changes to be expected as consequences of this statistical application will be far-reaching, but most significant of all will be the application of feedback procedures to the making of policies and decisions.

Social Invention

The record of the sixties as to social invention is equivocal. New ideas have been courageously tried but few have been successfully spread. Work-release programs and intermediate institutional controls such as hostels and halfway houses have significantly modified the administra-

tive structure of corrections in many localities, but there has been little effort to demonstrate their value by evaluative research. The use of various interventions drawn from psychological and sociological theory has, with disappointingly few exceptions, proved to be unproductive in the reduction of recidivism. Interpretation of these unfavorable findings has begun to raise questions about the fundamental premises of correctional intervention. It is increasingly thought that the expectation of significant behavior change through treatment must give way to efforts to create community structures which support acceptable behavior by the offender and at the same time minimize the reinforcement of deviance.

Systems Analysis

Systems analysis is made possible by the capability of the computer for processing information. Before the computer came into the hands of the correctional administrator, he was aware that the volume of information required for management and decision-making far exceeded traditional administrative methods. By the mid-sixties, a California group had begun work on the design of an information system to order the data required for the disposition, classification, and paroling decisions which must be made individually for each inmate in the large prison population of that state. This strategy is now spreading to other states and to the Federal Bureau of Prisons. The resources thus becoming available for the differential study of large populations of offenders will open up new avenues of research never before feasible.

Focus for the Future

From the foregoing, it will be seen that the research emphases in corrections have focused on improving the capability of managers to predict the outcome of their programs, to change it purposefully, and to study its implications systematically. The achievement of a rational basis for policy formulation and individual decision-making is still far in the future. The combination of

social invention with systems analysis is powerful. Exploited properly, it will maximize the successes of the inventor while identifying his failures before they cause significant damage.

It remains to be said that the investment required for these activities is small. Originality, a grounding in social theory, and persevering administrative courage are all that social invention requires. The program costs have never been large; indeed, they have sometimes been less than the programs they were designed to replace. The systems analyst needs only his training, a well organized corps of clerks, and access to a reasonably versatile computer. There has been considerable petulance by correctional researchers in the United States about the paucity of resources available to them. Certainly more could be used, but experience shows that the obstacle to good research in corrections is not the lack of money. It is the lack of enough original and productive minds addressed to the control of criminal behavior.

The Funding of Correctional Research

We have already referred to the negligible impact of studies in the United States on correctional practice during the years before World War II. Many reasons can be ascribed for this indifference; perhaps the most significant was the lack of research-trained personnel capable of exploiting the findings and the concepts developed by the early independent researchers. The inclusion of significant research units capable of organizing and maintaining statistical services in the major correctional departments began in the late forties in California. The leading correctional systems followed, with varying degrees of efficiency. It was logical that interdisciplinary research units would follow in the larger agencies so that explanations for the behavior of data could be sought with the methods of social science.

Research Units in Correctional Agencies

Even at this time, established research units are to be found only in the correctional systems of the larger and more affluent states. The importance of these units is two-fold. *First*, they conduct a great deal of significant research. *Second*, they make their agencies accessible to independent researchers. Data are systematically maintained and processed; it thus becomes possible to establish base-lines, control groups and the other requirements of sound research design. Further, the presence in the system of experienced social scientists facilitates communication between the independent worker, unfamiliar with the bureaucracy, and the agency's operating staff. The presence of a research staff in an agency does not insure that good research will be done, but without it the possibility becomes remote that any research can be undertaken. It should be stressed that the investment in research staff in even the most affluent agencies has never exceeded two percent of the agency budget, including provision for the gathering of administrative statistics.

If it is a first principle that successful research in a correctional agency depends on the agency possessing at least a rudimentary research capability of its own, a second principle is that the nature of much social science is not congenial to its performance in a bureaucracy. Many projects are of a temporary nature, requiring special skills to be mobilized for one purpose which would scarcely be required for permanent service in the established organization. Many social scientists prefer to maintain their independence of official position. Some kinds of projects will inevitably lose credibility if conducted by persons obligated to an administrator or under his control. Most important of all, some projects are simply too expensive to be funded from the regular budgets allowed to research units. For these reasons, and perhaps also because of the very existence of independent fund-granting agencies, it is reasonable to give credit to these latter sources for most of the major research which has so far been done in this field.

Independent Funding Agencies

The independent fund-granting agencies are of two types. The private foundation has typically invested in the bolder kinds of study. To use the concept explicit in the charter of one, its objective is to support the innovative study deemed too risky or too unpopular to gain support from public funds. These kinds of study continue, but with increasing resources becoming available from public funds, and a current dearth of unusually innovative ideas for research, there has been more research supported by such federal agencies as the National Institute of Mental Health, the Office of Juvenile Delinquency, and, most recently, the National Institute of Law Enforcement and Criminal Justice. Most of these agencies have been funded at a level of several million dollars a year, thereby making available for criminal justice research a substantial source of support.

Several special commission have been established in recent years which have supported significant research. Most notable, of course, was The President's Commission on Law Enforcement and Administration of Justice, which initiated several major surveys for the purpose of establishing base-line data for its reports on the status of the total criminal justice apparatus. The National Commission on the Causes and Prevention of Violence authorized a number of imaginative studies of varieties and episodes of violence which have had a major impact on public thought about the place of corrections in the total system. It is often overlooked that some of the most useful research in any social field is responsive to major national or community crises.

A new source of public funding of research is to be found in the program of the Law Enforcement Assistance Administration which disposes of large subsidies to the states for the improvement of the administration of criminal justice. It is already to be noted that many of the projects undertaken under the provisions of this act have included well-conceived programs of evaluative research. It is to be expected that this source of funding will eventually produce important contributions to our understanding of the control of crime.

All of these sources of research support are of recent establishment. Already some signs can be seen of the development of a research community consisting of scholars who are accustomed to the study of the systems of criminal justice and to its developing methodology. Such a community has never before existed in the United States; its emergence gives some hope that more effective programs can be found for crime control.

Research and Criminal Justice Planning

The culture of government is increasingly empirical, and with the increasing capability of criminal justice research to answer questions reliably and credibly the practice of asking questions about the consequences of decisions becomes irresistible. Already statistical studies of sentencing practice have raised serious questions about parole board decision-making and there is some interest in adapting this model of feedback to the sentencing practice of the courts. The impact of this empiricism on policy is enormous and may be expected to effect major changes in the composition of prison parole and probation caseloads.

Still in the future, awaiting improvements in methodology and increased public confidence in the concepts, is a research-based "Planning, Programming Budgeting System" (PPBS) by which correctional programs will be budgeted and planned in accordance with their relative contributions to the achievement of agency objectives. The deficiencies in the system as originally attempted in some of the more advanced correctional departments were attributable to imperfect solutions to the problem of measurement of goal-achievement. A more detailed attention to the logic of intervening variables, as tied to the independent variable of treatment and the dependent variable of recidivism, should lead to a satisfactory solution to this problem.

The remorseless empiricism which characterizes the use of feedback in sentencing and the use of measurement in budgeting of programs fixes the attention of the planner on the achievement of goals rather than on the mainten-

ance of process. The uncertainty arising from the multiplicity of objectives in the present administration of justice is likely to be reduced with the rigorous study of the results of programs designed for goal achievement. It remains to be seen whether the loss of uncertainty will be an unmixed gain for the system.

Information Systems and Research

Early in the development of the program of the Law Enforcement Assistance Administration it was seen that the minimum essential for a national research program for criminal justice was the development of an information system which could provide the data on the operation of the police, courts and correctional agencies with respect to the individual offenders who flow into and out of the system. Project SEARCH (System for Electronic Retrieval of Criminal Histories) was organized to create a prototype for the computerized storage of criminal histories in such a way that they could be used for both management and research purposes. Clearly such a system provides invaluable resources for maintenance of accountability for administrators. Its coverage of criminal histories will be such as to remove many issues having to do with the taxonomy and evolution of criminal careers from the realm of speculation.

Too often it is assumed that information systems can be designed to provide all the data required for research. This is not so. The collaboration between the systems managers and analysts who design such systems and experienced social scientists will make possible the processing of data in forms which will enable the study of system trends and their determinants. Correlation with economic and social indicators can probably be provided for. But it is not likely that foresight can provide for the selection of samples for the study of small subsystems or that it will even be economical to make such an attempt. The conduct of special studies of administrative or clinical problems will become easier through the availability of well-ordered data banks such as the projected version of SEARCH, but it is neither likely nor desirable that the production of data will reduce the

need for observation of phenomena and the interpretation of their behavior. The understanding of change is the essence of social science. With the computer to aid us, our ability to record and measure change is vastly increased. The power of social science to determine the significance of change for social policy depends on its capacity to relate documented change to explanatory theory. The tests of the theory's power to explain and predict should settle the degree to which social change has affected its continuing validity. Inadequacies in the theory point to inadequacies in the social policies governing the entire system of criminal justice.

Toward A Research Strategy for Corrections

The preponderance of research resources in the hands of the federal government combines with the need for a national coordination of information to require the careful planning of a federally articulated research strategy. Such an articulation calls for participation from all segments of the criminal justice system. It calls for the recognition that a correctional research strategy must be integrated with a larger strategy for research for the companion systems of law enforcement and judicial administration.

A strategy in the context we are using here is the recognition and assignment of priorities for investigation. Priorities are necessitated because the resources of money and qualified research personnel will always be limited. Indeed, it is probable that resources will always be exceeded by identifiable research demands.

It is not the purpose of this paper to propose the details of a strategy or to predict the order of priorities. Some probable features of the process are identifiable. The need for responsible participation by all levels of government and all geographical sections is implicit in established national policy on federal-state relations. It has been a fundamental aspect of the Law Enforcement Assistance Administration's management of subsidies to the states. It can therefore be foreseen that the influence of the Law Enforcement Assistance Ad-

ministration will be in the direction of implementing a policy on which broad agreement has first been obtained through extensive and in many cases continuous consultation with all the interests concerned. This implementation will be reinforced by the national role of the Law Enforcement Assistance Administration in the administration of funds. Such a plan does not by any means eliminate the flexibility which makes possible fruitful innovation. It does reserve the allocation of research resources to the kinds of projects on which there is an agreement as to primacy of needs.

Applications of United States' Correctional Research

Crime is a grave national problem in the United States. The technical resources of the country are great, sufficient to make possible significant improvements in the situation if these resources are intelligently employed. The combination of severe criminality and versatile resources available to combat it is perhaps unique in the world today. Few countries suffer so severely from crime, few have the capability to mobilize the advanced technology now available in the United States.

For all countries the basic principles in planning and utilizing research for empirically based administration are the same. The foundation is the establishment of the system's goals and the measurement of their achievement through a study of the decisions made to attain them. Such a study must be addressed to the identification of the consequences of these decisions. A system built to capture data on its performance may be extra-ordinarily simple when the parameters of population and criminality are small. The need for reliable feedback can be simply met or, as in the United States, may call for complex facilities which even yet have not been adequately designed. In neither case are the theoretical problems particularly difficult to solve; the difficulties lie in the provision of means to collect valid information continuously, completely, and in a form which makes interpretation possible. Such a system will nearly always produce economies, especially in its early stages, through reducing the length of confinement in prisons and the

numbers of people confined. Much more important, the intelligent use of such a system will increase the sense of fairness in its administration by linking the rationale for decisions to the documented experience of the system rather than to impressions or caprices of decision-makers.

It is probable that a correctional system governed by statistical feedback will be static even though by its nature it must respond to a considerable degree to social change. The scrutiny of the system by well-trained personnel oriented to experimentation should be a continuous requirement, addressed to the need for innovation to increase the effectiveness of the administration of justice rather than its mere maintenance at a base-line level through adjustments based on feedback.