

CORRECTIONAL PLANNING AND RESOURCE GUIDE

NCJRS  
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## P R E F A C E

On June 19, 1968, the Omnibus Crime Control and Safe Streets Act of 1968 became law, initiating a large scale grants-in-aid program to strengthen State and local law enforcement. This program is premised on the development by each State of a comprehensive law enforcement plan covering needs and improvement in every segment of law enforcement and criminal administration - police, prosecution, courts, and all phases of corrections.

Today, every State has established a State law enforcement planning agency, received a grant to develop its comprehensive plans, and is at work preparing its first plan. Submission and approval of the plan this fiscal year (i.e., by June 30, 1969) is a necessary condition of eligibility for initial action monies appropriated under the Act to enable States, and their local units of government, to carry out needed law enforcement programs and projects.

The Act defines in some detail the necessary elements of an acceptable comprehensive plan (Section 303):

### Section 303 . . . . Each such plan shall--

- (1) provide for the administration of such grants by the State planning agency;
- (2) provide that at least 75 per centum of all Federal funds granted to the State planning agency under this part for any fiscal year will be available to units of general local government or combinations of such units for the development and implementation of programs and projects for the improvement of law enforcement;
- (3) adequately take into account the needs and requests of the units of general local government in the State and encourage local initiative in the development of programs and projects for improvements in law enforcement, and provide for an appropriately balanced allocation of funds between the State and the units of general local government in the State and among such units;
- (4) incorporate innovations and advanced techniques and contain a comprehensive outline of priorities for the improvement and coordination of all aspects of law enforcement dealt with in the plan, including descriptions of: (a) general

needs and problems; (b) existing systems; (c) available resources; (d) organizational systems and administrative machinery for implementing the plan; (e) the direction, scope, and general types of improvements to be made in the future; and (f) to the extent of appropriate, the relationship of the plan to other relevant State or local law enforcement plans and systems;

- (5) provide for effective utilization of existing facilities and permit and encourage units of general local government to combine or provide for cooperative arrangements with respect to services, facilities, and equipment;
- (6) provide for research and development;
- (7) provide for appropriate review of procedures or actions taken by the State planning agency disapproving an application for which funds are available or terminating or refusing to continue financial assistance to units of general local government or combinations of such units;
- (8) demonstrate the willingness of the State and units of general local government to assume the costs of improvements funded under this part after a reasonable period of Federal assistance;
- (9) demonstrate the willingness of the State to contribute technical assistance or services for programs and projects contemplated by the statewide comprehensive plan and the programs and projects contemplated by units of general local government;
- (10) set forth policies and procedures designed to assure that Federal funds made available under this title will be so used as not to supplant State or local funds, but to increase the amounts of such funds that would in the absence of such Federal funds be made available for law enforcement;
- (11) provide for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of an accounting of funds received under this part.

The foregoing requisites have been explained, amplified, and cast in a suggested plan outline and format in Section III of the Law Enforcement Assistance Administration's Guide for State Planning Agency Grants (November, 1968). This outline, in its brevity and approach, was unable to offer much guidance and illustration for

planning efforts and approaches in specific law enforcement areas - police, courts, and corrections. The purpose, therefore, of this Correctional Planning and Resource Guide is to supply analysis, advice, illustration and source material directly relevant to development of correctional segments of comprehensive plans. It is not a model of such a segment, but rather a discussion of how correctional planning within the new State plan framework might be handled, both as regards method and context and as pertains to State and local level contributions.

Reactions and comments from those who have occasion to use or review the Guide would be appreciated since further technical assistance materials on law enforcement planning are contemplated. Advice as to the types of data and guidance deemed most valuable will help insure the quality and relevance of further issuances of this nature.

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## SECTION I

### NEED AND ORGANIZATION FOR LAW ENFORCEMENT PLANNING

#### A. INTRODUCTION

To be comprehensive, law enforcement planning must include all elements of the criminal and juvenile justice system. Further, comprehensive planning will require inter-relating of the separate law enforcement elements -- police, courts, corrections, the criminal law and of a variety of environmental factors and conditions. Among these are population growth and characteristics, socio-economic conditions, employment, education, mental and physical health.

The Crime Control Act clearly calls for development of law enforcement plans of the highest order. Since Federal, State, and local governments all want action to strengthen law enforcement as soon as possible, planning both long and short term goals is necessary. This can be accomplished by:

1. Setting in motion the planning organization and establishing the necessary planning resources to assure that all required information for comprehensive planning will be available.
2. Concurrently, preliminary planning can commence on the basis of available information including responsible, interim judgment as to what initial action steps are needed in the system.
3. Concurrently, preliminary planning can be compartmentalized. That is, it is appropriate to conduct separate studies of the needs of police agencies, the courts and the correctional agencies. The resulting indications of action program areas can then be compared to each other and subjected to priority ranking.

Initial action programs can be commenced on the foregoing basis, particularly if state planning provides for local planning of a comparable scope so that state and local efforts can be mutually adaptive.

Initial action projects may, for one thing, produce information useful for further planning. For example, projects seeking to divert the alcoholic from the criminal justice system can accomplish several results: (i) demonstration of feasibility, (ii) assessment of outcome in terms of cost effectiveness and crime control value and (iii) assuming significant success, the planned reallocation of law enforcement resources.

Thus, this Planning and Resource Guide is concerned with providing timely assistance in the area of corrections to state and local planning agencies. Almost no validated comprehensive planning models exist. The reports of the President's Commission on Law Enforcement and Criminal Justice are a valuable starting point and other aids (referred to or partly excerpted in this guide) will be useful. Most of these materials represent a national perspective and each state or locality will have different degrees of need for guidance, adaption, and analysis directed to unique local conditions. This compilation, therefore, is meant to accommodate a wide latitude for distinctive approaches to correctional system planning.

## B. BACKGROUND FOR ACTION PLANNING

The President's Commission on Law Enforcement and Administration of Justice in The Challenge of Crime in a Free Society, discussed crime in America -- those who commit crime, those who are its victims, and what can be done to reduce it.

The report makes more than 200 specific recommendations -- concrete steps the Commission believes can lead to a safer and more just society. These recommendations call for a greatly increased effort on the part of the Federal government, the states, the counties, the cities, civic organizations, religious institutions, business groups and individual citizens.

But the recommendations are more than just a list of new procedures, new tactics and new techniques. They are a call for a revolution in the way America thinks about crime.

Many Americans take comfort in the view that crime is the vice of a handful of people. This view is inaccurate. In an independent survey of 1,700 persons, 91 percent admitted they had committed acts for which they might have received jail or prison sentences.

Many Americans also think of crime as a very narrow range of behavior. It is not. An enormous variety of acts make up the "crime problem." No single formula, no single theory, no single generalization can explain the vast range of behavior called crime.

Many Americans think controlling crime is solely the task of the police, the courts and the correction agencies. In fact, as the Commission's report makes clear, crime cannot be controlled without the interest and participation of schools, businesses, social agencies, private groups and individual citizens.

Under any circumstances, developing an effective response to the problem of crime in America is exceedingly difficult. And, because of the changes expected in the population in the next

decade, in years to come it will be more difficult. Young people commit a disproportionate share of crime and the number of young people in our society is growing at a much faster rate than the total population. Although the fifteen- to seventeen-year-old age group represents only 5.4 percent of the population, it accounts for 12.8 percent of all arrests. The problem in the years ahead is accentuated by the fact that 23 percent of the population is ten years old or younger.

Despite the seriousness of the crime problem today and the increasing challenge in the years ahead, the central conclusion of the Commission is that a significant reduction in crime is possible if the following objectives are vigorously pursued:

First, society must seek to prevent crime before it happens by assuring all Americans a stake in the benefits and responsibilities of American life, by strengthening law enforcement, and by reducing criminal opportunities.

Second, society's aim of reducing crime would be better served if the system of criminal justice developed a far broader range of techniques with which to deal with individual offenders.

Third, the system of criminal justice must eliminate existing inequities if it is to achieve its ideals and win the respect and cooperation of all citizens.

Fourth, the system of criminal justice must attract more people and better people -- police, prosecutors, judges, defense attorneys, probation and parole officers, and corrections officials with more knowledge, expertise, initiative and integrity.

Fifth, there must be much more operational and basic research into the problems of crime and criminal administration, by those both within and without the system of criminal justice.

Sixth, the police, courts and correctional agencies must be given substantially greater amounts of money if they are to improve their ability to control crime.

Seventh, individual citizens, civic and business organizations, religious institutions, and all levels of government must take responsibility for planning and implementing the changes that must be made in the criminal justice system if crime is to be reduced.

Essential to the achievement of these objectives is the need to overcome the fragmentation, disunity and operations of programs at cross purposes by the multitude of agencies and jurisdictions which are essential supports to law enforcement and corrections.

### C. PLANNING COORDINATION NEEDED

The state and local law enforcement planning agencies should arrange to inter-relate their correctional planning with other planning agencies, such as:

- State and regional development agencies
- State mental health planning agencies
- State education planning agencies
- State vocational training and employment agencies
- Model Cities Agencies
- Local planning agencies
- Cooperative area Manpower Planning agencies
- Area Economic Opportunity Commissions
- Juvenile Justice Commissions (state and local)
- State and local trade advisory committees
- State and local probation and parole advisory committees
- State judicial councils
- Welfare advisory commissions

Private and professional organizations which may be asked to present views, analysis and suggestions are almost too numerous to mention. Key groups in this category should also, as a rule, be on the distribution list for preliminary and final plans and reports. A few of the more prominent of such organizations are:

- State and local health and welfare planning groups
- State and local bar associations
- Chambers of commerce
- Organized labor
- National Council for Crime and Delinquency (and local area units)

National Association of Social Workers

American Correctional Association

State and local probation and parole associations

Peace officer associations

Medical associations

League of Women Voters

Parent and teachers associations

University and college graduate schools and centers (especially law, criminology, sociology, and police science)

Foundations, institutes, non-profit corporations specializing in law enforcement or closely related research and consulting work.

### D. ASSUMPTIONS REGARDING ORGANIZATION OF PLANNING AGENCIES

Statutory and administrative guidelines for organization of state law enforcement planning agencies allow for a wide range of state options providing the agency is responsible to the state governor.

However, in all cases, the state planning agency will consist of a supervisory board or council with board representation of law enforcement, geographical area, and general citizen interests. The council will employ a technical staff, under an administrative or executive director responsible to the council.

It is not necessarily required, but each state is encouraged to consider the formation of the Law Enforcement Planning Agency conjointly as a Juvenile Justice Planning Agency -- as provided under the Juvenile Delinquency Prevention and Control Act of 1968. The advantage of such organizations from the perspective of correctional planning is that planning fragmentation and duplication of effort can be avoided and conservation of limited technical staff resources can be achieved. It is clear, in this respect, that correctional efforts will be a major (and perhaps the largest) component of planning and program efforts under the delinquency legislation.

The Act contemplates the establishment of local or regional planning agencies or the conduct of local planning studies under guidelines that the states should establish. A suggestion for such action is that local agencies be formed to cover contiguous metro-





## SECTION II

### ISSUES IN STATE AND LOCAL CORRECTIONAL SERVICES PLANNING

#### A. THE PURPOSE OF PLANNING

In the field of corrections the planning process includes outlining a series of priorities for improvement based upon a number of assessments; choosing from various alternatives; and adopting strategies.

It is the function of corrections to intervene in delinquent and criminal careers by providing programs and services that will correct the offender. The broad goals of correctional planning, then, are to increase correctional benefits by measurable amounts and to accomplish this with the most favorable cost-effectiveness ratio.

#### B. LAW ENFORCEMENT PROGRAM DILEMMAS

Correctional agencies, along with all correctional programs, are part of society's system for the administration of criminal justice (which has its own local, state and national dimensions), in which the primary goal is public protection through crime and delinquency prevention and control. Within this system, correctional agencies and programs are associated with police, prosecution and the courts. But correctional agencies and programs are also part of society's "civil" machinery concerned with general health and welfare in which there is also a broad goal of public protection. Here corrections is associated with the fields of medicine, education, social services and a variety of community institutions. The basic, and sometimes conflicting, differences between the two systems are rooted in different orientations of the law: (1) that which relies on punishment of the offender for the purpose of retribution and as a possible deterrence to others, and (2) that which relies on the scientific method to help understand personality, group and environmental factors that influence human behavior so that these factors can be constructively manipulated to reduce disordered and deviant behavior.

#### C. PLANNING BASED ON ANALYSIS OF EXISTING SYSTEMS

Correctional planning starts with an analysis of existing systems for dealing with the range of problems and needs to be met. This is a painstaking task at best, but it is likely to present formidable complications for most planning agencies because of the dearth of complete and reliable data with which to describe existing correctional and related systems, much less provide a firm bases from which to make acceptable projections.



#### D. PLANNING FOR CHANGE

Another difficult issue is that planning today must take account of many changes already here and in prospect that will directly affect the numbers of offenders to be accommodated.

For example, an effective bail reform program can significantly reduce the number of persons admitted to detention and it can cut down the length of stay in jail for some who are awaiting trial. Offsetting this, any significant increase in the number of accused persons accepting their right to legal counsel and choosing their right to jury trial will tend to increase the costs of court operations and extend the interval of time between arrest and final disposition.

Substantive or procedural changes in the law, such as the decision to treat alcoholics as medical problems rather than as offenders will tend to transfer large numbers of people, together with commensurate burdens of cost and services, from the correctional system to the general health and welfare system. On the other hand, any decision to include offenders from other jurisdictions, for whatever purposes, will tend to increase the work load of the correctional system with which the planning agency is concerned.

Enabling legislation, such as an extension of existing parole statutes to include misdemeanants, may cause displacements that must be taken into account. In this example, there probably would be a reduction in time served by sentenced prisoners, a possible increase in commitments brought about by parole violations and certainly a very substantial increase in the work load of the parole agency involved.

These examples suggest that the way in which correctional agencies correlate their programs with other agencies is of importance to planning agencies. It is quite likely that state and local planning groups can do little or nothing about solving immediate problems that derive from the imposition of political and jurisdictional limits upon correctional system. Yet, examination of alternatives and an understanding of the capabilities and mechanisms needed for the delivery of comprehensive and coordinated correctional services will enable planners to produce a blueprint of priorities for the attainment of long-range goals. This involves far more than building bridges between the correctional system and the larger community. It will require development of new collaborative relationships to increase the effectiveness of correctional programs and applications of cost-benefit analyses to determine the best use of limited resources (i.e. manpower, money, and facilities).

Other important collaborations are those involving welfare, education, vocational training and rehabilitation, employment, and medical and mental health services. All of these, and others that can be added, should be deeply involved in meeting common problems. The varied possibilities for collaborations are discussed in Section IV. Planning agencies will recognize that overlaying the problems to be met are nearly overwhelming complications of governmental and agency organization, policy and financing.

There are various ways of examining existing organizational fragmentation. The following chart illustrates one means of analyzing the functions of criminal justice agencies in one state. Construction of such charts involving other agency functions can reveal surprising anomalies and, at the same time, suggest areas for evaluation leading to new forms of interagency collaboration. Similar charts might be very useful in examination of correctional agency functions in relationship to employment, medical, welfare and education services.

# CORRECTIONAL FUNCTIONS AND AGENCY ROLES\*

	Arrest/ Citation	Detention Jail/Fac.	Inmate Transportation	Pre-Sentence Diag. reports	Inst.-for Sent. Offdrs.	Probation/ Parole Supvr.	Work Furlough	Com. Corr. Centers	Sentence Modifctn.	Sentence Discharge	Offender Records	Crime-Offndr. Statistics	Coll. of fines, etc. resti, orders, etc.
<u>Federal Agencies</u>													
F.B.I.	X										X	X	
Narcotics Bureau	X										X	X	
Treasury	X										X	X	
U.S. Prob. Ofcrs.	X			X		X		X	X	X	X	X	X
U.S. Attorneys											X		
Assigned Counsel													
U.S. Dist. Court									X	X	X		
U.S. Marshal			X										X
U.S. Bur. of Prisons		X			X		X	X		X	X	X	
U.S. Parole Board											X	X	
U.S. Immig. Bureau	X										X	X	
<u>State Agencies</u>													
State Police	X										X	X	
State Highway Patrol	X		X								X	X	
State Parole Boards									X			X	
Special Agents (various agencies)	X										X		
State Parole (Adult)	X		X			X	X	X	X		X	X	
State Parole (Juv.)	X		X			X	X	X	X		X	X	
State Prisons		X	X	X	X						X	X	
State Youth Insts.		X	X	X	X						X	X	
Dept. of Justice												X	
<u>County Agencies</u>													
Sheriffs	X	X	X		X		X	X			X	X	
Superior Courts										X	X		X
Municipal Courts										X	X		X
Justice Courts										X	X		X
Dist. Attorneys				X <sup>1</sup>		X <sup>1</sup>					X	X	X
Public Defenders											X	X	X
Probation Dept.				X		X	X	X			X	X	
Parole Board									X				
<u>City Agencies</u>													
Police	X	X	X							X	X	X	
<u>Special Districts</u>													
Police (campus, parks, etc.)	X										X		

\*Example is meant to be generalized for a "typical" state and not intended to be all inclusive.

<sup>1</sup> Re. Family Support Cases

## E. INITIAL PLANNING STEPS

There are basic initial planning activities which can be undertaken in the commencement of comprehensive correctional planning: These are as follows:

What is the game?

Who are the players?

Who are the supporting cast?

Where is the game played?

1. Define what is to be planned. (viz. correctional services at the state and local level.)
2. Organize the planning agency's correctional effort and determine what kind of review council and professional staff are necessary to do correctional planning and are needed to implement proposed changes. (Ideally, a council and staff should be selected which have both the capability to conceptualize and organize a major correctional planning effort and the know-how to conceive and follow through on strategies for the implementation of plans. In small states, this may be coextensive with the full planning agency supervising board and staff. In larger states, it may require separate staff units and specialized sub-communities.)
3. Define who are involved; and get their participation in the planning activities. (or else they may be less than enthusiastic in putting plans into action). This would require an early identification of all entities exercising correctional functions whether or not labelled as such and whether government or private in character.
4. Describe the total system under study; identify separate functions, organizations and provide general

How do you know if the game is won or lost?

What is the problem?

data about the correctional system and its major closely related public and private service agencies (examples are provided in Section III following).

5. Define the objectives of each component of the correctional system. For instance, the objectives of probation services could include: (a) screen those arrested and detained to gather information to aid the courts in making decisions related to setting bail and the granting of no bail release; (b) conduct psycho-social studies to help the court in carrying out its adjudicatory function; (c) supervise probationers to insure that they comply with the orders of the courts; (d) provide counseling and referral services to help probationers cope with problems that could negatively affect their community adjustment, etc. (See page 17 for an example of a state's definitions of correctional objectives.)
6. Identify or define the major problems; why are they problems; what are the possible solutions; what or who are the power interests involved in each problem's creation and in its solution? (There are a number of ways to approach problem solving. In most of these, the most practical approach and an item of first priority is complete understanding of the problem.)

## Planning strategies

7. Planning that is comprehensive, that is, cuts across many organization and functional lines, must involve constant concern with "strategic" considerations. (For example, experienced planners often limit the scope of their first or initial planning studies to major activities. The planners might, in commencing a study of correctional agencies, determine not to be interested in such activities as inmate feeding, transportation, discipline, staff training and clerical procedures. Other lines of strategic consideration involve such issues as: (a) whether at a given level of new expenditure there may be more payoff (more favorable cost/benefit relationships) in providing more training for probation officers than in reducing caseloads "X" percent (b) should an increase in the level of public defender services be affected before its probable consequences have been analyzed, i.e. before we know what the effect will be in terms of increased jury trials, court costs, etc.? or (c) should a strategy be adopted at commencing new action programs which will have high potential for creating economies, savings or new revenues which can then be used to improve services that are more costly and offer limited short-range savings. (For example, release on own recognizance, citation in lieu of arrest and work furlough programs can have almost an immediate effect on reducing jail costs; these savings may in turn be strategically reinvested in improving presentence diagnostic procedures or providing new probation services for misdemeanants.)

Plan review

8. Establish a schedule for planning and plan review. (This would include target dates for completion of background data studies, "first-cut" planning drafts, fund plan, components and review of the foregoing.)

Information feedback

9. Design a feedback system so that the plan may be in a nearly constant state of change and improvement. (Note that this contemplates an organized means of measuring the output and achievements or correctional systems and, particularly, changes made as a result of planning action.)

Putting the plan into action

10. Design an implementation plan and assign responsibility clearly for carrying it out. (The role and targets of all implementing parties should be clearly spelled out.)

#### G. FUNCTIONAL ORGANIZATION FOR PLANNING STUDIES

Notwithstanding that law enforcement must necessarily be developing a total or comprehensive law enforcement plan, the task may and should be broken down into separate study area components or areas of operating specialty. There are a number of ways of doing this as related to comprehensive planning in corrections, but one breakdown might be as follows:

Basic Criminal Laws and Penalties\*

Juvenile and Family Court Law\*

Police Services\*

\*These law enforcement components are listed to indicate relationships to corrections. They are not included, however, in this planning guide.

Correctional Services - Juvenile and Adult Detention Services, Juvenile and Adult Community-Based Services (probation, parole, residential treatment centers, day care programs, foster homes, group homes, community correctional service centers, gang workers, work/study release programs), Juvenile and Adult Institutional Services for committed juveniles and sentenced adults.

Supportive Social Services - Schools, Health and Welfare, Mental Health (community and institutions), Manpower Training, Employment, etc.

Law Enforcement Systems Management Systems - (functions which cut across all law enforcement organizations such as political-jurisdictional lines, information systems, research, recruitment and training, community reporting and business services -- i.e., equipment standardization, central procurement, interagency service contracts, and general finance).

Such a study structure permits the planning agency, both the board or council as well as the staff, to make specific assignments, to set schedules, to organize information collecting efforts, and to reduce duplication of effort among staff and participating agencies.

SECTION III  
PLAN DEVELOPMENT AND PRIORITIES FOR ACTION

In a practical sense, a major part of a plan is completed when the problems have been well defined. On the other hand, programs established to solve stated problems often do not work out as expected. Moreover, their failure is frequently not recognized.

It is essential, therefore, to define objectives -- results expected -- with as much precision as possible. It is a surprisingly difficult task.

Extensive statistical data which describe and evaluate the incidence, nature, and effects of crime, delinquency and its corrections are essential to the definition of the problem, the definition of objectives, and, ultimately, the measurement of accomplishment.

In most cases, state and local planning agencies will find (1) a great lack of needed criminal justice statistical information and (2) vague, platitudinous or utter lack of clear correctional objectives.

A fundamental principle in developing a more effective correctional system is the need to coordinate all component parts to achieve the goals of the system, viz., protection of the public by apprehension, control, supervision and rehabilitation of offenders. Planning agencies must recognize that the attainment of the goal may well require major organizational, policy and program changes, as well as substantial increases in expenditures. It must be recognized also that planning decisions effecting change in one part of the correctional process will have impact upon the remaining parts.

A. DEFINITION OF CORRECTIONAL OBJECTIVES

An excellent starting point for planners to begin to establish clear correctional objectives is a careful review of the relevant sections of the President's Crime Commission report. In addition, several states have recently defined their correctional objectives. Following is a reproduction of the statement prepared for California presented as an example which may be adapted -- not adopted -- by other states:

THE GOALS AND OBJECTIVES OF CORRECTIONS\*

GOALS OF CORRECTIONS:

1. PREVENTION - To minimize the frequency with which law violators are recruited from the non-criminal population. Accordingly,

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\*Organization of State Correctional Services in the Control and Treatment of Crime and Delinquency, Board of Corrections, State of California, 1967

the effectiveness of preventive efforts is measured by the volume of first offenses; that is, the rate of criminal recruitment.

2. CORRECTION - To minimize the frequency which law violations are committed by persons who have prior records of criminality. Success of the corrective effort is, therefore, measured by various kinds of recidivism rates.

#### OBJECTIVES OF YOUTH AND ADULT CORRECTIONS:

Achievement of the goals of corrections requires establishment of more specific "targets" or "objectives" of the system. These objectives are:

1. TO ASSIST THE CRIMINAL AND JUVENILE COURTS AND THE QUASI-JUDICIAL PAROLE BOARDS TO MAKE EFFECTIVE DECISIONS REGARDING DISPOSITION OF OFFENDERS SUBJECT TO THE COURT'S OR PAROLE BOARD'S JURISDICTION.

This objective is accomplished by:

- a. Application of established standards in the determination of detention status of adults detained in jail and juveniles detained in juvenile hall.
- b. Clinical and investigative techniques culminating in reports with recommendations which evaluate the characteristics of the offender, the offense, and the feasibility of probation or other sentencing dispositions.
- c. Providing paroling authorities with information for the determination of sentence and of parole date and conditions, which information is based largely on evaluation of the attitudes, skills and demonstrated performance of the subject in a controlled environment and after progress in an appropriate rehabilitation or treatment program.

2. TO ADMINISTER THE SENTENCING DISPOSITIONS OF THE COURTS BY CONTROL OF COMMITTED OFFENDERS IN THE INSTITUTIONS AND/OR ON PROBATION OR PAROLE.

This objective is accomplished by:

- a. Control in the institutions:
  - (1) Classifying inmates in accordance with security requirements;
  - (2) Maintaining safety and order within a secure perimeter; and,
  - (3) Providing for basic human needs and maintaining morale through good human relations.

- b. Control in the community:

- (1) Classifying probationers and parolees in accordance with control requirements;
- (2) Enforcing the conditions of parole; and
- (3) Investigating, evaluating, and reporting probation and parole performance.

3. PREPARE COMMITTED OFFENDERS FOR RETURN TO THE COMMUNITY AS USEFUL PERSONS BY PROMOTING AND SUSTAINING CHANGES IN ATTITUDE AND BEHAVIOR.

This objective is accomplished by:

- a. Providing programs in accordance with needs individually determined and reviewed.
  - (1) Work programs in the institution and on-parole employment compatible with his aptitudes, training, and consistent with his social and legal situation;
  - (2) Resocialization programs; to include both clinical and custodial aspects of the therapeutic community;
  - (3) Educational programs; consistent with appraisal of aptitudes, interests, and educational objectives;
  - (4) Spiritual programs; to include religious services and guidance;
  - (5) Medical service programs; to maintain good health and physical condition through medical and dental care; and
  - (6) Leisure time programs; encouraging the use of leisure time for self-improvement and wholesome recreation.
- b. Developing and maintaining the offender's link to the community to the maximum extent compatible with control requirements.
  - (1) Encouraging legitimate communications with family, friends, and the community;
  - (2) Fostering contact with prospective employers and other persons concerned with vocational planning; and
  - (3) Assisting in resolving personal problems of parents and dependents of the offender.



4. UTILIZE INCARCERATED OFFENDERS' MANPOWER AND CORRECTIONAL FACILITIES FOR THE PUBLIC BENEFIT.

This objective is accomplished by:

- a. Providing work for subjects in production of goods and repair of equipment for governmental use.
- b. Providing subjects for work in:
  - (1) Fire fighting;
  - (2) Forestry and road maintenance operations;
  - (3) Maintenance of beaches and parks and development of outdoor recreational areas; and
  - (4) Public assistance in civil defense and disaster work.
- c. Utilizing correctional facilities for civil defense and disaster relief.

5. FIND THE CAUSES AND THE MEANS FOR PREVENTION AND TREATMENT OF DELINQUENCY AND CRIMINAL BEHAVIOR AND TO PARTICIPATE IN THE DEVELOPMENT OF CRIMINAL LAW.

This objective is accomplished by:

- a. Conducting basic research in the behavioral sciences related to the causation of delinquency, crime, and the modification of deviant behavior.
- b. Applying experimental program models designed to modify the behavior of wards, inmates, and parolees.
- c. Evaluating program effectiveness through accepted research methods.
- d. Communicating to the Governor, the Legislature, the Courts, and the public in general, analysis of the effects of the administration of criminal justice in the control of crime, and providing leadership towards the making of improvements.

B. INITIAL PLANNING STUDIES

Initially, planning agencies might consider a self-completion exercise utilizing available state data, or if not available educated estimates, to fill in a series of tables presented in the President's Commission's Corrections Task Force Report. (For instance, see page 8, 98, 99, 191, and 193.)

In addition, the following page presents a flow chart which, when coupled with staff, offender work load and cost statistics-could give planners an overview of their correctional system and may suggest areas where more data is necessary to establish priorities for beginning fact finding efforts.

Finally, such an exercise may provide some basis for the establishment of priorities for initial action programs.

C. DEVELOPMENT OF A STATISTICAL DATA BASE

To arrive at a definition of correctional objectives, planning agencies will need to have access to a broad data base that will enable discovery and analysis of the problems to be addressed.

The new National Institute of Law Enforcement and Criminal Justice plans to establish a National Criminal Justice Statistics Center. Uniform statistical reporting and analytical standards and other services for all law enforcement program areas may be expected of the Center, but these will not be available to assist state and local planning agencies with initial comprehensive plan development tasks.\*

Data Base. Comprehensive statistical studies of criminal and delinquent activity, criminal justice activity and the movement of offenders through the system are essential. These data might be assembled in two basic forms: (a) to provide a comprehensive description of the current situation and (b) to provide perspective-relating the present data to past experience (preferably, five years if possible) and to projected trends (at least five years).

One of the most difficult problems for planners will be obtaining agreement as to the numbers and types of persons to be served by the correctional system. Planners must cope with the current dearth of facts and figures with which to make firm projections, and must consider changes already here and in prospect that will directly affect the number and kinds of offenders to be accommodated.

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\*For material and analysis on the need for and importance of national criminal justice statistical capabilities, see "Report on National Needs for Criminal Justice Statistics," U. S. Department of Commerce, Bureau of Census, August, 1968.

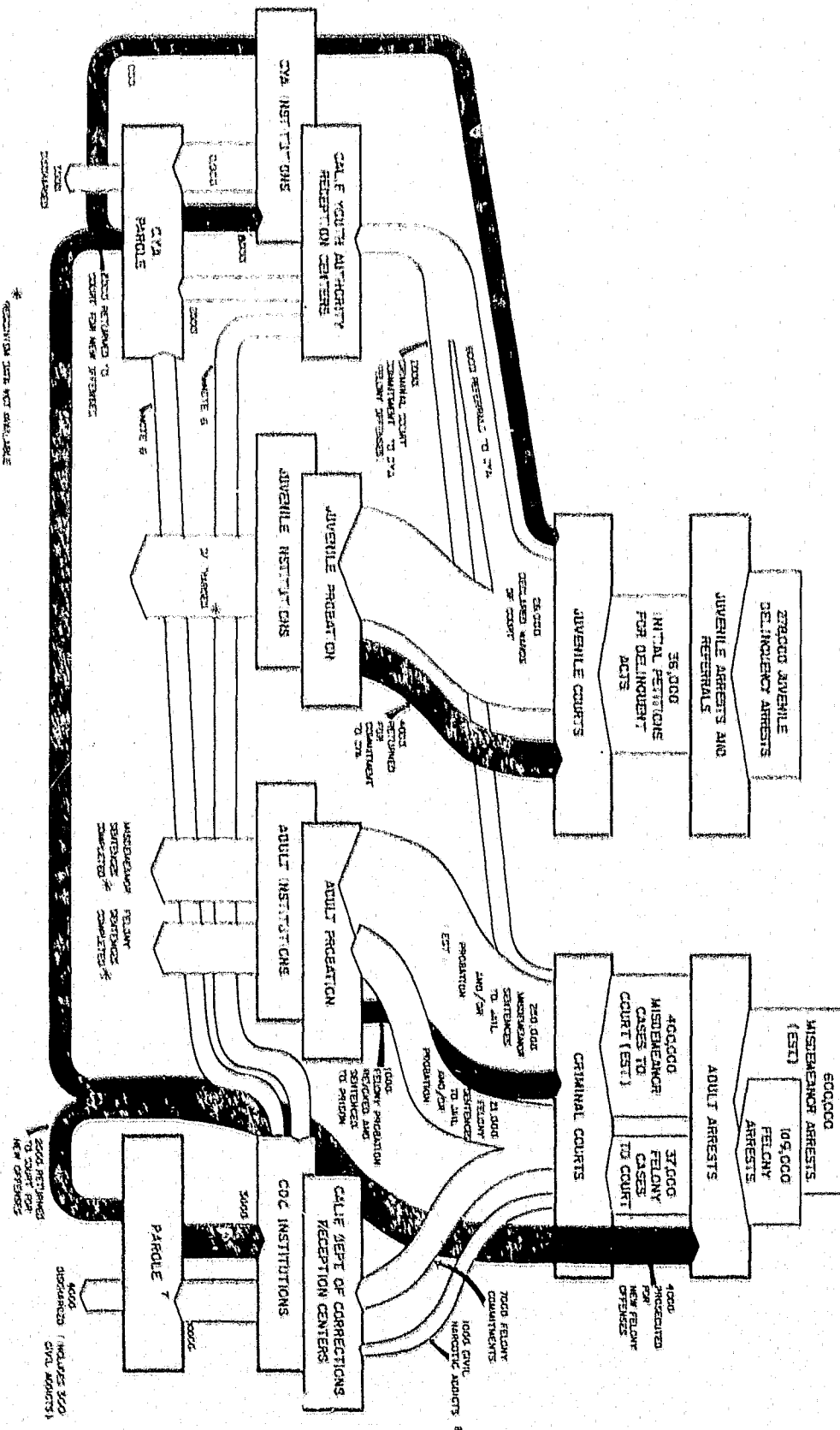
Following is a partial list of the kinds of statistical information needed for correctional system planning:

1. Statewide, regional and local area breakdowns showing measures of basic criminal activity\*:
  - a. Felony crimes reported
  - b. Misdemeanor crimes reported
  - c. Civil disturbances involving property damage, injuries and crimes not reported above.
2. For areas as above, report arrests by major categories\*:
  - a. Felony Crimes  
Breakdown by crimes against property, against persons, narcotics and drugs sale and use, and of a sexual nature (breakdown rape with force and all other).
  - b. Misdemeanor Crimes\*  
Breakdown as for felonies, but also separate drunk arrests when such data is available, and minor traffic offenses.
  - c. Juvenile Delinquency Acts\*  
Breakdown as for other crimes but also separate arrests for runaway, "in-danger-of," and related causes not clearly associated with offense categories indicated for felonies and misdemeanors.
3. For areas as above, and for all categories of offenses and offenders:
  - a. Pre-adjudicatory detention of juveniles and adult -- percent of those arrested who are (a) summoned, (b) bail, (c) ROR, and (d) detained. (Length of adjudication process for those detained? For those not detained? Etc.)
  - b. Adjudication actions -- dismissed, transfer to other jurisdictions, pleas as charged, pleas to reduced charges, to trial, convictions, acquittals (or juvenile court adjudications).
  - c. Sentencing actions --
    - (1) fines, restitution orders and suspended sentences

\*Report actual counts and at a rate per 100,000 population.

# CALIFORNIA SYSTEM OF CRIMINAL JUSTICE

RELATIVE FLOW OF OFFENDERS THROUGH BASIC CORRECTIONS SUB-SYSTEM (MOVEMENTS)  
(MOVEMENT EXPRESSED TO NEAREST 1000 FOR YEAR 1960)



NOTES:  
1. \*RECEIVED DATA NOT AVAILABLE IN CURRENT DISCHARGE SYSTEMS  
2. \*TOTAL COMMITMENT TO STATE PRISON 1960 44,000  
3. \*TOTAL COMMITMENT TO STATE PRISON 1960 44,000  
4. \*TOTAL COMMITMENT TO STATE PRISON 1960 44,000  
5. \*TOTAL COMMITMENT TO STATE PRISON 1960 44,000  
6. \*TOTAL COMMITMENT TO STATE PRISON 1960 44,000  
7. \*TOTAL COMMITMENT TO STATE PRISON 1960 44,000  
8. \*TOTAL COMMITMENT TO STATE PRISON 1960 44,000  
9. \*TOTAL COMMITMENT TO STATE PRISON 1960 44,000  
10. \*TOTAL COMMITMENT TO STATE PRISON 1960 44,000

- (2) Jail sentence
- (3) probation
- (4) Jail and probation
- (5) commitment to state prison or adult facilities--  
total by type
- (6) commitment to state youth correctional system (in  
states where applicable)

#### 4. Movement of sentenced offenders, number and:

- a. Time served in jail before discharge\*
- b. Time served in juvenile detention before probation or  
discharge\*
- c. Time served in state institutions before parole or dis-  
charge\*
- d. Time served on probation before discharge
- e. Time served on parole discharge and those released from  
custody who are not under any form of community super-  
vision

#### 5. Recidivism studies: (Parole, Probation)

A wide range of sophisticated measures may be used. To the extent possible, however, recidivism should show violation for new crime (with conviction) separate from violations on technical grounds (failing to meet conditions of parole). This recidivism breakdown will tend to make more comparable the performance out-come measures between areas and between the states.

#### 6. Offender Characteristics

Data will be limited for many classes of offenders. To the extent possible, it will be important to have such data as:

- a. Number of prior convictions
- b. Age (at time of last conviction or release)
- c. Sex
- d. Residence (In larger communities, residence of offenders  
should be broken down into neighborhoods, precincts, etc.)

- e. Education level (tested level) or highest grade completed
- f. Marital status
- g. Dependents
- h. Vocational skill level (skilled, semi-skilled, unskilled, no  
employment history)
- i. Unusual physical or mental characteristics (e.g., mentally re-  
tarded, physical handicap, former commitment to mental institu-  
tion)

#### 7. Correctional System Workloads and Resources

Planning agencies will find it extremely useful to prepare special tabulations relating characteristics of offenders to arrests, sen-  
tence dispositions, probation and parole performance.

It is apparent that such data is of great concern to police and court service analysis. Some state criminal statistics units are already capable of producing much of the desired data. More plan-  
ning or more information gathering. In virtually all cases, however, ad-  
ditional planning for information gathering and automatic data pro-  
cessing will have both short-term and long-term payoff to the crim-  
inal justice system as well as the planning agency.

Choosing strategies for action. To assess the feasibility of change,  
planning agencies may find it useful to organize the possible alter-  
natives into three categories these would aim for:

- 1. Improved operations within the correctional system and agencies
- 2. Mobilization of resources outside correctional systems for the  
prevention of crime
- 3. Increased fairness in the administration of correctional systems

The first category includes more efficient procedures to promote faster  
flow of people through the system, methods of upgrading personnel, reorganiza-  
tion, new information systems and management methods. Although there are a  
number of obstacles inhibiting change in these areas, it is unlikely that changes  
of these kinds will achieve their intended objectives unless they are treated  
as parts of a larger approach toward organizational development and renewal.

\*Show separately, for (a) original commitment and for (b) violation  
of suspended sentence, probation or parole.

CORRECTIONAL PLANNING ISSUES

The following list represents a useful starting point for preliminary planning and action program development.

In this checklist, the nature of changes or improvements which might be considered by planning groups are indicated for each correctional program or its elements. The examples are not exhaustive but an attempt has been made to provide a sufficiently comprehensive listing to cover all major improvement alternatives generally acknowledged by the field as worthy of consideration. [\*See further the "Correctional Standard" listing in Section VI, derived from Corrections in the United States, for specific quantitative and qualitative targets in developing many of the checklist items.]

<u>Correctional Process</u>	<u>Nature of Changes or Improvement to be Considered (Examples Only)</u>
1. Basic (substantive) criminal Law	Redefine crime and penalties by establishing penal code or criminal law revision commissions or programs.
State Penal Codes	(a) Establish civil alternatives to criminal dispositions (e.g., alcoholic, mental deficient, narcotic addict, etc.)
State Juvenile Codes	(b) Provide better latitude for correctional - adult and juvenile - sentencing (e.g., indeterminate sentences, youth authority disposition powers).
Local Ordinances	(c) For institutional sentences of significant length (e.g.) provide for administrative - clinical decisions regarding readiness for release and formulation of post-release program.

Categories 2 and 3 call for new involvements of resources outside the correctional system, such as: schools, medical services, welfare agencies, lawyers, business and civic groups and labor organizations. But, many of these resources already are inadequate to the tasks they are being asked to perform. Action strategies which would funnel offenders into outside resources must confront the feedback effects stemming from the agencies involved. Effective interfaces with other resources will require both that the organizations and individuals involved redefine "crime" in the context of their own functions and that the criminal justice system be given a visibility and place of central importance which, for the most part, it now lacks.

2. Basic (administrative)  
criminal law

- (d) Reevaluate juvenile court offense (criminal and non-criminal) criteria for jurisdictional distinctions.

Redefine correctional administrative organization, removing unnecessary legal constraints (e.g., laws which fractionalize functions among specific agencies or mandate specific forms of organization).

- (a) Provide mechanisms for inter-agency, inter-jurisdictional coordination, both in planning, and setting of priorities.
- (b) Clarify and reevaluate judicial - executive branch correctional functions (e.g., why should courts be responsible for directing probation or other post-sentence rehabilitative functions? Should courts operate juvenile detention homes?)

3. Police correctional  
activities

Provide non-law enforcement alternatives for police.

- (a) Police community relations and "service" functions.
- (b) Use of counseling and warning in place of arrest or citations (summons).
- (c) Use of citation in place of arrest (or after booking but in lieu of jail).

4. Alternative to pre-trial incarceration

Increase selective use of release on own recognizance (bail modification) pending trial.

5. Detention jails (adults)

Consider adequacy of basic custody-care services, such as:

- (a) Minimum standards for housekeeping and control; how prescribed; how enforced?
- (b) Administrative efficiency considerations (i.e., transportation and escort costs vs. alternatives such as locating jail near court).
- (c) Organizational placement alternatives (e.g., should detention jails be operated by county, regional or state correctional agencies?)
- (d) Obligations to protect inmates from other inmates; separation of offenders by type or charge; policies re multiple detainees in a single cell.

6. Detention centers  
(juvenile)

Consider adequacy of basic custody-care services:

- (a) Admissions or intake policies and practices (e.g., are non-confinement alternatives exhausted; are standards for detention uniformly administered and under control of juvenile court or other juvenile authority?)
- (b) Standards for separation by age, maturity level, characteristics of delinquent involvement, and sex.
- (c) Minimum standards for decent care; how prescribed and enforced?
- (d) Organizational placement alternatives including

- (1) regional facilities and
- (2) judicial versus executive branch direction.

- (e) Provisions for prompt (within 24 hours) detention hearings by court to review appropriateness of detention.

## 7. Detention jail treatment

Identify service requirements and provisions to meet needs:

- (a) Prompt completion of admission (booking) procedures and commencement of collection of pertinent information (prior case history, criminal records, etc.).
- (b) Medical examination and treatment of acute conditions.
- (c) Provisions for resolving personal crisis problems arising from arrest (e.g., family contact and visiting, notifications to employers, care of personal property such as automobile).
- (d) Public defender (or equivalent) counseling of all inmates prior to arraignment to explain process and rights of accused.
- (e) Counseling, recreation, visiting, and leisure time activities.
- (f) Speed up trial processes to reduce periods of incarceration for those who cannot be released pending trial and sentence.

## 8. Criminal (or juvenile) court arraignment procedures

"Correctional" aspects of procedure:

- (a) Provide, as nearly as possible, similar circumstances of court appearance for jailed defendants as those released on bail (e.g., dress in civilian or street clothes).

- (b) Provide release on own recognition as bail modification procedure in appropriately screened cases for accused misdemeanants and felons where trial is requested or proceedings continues.

- (c) Provide equivalent release consideration for juveniles comparable to above.

- (d) Provide pre-adjudicatory social services during period between arrest and sentence (e.g., employment counseling and placement service, family counseling, immediate treatment for chronic conditions such as drug abuse).

- (e) Provide supporting community services to those released (charges dropped, dismissed, or suspended sentence imposed).

## 9. Criminal (or juvenile) court sentencing or disposition procedures

Provide court with information adequate to severity of sentencing alternatives under consideration, such as:

- (a) Probation report for all felons.
- (b) Probation reports for misdemeanants (including "short forms" which can be completed in one day).
- (c) Special diagnostic and treatment reports as needed for unusual or "high risk" cases.
- (d) Provide basis for "risk" assessment (e.g., "base expectancies") and encourage use of least punitive, and least expensive correctional



plans--(1) Suspended sentence in preference to fine or probation\*, (2) Fine in preference to jail or probation (with provisions for deferred or time payment), (3) Probations in preference to jail, (4) Probation in preference to split jail and probation disposition, (5) Jail in preference to state prison.

10. Basic correctional programs (local institutions for sentenced offenders)

Evaluate functions and standards for jail operations involving offenders sentenced to jail:

- (a) Basic jail organization; alternate organizational arrangements to achieve correctional continuum (e.g., consolidate with probation services to achieve "department of correction").
- (b) Program development in which various community resources bring their services to the jail.
- (c) Provision for work release (work furlough) and educational release programs.
- (d) Jail parole system--arrangements for decision making to permit portions of jail sentences to be served on parole.
- (e) Jail after-care or parole services; supporting services to facilitate released inmate's reintegration into community.
- (f) Use of jail as community correctional center for pre-release programs for state and federal prisoners, and as short term detention centers for such parolees and probationers.
- (g) Programs to shift treatment of alcoholic offenders from jail to medical facilities.
- (h) Develop pilot programs to enrich

correctional treatment capacity (e.g., via intensive "therapeutic community" or "operant conditioning" treatment for first offenders.

- (i) Establish work crews for public service activities to relieve jail idleness.
- (j) Consider developing regional correctional facilities.
- (k) Need for and methods of achieving state subsidy for jail operations.
- (l) Develop family emergency and pre-release (job finding) short term furlough programs.

Evaluate functions and standards for juvenile detention and allied institutions:

- (a) Basic juvenile detention facility organization and staffing; organizational placement to improvise program in relation to individual needs of juveniles, youths, and young adults (e.g., administrative consolidation of adult and juvenile services to facilitate placement of immature adults - 18 to 23 - in juvenile facilities and more mature, aggressive juveniles - 16 to 18 - in adult facilities).
- (b) Complete removal of responsibility for institutional care and services for dependent and neglected children from agencies of criminal or juvenile justice system,
- (c) Revise juvenile institution admission procedures to provide intake control and maximize prompt search for shelter, foster home or other non-institutional alternatives for juvenile detention wherever possible.

11. Basic correctional programs (juvenile custody and care)

- (d) Establish high standards for juvenile institution services and assure compliance by state inspection and/or state subsidy.
- (e) Evaluate needs for regional facilities, especially for teen-age girls.
- (f) Establish pilot programs for model juvenile treatment facilities, community based, involving new treatment strategies with research components (Crime Commission Concept of youth services, bureaus or private agency roles in special community organization and treatment services).
- (g) Place juvenile treatment program administration under direction of executive rather than judicial branch.
- (h) Develop wide range of institutional treatment options -- e.g. special facilities for younger offenders, work or forestry camps, half-way house or community-based residential treatment centers, special facilities for emotionally disturbed adolescent offenders or drug users.
- (i) Strengthen diagnostic capability to insure proper placement of juveniles within available fields and institutional resources.
- (j) Introduce increased use of group homes and foster homes as alternatives to correctional juvenile institutionalization; develop programs to recruit and train foster parents; develop various models for specialized group homes.

## 12. Basic correctional programs (probation)

Evaluate total probation service for adults and juveniles:

- (a) Basic organizational issues: (1) probation as a county or state program, (2) probation as an executive branch function, (3) consolidation or coordination of probation with state parole services for juveniles and adults, (4) probation coordination with welfare and rehabilitation casework services, and (5) coordinate probations services with innovative neighborhood service programs such as youth service centers, and police community service officer programs.
- (b) Evaluate basic probation case-work processes to establish new policies, standards and pilot programs relating to (1) caseworker and probationer typologies, (2) relate caseload size to needs of probationers, (3) discharge from probation at optimum (earlier) time, (4) use of volunteers and former offenders as case aides, and (5) establishment of "due process" hearing procedures for probation violation.
- (c) Establish pilot program services aimed at improving law enforcement teamwork with police agencies and probation departments.
- (d) Establish probation research and information programs.
- (e) Develop citizen advisory groups to provide policy advice, improve coordination with other local agencies such as Model

City and OEO Planning Groups, and to provide broader base of citizen understanding and support for effective probation services.

- (f) Combine probation supervision with group and foster home care programs to get juveniles without family roots into community.

13. Basic correctional programs (State prisons)

Evaluate role of state correctional institutions in total correctional system:

- (a) Review all organization and programs in conformity with ACA Manual of Correctional Standards.
- (b) Provide incentives for increased use of local correctional services (i.e., probation) for felony offenders who may be effectively supervise.
- (c) Determine role of state in meeting needs of communities for regional prisons or jails, especially for special program needs of mentally ill and retarded, narcotic users, and women.
- (d) Evaluate role of correctional industries as vocational training and rehabilitation resource.
- (e) Evaluate correctional program utilization of conservation, forestry and work camps.
- (f) Improve teamwork between parole boards and directors of corrections, (e.g., consider making director chairman or member of parole board).

14. Basic Correctional Programs (parole)

Evaluate all parole programs in same relationship as probation programs (as above). Evaluate program fragmentations among aftercare services of jail parole, juvenile and adult parole, district attorney administered probation (family support divisions). Consider issues of state administration versus local administration of probation and parole systems.

15. Adult and Juvenile Parole Boards

Evaluate the functions, organization, performance and qualifications of parole boards; consider the need for county (jail) parole boards; consider state adult and juvenile and special parole boards (such as separate boards for women, narcotic addicts) and how the parole decision may be improved and more closely coordinated with the correctional systems; evaluate use of professional hearing officers or referees; evaluate parole decisions in light of the range of indeterminate sentence and in comparison with other jurisdictions; evaluate parole violation policies and practices for correctional effectiveness and efficiency; evaluate policies and practices regarding discharge from parole including early discharge of those having sustained a period of parole success; evaluate policies and procedures regarding expungement of records and pardons.

16. Supportive Community Services

(a) Welfare

- (1) Develop community level program coordination: Involve welfare in joint staffing of cases for diagnosis and treatment planning.

(b) Rehabilitation

- (2) Seek alternatives to arrest and incarceration of parents for (i) child neglect, (ii) non-support cases (iii) employ counselors (social workers) by contract with welfare agencies in jails, juvenile institutions and prisons.

- (1) Increase participation of vocational rehabilitation departments in correctional training and after care programs.

- (2) Establish pilot programs for total shift of selected probation and parole case loads to vocational rehabilitation counselors.

(c) Medical

- (1) Provide adequate medical, psychiatric, dental services to incarcerated offenders by contract with medical services agencies.

- (2) Provide outpatient services to offenders and their families as needed in preference to institutional treatment whenever possible.

(d) Employment

- (1) Improve job training and placement activity coordination with state employment agencies.
- (2) Remove discriminatory practices in job referral of former offenders.
- (3) Improve information and statistics capability of employment service to describe and evaluate employment practices, unemployment trends, etc.

(e) Education and Training

- (4) Where vocational counselors are needed in correctional institutions, obtain services from the department of employment, or vocational education and contract for special service levels (e.g., special testing services) as needed;

- (5) Reduce civil service discrimination against former offenders, probationers and parolees.

- (1) Utilize local adult education, junior college and MDTA resources to provide education and training programs in correctional institutions; maintain these program relationships on continuum basis as offender passes into parole status;

- (2) Consider pilot projects of programmed learning and use of laymen or former offenders as aides for remedial education programs.

- (3) Establish vocational training advisory committees;

- (4) Cooperate in research to bring training programs into closer coordination with the job market.

(f) Housing

- (1) Remove discriminatory practices of public housing agencies toward former offenders;

- (2) Provide shelter alternatives to skid row for homeless persons including probationers and parolees.

(g) Family Service

- (1) On a case basis, involve entire family in offender treatment programs.

(h) Legal Aid and Dis-  
charge, and Pardons  
Assistance, Records  
expungement, and  
Relief from Discrimi-  
natory Practices

- (2) Encourage greater involvement of private and public family service and mental health agencies in the treatment of offenders and their families;
- (3) Utilize family oriented therapy and counseling with multi-problem families;
- (1) Provide legal aid services for offenders on non-criminal matters (e.g., divorce, support payments, paternity issues);
- (2) Supply services to former offenders to expunge record, obtain pardon, etc.
- (3) Change or remove discriminating employment practices towards offenders and unconvicted accused.

17. Correctional Management  
Development

(a) Information Systems

- (1) Develop application of computer technology to systematic information collection and timely use for correctional decision making research and evaluations;
- (2) Achieve information coordination with police and non-criminal justice automated information systems.

(b) Organization and  
Management De-  
velopment

- (1) Evaluate organizational models including improved functional designs (e.g., consolidation of probation and parole systems);
- (2) Design decentralization forms including regional structures and neighborhood based operations (e.g., multi-service centers);

- (3) Develop hierachial simplifi-  
cation, reducing levels of  
command;
- (4) Apply principles of organizing  
for "management by objectives;"
- (5) develop programs for training  
managers and analysts in new  
management techniques;
- (6) Develop models for "participative  
management" at all operational  
levels from field offices to  
departmental headquarters.

(c) Correctional Research

- (1) Establish research management  
capability to consist of  
personnel required to (i) deter-  
mine research needs, priorities  
and budgetary requirements;  
(ii) manage data requirements  
for statistical services;  
(iii) initiate requests for  
proposals from outside research  
agencies; (iv) evaluate pro-  
gress and findings of all  
research done by and for  
agency; (v) assist management  
in implementation of findings.
- (2) Establish grant and contract  
structure for funding and  
servicing research projects.  
Train and familiarize oper-  
ational staff at all levels  
for collaboration with re-  
search and development  
personnel;
- (3) Maintenance by executive  
management of firm and informed  
support of research objectives  
and strategy.

(d) Program Planning  
and Budgeting

- (1) Provide training for correctional  
managers and staff specialists in  
new planning techniques;

- (e) Manpower Recruitment and Selection
- (2) Consider concentration of comprehensive correctional planning efforts in pilot projects for selected communities.
  - (1) Considering total state and local correctional needs, determine strategies and programs for assuring supply to meet new manpower requirements;
  - (2) Assess "new careers" and other pilot models involving extensive use of former offenders, indigent workers or aides, VISTA volunteers, and other lay citizen volunteers.
- (f) Manpower Training
- (1) Evaluate in-service recruit training, retraining, or upgrading training needs;
  - (2) Consult with local universities and colleges for development and utilization of training and preparatory education funded by the LEAA Office of Academic Assistance;
  - (3) Consider organizing standing advisory committees to coordinate university training curriculum with specific needs of operating correctional agencies.
- (g) Role of Citizen
- (1) Evaluate various models for involving the citizen in correctional planning and operations including advisory committees on jails, probation, vocational training and placement, correctional research and pilot projects;

(h) Public Reporting Plans

- (2) Arrange correctional representation on planning commissions, welfare advisory commission, anti-poverty program commissions, school boards, grand juries, etc.;
- (3) Establish favorable organizational conditions such as providing study and reform commissions with necessary staff to play important role in correctional program assessment and correctional policy and planning decisions.
- (1) Create models for positive reporting of correctional program accomplishments as well as problems;
- (2) Establish means to constructively relate to news media including development of reporting restraints in pre-trial publicity and over-dramatization of correctional failures;
- (3) Evaluate, by polls or surveys, public attitudes towards correctional issues and offenders, and develop strategies to foster greater public support for improvement programs.



## SECTION V

### STRATEGIES FOR PLANNING PROGRAM IMPLEMENTATION

The difficulties of planning agencies are not only substantive; they may be tactical and strategic as well. Consider the following dilemmas: If the planning agency attempts to cope with problems on a massive scale, it risks over-running available resources and the level of understanding that can be brought to bear on them. If it adopts a strategy that is consistent with limited resources and understanding, the effort may appear inadequate in relation to the magnitude of the problem. On the other hand, simply studying problems without action will not produce change or improvement.

Effective strategy might include the following:

1. Action proposals should start modestly, but without the penalties of smallness, i.e., smallness perceived as part of a larger and more significant effort.
2. First steps should have the effect of building competence which does not presently exist.
3. Mutual understanding among all agencies and institutions involved in correctional improvement should be promoted through personal contact.
4. Ways should be found to link proposed action programs with "champions for change" and current front-runners among state and local agencies.
5. Alternatives should be chosen at the outset which will make it possible to achieve initial - even if modest - successes.
6. Proposed programs should take maximum advantage of local initiative, i.e., such as strengthening relevant programs already developed by Model Cities, Office of Economic Opportunity, Community Mental Health, MDTA, Vocational Rehabilitation, etc.
7. Efforts directed toward program development should be designed to establish a cumulative data base and to provide continuing learning from the first experience.
8. Methods of learning from demonstrations and pilot projects are badly needed and (the mere characterization of a project as a "pilot" or "demonstration" by no means

guarantees that learning will occur or lessons can be transferred or generalized for others).

9. Projects first undertaken should be part of a design for longer-term processes of change, basic lines of which are flexible enough to accommodate the emerging local initiative.

## SECTION VI

### CORRECTIONAL STANDARDS

Selected by the  
Special Task Force on Correctional Standards<sup>1</sup>

In November 1965, a Special Task Force on Correctional Standards was appointed by the staff of the President's Commission on Law Enforcement and the Administration of Justice. Its purpose was to select, from the correctional standards already published by authoritative bodies, <sup>2</sup>those that (a) would be useful to the Commission and to the National Council on Crime and Delinquency in making its 1966 survey of correction in the United States, and (b) were susceptible to measurement.

Correctional standards are defined as the best professional thought concerning the organization and function of a correctional system. Few of those that state a numerical ratio, such as the number of personnel in proportion to the correctional population, have been tested by rigorous research and are, therefore, tentative and subject to change as means for validation become available.

The members of the Special Task Force were John A. Wallace (Chairman), Office of Probation for the Courts of New York City; Kenneth S. Carpenter, Children's Bureau, U. S. Department of Health, Education, and Welfare; Fred Fant, Division of Probation, New York State Department of Corrections; Benjamin Frank, Bureau of Prisons, U. S. Department of Justice (ret.); Abraham G. Novick, Berkshire Farms School, New York; and E. Preston Sharp, American Correctional Association.

The standards that were finally selected by the Special Task Force were reviewed by a committee consisting of Walter Dunbar, American Correctional Association; Phillip Green, U. S. Children's Bureau, Department of Health, Education, and Welfare; Milton G. Rector, National Council on Crime and Delinquency; and Heman G. Stark, Governor's Conference Committee on Juvenile Delinquency.

JOHN A. WALLACE

<sup>1</sup>"Correction in the United States," a survey for the President's Commission on Law Enforcement and Administration of Justice by the National Council on Crime and Delinquency, p. 264 - 280.

<sup>2</sup>A list of the source material from which the selected standards were derived can be obtained from the Library of the National Council on Crime and Delinquency, 44 East 23 Street, New York 10010.

## I. General Standards

1. Though parts of the correctional system may be operated by local jurisdictions, the state government should be responsible for the quality of all correctional systems and programs within the state.
2. If local jurisdictions operate parts of the correctional program, the state should clearly designate a parent agency responsible for consultation, standard setting, research, training, and financing of or subsidy to local programs.
3. All correctional systems should have a statement of objectives, policies, and general plans governing their organization and function.
4. Specific rules and regulations setting forth the delegation of authority to subordinate executives as well as the limitations of that authority should be compiled in all systems.
5. Every correctional system requires a staff of administrative and supervisory personnel commensurate with the size and extent of the system. The staff should be so organized that all important functions in the total administrative process are represented and an adequate span of control is maintained.
6. A structured program of on-the-job training is essential for every correctional agency. Its elements are (a) an orientation period for new workers, geared especially to acquainting them with the agency and its rules, procedures, and policies; (b) a continual in-service program designed to meet the needs of all personnel, including administrators and supervisors, through the agency directly and by participation in seminars, workshops, and institutes; (c) educational leave programs with provision for part-time and full-time salaried leave, with financial assistance for educational costs, to achieve preferred qualifications and to improve professional competence.
7. Besides the appropriate educational qualifications for his position, each correctional employee should have good health, emotional maturity, integrity, interest in the welfare of human beings, ability to establish interpersonal relationships and to work with aggressive persons, belief in the capacity of people to change, recognition of the dignity and value of the individual, resourcefulness, patience, ability to use authority responsibly, and a continuing interest in professional development.
8. Personnel should be covered by a merit or civil service system. They should serve a probationary period of at least six months before attaining permanent status. When permanent status has been achieved, dismissal should be for cause only, and the discharged employee should have the right to a hearing before an appropriate body.

9. Appointment should be based on the educational and personal qualifications set forth in the job description of each class of position.
10. Salaries should be adequate and commensurate with the qualifications, high trust, and responsibility involved. Salaries should have minimum and maximum levels with provisions for regular increments based on merit performance evaluations.
11. There should be provisions for sick leave, annual leave, hospital and medical care, insurance, disability, retirement benefits, and other accepted employee benefits compatible with the best practices of public and private agencies.
12. An adequate research, evaluation, and statistical reporting program should be maintained. All correctional data should be uniformly and routinely reported to a central state agency. The statistical reporting system should provide for the collection, storage, and analysis of information, and its dissemination to local jurisdictions within the state, to other states, and to national agencies.
13. Citizen committees should be developed to serve state correctional agencies and institutions in an advisory capacity. Similar advisory committees should serve local agencies operating parts of the correctional system.

## II. Standards for Probation

### Definitions

Probation -- a legal status granted by a court whereby a convicted person is permitted to remain in the community subject to conditions specified by the court.

Probation agency -- the organization that conducts pre-hearing or pre-sentence investigations, supervises probationers, and makes recommendations regarding modifications of probation conditions, revocation, and discharge.

### A. Statutory Provisions

1. The statute should require that a paid, full-time probation service be made uniformly available to all courts needing the service. It should prescribe how the service is to be established, financed, and administered, and it should state the qualifications of staff, methods of staffing, and the duties and functions to be performed.

2. The statute should authorize the court to use probation at its discretion, following adjudication or conviction, for the best interest of the offender and society.
3. The statute should require that a probation investigation be completed in all juvenile and adult cases, as an aid to the court in making an appropriate disposition, and it should require the court to consider the investigation report and give due weight to the findings before making a decision.
4. The statute should prohibit indiscriminate scrutiny of the probation investigation report and improper disclosure of information contained in the report and other probation records to unauthorized persons, and it should authorize the court to make such information available to persons and agencies having a legitimate and proper interest in the case.
5. The statute should authorize the court to determine the conditions of probation, and it should prohibit incarceration as one of the conditions.
6. The statute should provide that, for juvenile offenders, the period of probation supervision be indeterminate but be terminated before the twenty-first birthday.
7. The statute should provide that, for adult felony offenders the period of probation supervision be fixed by the sentencing judge at not less than one year and not more than five years.
8. The statute should authorize the court to discharge persons from probation at any time when supervision is no longer needed and to revoke probation for sufficient cause after a hearing.
9. The statute should provide that the discharge of adult offenders from probation has the effect on restoring all civil rights that may have been lost as a result of conviction.
10. The statute should provide for the transfer of probationers under the Interstate Compact for the Supervision of Parolees and Probationers and the Interstate Compact on Juveniles.

#### B. Organization

1. A centralized statewide system providing, to all courts, state-administered, state-controlled, and state-financed service through (a) a board, commission, or department; (b) a department of which probation is a bureau or division; or (c) a department of probation and parole.

2. A centralized county or city system locally administered by the court or a nonjudicial body, with state responsibility for supervision, consultation, standard setting, training, and research, with financing or subsidy through (a) a board, commission, or department, or (b) a department of which probation is a bureau or division.

#### C. Personnel

##### 1. Probation Officer Qualification:

- (a) Preferred: Possession of a master's degree from an accredited school of social work or comparable study in correction, criminology, psychology, sociology, or a related field of social science.
- (b) Minimum: Possession of a bachelor's degree from an accredited college, with a major in the social or behavioral sciences and one of the following: (1) one year of graduate study in an accredited school of social work or comparable study in correction, criminology, psychology, sociology, or a related field of social science; or (2) one year of paid full-time casework experience under professional supervision in a recognized social agency.

2. Supervisor Qualifications: Possession of at least the probation officer's minimum educational qualifications listed above, and two years of paid full-time casework experience under professional supervision in a recognized social agency.
3. Administrator Qualifications: Possession of the educational and experience qualifications required for a supervisor and, in addition, three years of paid full-time experience in a supervisory capacity in a recognized social agency maintaining acceptable standards.
4. A probation officer's workload should not exceed fifty units a month. (Each case under active continuing supervision is rated as one unit; each regular probation investigation that is completed and written is rated as five units).
5. One full-time supervisor should be assigned for every six full-time probation officers.
6. A minimum of one supporting position (stenographer, clerk, or receptionist) should be provided for every three probation officers.

#### D. Clientele

1. For juveniles a procedure should be established that provides for screening and possible adjustment of complaints before a petition is filed.

2. No juvenile or adult offender should be placed on probation until a probation investigation has been completed.
3. Where probation is used as a disposition, a probation agency should be available to provide service and exercise supervision.
4. A written copy of the conditions of probation should be given to each offender placed on probation (or the parents when the offender is a child). The offender (or, in the case of a child, his parents) should acknowledge by signature that the conditions have been discussed, are understood, and are accepted.
5. Probation may be revoked only after the probationer has had an opportunity to be heard.
6. At a hearing held to consider revocation of probation, charges alleging violation of the conditions of probation and a summary statement of the probationer's adjustment should be prepared in writing and submitted to the court.
7. New infractions of the law by a probationer should be reported to the court.
8. Each probationer should be given a copy of his discharge when probation is terminated, prior to or at the expiration of the maximum period of probation supervision.
9. When an adult is discharged from probation, instruction and help should be given for expunging the record.

### III. Standards for Parole and Aftercare

#### Definitions

Parole -- a method of releasing an offender from an institution prior to the completion of his maximum sentence, subject to conditions specified by the paroling authority.

Aftercare -- the term equivalent to "parole" when applied to a juvenile.

Mandatory or conditional release -- the release, as prescribed by law, of a prisoner who has served his term of commitment less "good time" or "work time" credits, under parole conditions and under supervision until the expiration of the maximum term for which he was sentenced.

Paroling authority -- the body authorized by statute to grant or revoke parole or aftercare status.

Parole agency -- the organization that completes preparole investigations, supervises parolees, and makes recommendations regarding modifications of conditions of parole, revocation, and discharge.

### A. Statutory Provisions

#### 1. Sentencing

- (a) The court should select and impose a maximum sentence within the maximum sentence prescribed by law.
- (b) The law should not establish a mandatory minimum sentence. However, if the court is authorized to impose a minimum sentence, the law should provide for a broad spread between the minimum and the maximum.

#### 2. Parole Laws

- (a) The law should empower the paroling authority to consider all prisoners for parole regardless of the nature of the offense committed, to establish the time when a prisoner is eligible for parole, and to exercise full discretion in determining the time at which parole should be granted to any eligible person.
- (b) The law should empower the paroling authority to establish rules of operation, to establish conditions of parole, to revoke parole for the violation thereof, and to discharge a person from parole when it determines that supervision is no longer needed.
- (c) The law should provide for the establishment of a parole agency which should have supervision of all persons paroled or discharged from a correctional institution by mandatory release.
- (d) The law should provide that proper notification be given to the paroling authority regarding violations of any of the conditions fixed by the authority.
- (e) The law should provide that discharge from parole has the effect on restoring all rights that may have been lost as a result of conviction and that the certificate of discharge should so state.
- (f) The law should provide for the transfer of parolees for supervision under the Interstate Compact for the Supervision of Parolees and Probationers.

#### 3. Disposition for Juveniles

- (a) When a child is committed to a state institution, the court having jurisdiction should vest legal custody of the child in the appropriate central agency of state government responsible for administering state institutions for delinquent children.

- (b) Legal custody in such commitments should be vested for an indefinite period of up to three years.

#### 4. Aftercare Laws

- (a) The law should provide that commitment to a training school is for an indefinite period (i.e., the child shall not be required to serve a specified minimum length of time before being released on aftercare).
- (b) The law should give the agency granted legal custody the right to determine when the child shall leave a training school.

### B. Organization

#### 1. Parole

- (a) The authority to release on parole should be placed in a centralized board whose members are appointed by the governor through a merit system or regular civil service procedure, or from a list of candidates who meet the minimum requirements of education and experience. None of the parole board's members should be a person who is already a state official, such as the commissioner of correction, or any other state official serving ex officio.
- (b) The parole board should bear full responsibility for all parole decisions. It should not serve as a hearing and advisory board with parole decisions being made by the governor, the director of corrections, or any other state administrative officer, and it should not have the pardoning function.
- (c) Whenever possible, members of the parole board should serve full time and be paid salaries comparable to those for judges of courts of general jurisdiction.

#### 2. Aftercare

- (a) Responsibility for aftercare should be vested in the state agency that is responsible for administering institutional and related services for delinquent children.
- (b) The authority to approve release should be vested in the parent state agency. The aftercare decision should be based on an appropriate training school staff committee's opinion of the child's readiness for release.

### C. Personnel

#### 1. Parole Officer Qualifications

- (a) Preferred: Possession of a master's degree from an accredited school of social work or comparable study in correction, criminology, psychology, sociology, or a related field of social science.
- (b) Minimum: Possession of a bachelor's degree from an accredited college, with a major in the social or behavioral sciences and one of the following: (1) one year of graduate study in an accredited school of social work or comparable study in correction, criminology, psychology, sociology, or a related field of social science; or (2) one year of paid full-time casework experience under professional supervision in a recognized social agency.

2. Supervisor Qualifications -- Possession of at least the parole officer's minimum educational qualifications listed above, and two years of paid full-time casework experience under professional supervision in a recognized social agency.
3. Administrator Qualifications -- Possession of the educational and experience qualifications required for a supervisor and, in addition, three years of paid full-time experience in a supervisory capacity in a recognized social agency maintaining acceptable standards.
4. A parole officer's workload should not exceed fifty units a month. (Each case under active continuing supervision is rated as one unit; each preparole or preaftercare investigation is rated as three units.)
5. One full-time supervisory should be assigned for every six full-time parole officers.
6. A minimum of one supporting position (stenographer, clerk, or receptionist) should be provided for every three parole officers.
7. An employment specialist should be on the staff of the adult parole agency to serve as liaison between the agency and outside employment agencies, union officials, and employer organizations.

### D. Clientele

#### 1. Adult

- (a) The prisoner should be present at his hearing when the granting or revoking of parole is being considered.



- (b) A prisoner should not have to apply for parole.
- (c) Attendance at parole hearings should be restricted to members of the releasing authority, a recorder, a professional staff member responsible for preparing the case, the prisoner himself, and persons invited by the paroling authority for purposes of public education.
- (d) Prisoners being considered for parole should be assisted by staff in developing parole plans. A staff member, sometimes called an institutional parole officer, should serve in a liaison capacity between the classification department of the institution and the paroling authority.
- (e) Basic information regarding the offender that should be available to the parole board at any hearing for parole should include (1) a report on the inmate's prior history, (2) a report on his adjustment in the institution, and (3) a preparole investigation report from the community.
- (f) Every offender eligible for parole should be involved in a program of prerelease preparation.
- (g) Supervision of parolees should be carried out by full-time paid staff. Supervision should not consist entirely of written reports; home and community contacts should be made.

## 2. Juvenile

- (a) Diversified aftercare services and facilities should be available for children returning to the community from a training school. They should include foster homes, foster group homes, and group resident homes for older youths who are unable to return to their own homes or the homes of relatives or foster families. Such group homes should be under the supervision of the parent agency or the training school.
- (b) The program of the training school should include the preparation and counseling of youths for their return to the community.
- (c) Every child entering a training school should be released under an aftercare program.

## IV. Standards for Institutions for Felony Offenders

### Definition

Institutions for felony offenders -- residential facilities, generally called reformatories, prisons, penitentiaries, or correctional institutions, for the confinement and treatment of adult offenders under felony sentences.

## A. Statutory Provisions

- 1. The administration of the state correctional institution system for adults should be vested in a separate state department of corrections or its equivalent.
- 2. The institutional system should be headed by a single administrator.
- 3. The law should specify the minimum qualifications for the state institution administrator in terms of general education and progressive administrative experience.

## B. Organization

- 1. The central office staff should be commensurate with the size and extent of the institution system and should be so organized that all the important functions represented in the total operation receive central supervision and guidance.
- 2. The state institutions system should demonstrate evidence of its leadership in the treatment and control of offenders through its annual reports and other publications, by services performed for local communities and other units of government, and through its consultation and advisory services to legislative committees.

## C. Personnel

- 1. The warden and all other employees of correctional institutions should be appointed through the competitive selection process of a merit system.
- 2. In each institution, staff should be assigned for establishing and directing a personnel training program. Assignment of a full-time central staff person responsible for staff development should be made where it is justified by the size of the institutional system.
- 3. Training of personnel should be considered of sufficient importance to warrant the inclusion of budgeted funds for this purpose. Fifty-two hours of annual training time should be budgeted for each custodial position.
- 4. All correctional institutions should have on staff, in addition to correctional officers and operations personnel, the following employees: medical staff, social caseworkers, chaplains, vocational counselors, psychologists, academic and vocational teachers, librarians, and recreational supervisors. The number of employees and their qualification and experience should satisfy the requirements established by standard-setting agencies for the various positions.

## D. Clientele

### 1. Custodial Supervision and Discipline

- (a) A system of correctional institutions should have facilities for diversification of custody and program by age, sex, custodial requirements, types of inmates, and program needs. The system should include such facilities as camps, residential centers, halfway houses, and work-furlough or work-release programs.
- (b) The classification procedure within a state system and in each institution should provide for at least an annual review of the treatment program of each prisoner.
- (c) Every institution should have predetermined and well-defined plans for civil defense and for coping with emergencies such as fire, disorder, escape, and power failure.
- (d) The types of disciplinary measures authorized should be set forth in writing and strictly controlled by the central office or governing body of the correctional system.
- (e) Hearing on discipline should be conducted and disciplinary measures should be imposed not by a single official but by a disciplinary committee.
- (f) Confinement to disciplinary quarters should be for short periods and should not exceed 30 days. Inmates in disciplinary confinement should be visited daily by a supervisory officer of the institution and by the medical officer. They should be given a daily exercise period and a regular diet with a minimum of 2,100 calories per day. No inmate should be placed on a restricted diet without the approval of the medical officer.
- (g) Corporal punishment should never be used under any circumstances. Physical force may be used only when necessary to protect one's self or others from injury, to prevent escape, and to prevent serious injury to property. Officers should not be permitted to carry clubs.
- (h) Useless made-work for purposes of punishment of humiliation should be prohibited.

### 2. Classification

- (a) Every state correctional department should have on its central staff a qualified person responsible for supervising classification procedures in the institutional system and for coordinating the institutional program with training, treatment, and parole planning.

- (b) An essential element in the classification process is a receiving program for individual diagnosis, evaluation and orientation of the newly admitted prisoner.
- (c) Cumulative case histories of all inmates should be maintained and conveniently located in a records office not open to inmates.

### 3. Counseling, Casework, and Clinical

- (a) The maximum workload for a caseworker assigned exclusively to the reception process is thirty cases per month. In general institution programs, there should be one counselor for every 150 inmates.
- (b) Clinical services (psychiatric, psychological, and counseling) for a general institution with a population of six hundred inmates should include a minimum of one psychiatrist, three clinical psychologists, and three specialized counselors.
- (c) There should be at least one professionally qualified vocational counselor having a workload of forty cases per month in the reception process and one vocational counselor to every three hundred inmates in general institution programs.

### 4. Other Services

- (a) All inmates and employees should be provided with a wholesome and adequate diet conforming to the daily dietary allowances recommended by the Food and Nutrition Board of the National Research Council.
- (b) The institution medical services should be directed and supervised by a qualified medical officer, and there should be a medical director for the institutional system where its size warrants this position. The medical services program should include immediate access to various medical specialists as the need arises.
- (c) Suitable screening programs should be developed to insure that all prisoners are given the medical attention and treatment indicated. Provisions should be made for the care of inmates with chronic illness such as tuberculosis, heart disease, and diabetes. Complete dental care should be provided.
- (d) An adequate medical staff for an institution of five hundred inmates should include a doctor, an assistant medical officer, a dentist, five medical technicians, and a suitable complement of consultants including psychologists and psychiatrists.

- (e) All employable prisoners should have the opportunity to work. Their assignments should be closely related to their ability, interests, training needs, and custodial requirements. Prisoners should be paid for their work.
- (f) The central office of the institutional system should be responsible for planning, administering, and supervising all aspects of the educational program.
- (g) The library collection within an institution should consist of not less than six thousand well-selected volumes, with at least ten books per inmate. Institutions with large groups of long-term prisoners should provide a minimum of fifteen to twenty volumes per inmate.
- (h) For the average correctional institution, recreation programs should be directed by a fully qualified recreation supervisor (a college graduate with a major in recreation or physical education) assisted by an arts and crafts teacher, a music teacher, two physical education or recreation teachers, and four correctional officers.
- (i) There should be one clinically trained chaplain for each major faith group in an institution having fifty or more communicants.

## V. Standards for Juvenile Detention

### Definition

Juvenile detention -- the temporary care of children in physically restricted facilities pending court disposition or transfer to another jurisdiction or agency.

### A. Statutory Provisions

- 1. No child of juvenile court age should be admitted to a jail or police lockup. Local or regional detention homes for children should be provided.
- 2. No child should be placed in any detention facility unless he is a delinquent or alleged delinquent and there is a substantial probability that he will commit an offense dangerous to himself or the community or will run away pending court disposition. He should not be detained for punishment or for someone's convenience.
- 3. When the child denies the offense or when parents question the need for detention, a court hearing on detention should be held forthwith.

- 4. The release of a child should depend not on his family's ability to secure a bail bond, but on the personal recognizance of the parent, guardian, relative, or attorney or other responsible person.
- 5. Delinquent or allegedly delinquent children who must be removed from their homes temporarily but do not require secure custody should be placed in shelter care.

### B. Organization

- 1. An appropriate state agency should be given statutory responsibility for statewide detention planning and the operation of regional detention homes.
- 2. The juvenile court is responsible for providing the policies and procedures governing conditions under which a child may be placed into temporary care (detention or shelter). Such policies and procedures provide the necessary legal safeguards for police, parents, and child regarding admission, case processing, and release from temporary care. They should be set forth clearly in writing with specific delegation to appropriate personnel for implementing them at all times.
- 3. Detention construction requires complete separation from jail or any place of adult confinement foolproof security features (psychiatrically secure and nonjail-like), provisions for auditory and visual control, fireproof materials, and one hundred square feet of living area and program space per child in addition to individual sleeping rooms.
- 4. Sleeping rooms in detention should be individually occupied, should have a minimum floor dimension of 8' x 10', and be provided with toilets and lavatories protected by semi-partitions.
- 5. Sleeping units and activity groups should be of a size that encourages individual attention within one person's ability to supervise. Under no circumstances should groups exceed fifteen children under one employee's supervision.

### C. Personnel

- 1. Group workers in direct contact with children should possess physical stamina, personality, and resourcefulness to conduct program and relate constructively to detained children. They should have sufficient intelligence and education (a B.A. degree in one of the social sciences) to participate effectively in the process of helping the child.
- 2. Staff should preferably work an eight-hour day and a forty-hour week.

3. Provisions should be made for medical, religious, and clinical services to meet needs promptly and competently to avoid prolonging detention.

#### D. Clientele

1. Detention should provide care that will offset the danger inherent in confinement, enable observation and study, and enhance any later treatment.
2. Children in detention should be under direct supervision at all times to assure their own safety, protect them from one another and minimize further delinquency contagion.
3. Constructive activities should be provided to meet individual and group needs, including a full school program, preferably on a twelve-month basis, and a balance of quiet and vigorous recreation, creative crafts, and work details.
4. Length of stay should be as short as possible, consistent with prompt processing of the case.
5. Children, including those committed to institutions or ordered placed in foster care, should be removed from detention immediately upon court disposition.

## VI. Standards for Juvenile Institutions

### Definition

Juvenile institution -- a residential facility, often called a training school, for treatment of delinquent youth.

#### A. Statutory Provisions

1. Legal custody of a child should be vested in the parent state agency administering the state's delinquency program rather than in the individual institution. Custody should be for an indeterminate period not to exceed three years.
2. The state agency as the legal custodian should be permitted to select the type of care and treatment which most closely meets an individual child's needs.
3. No child committed under noncriminal proceedings should be housed in institutions with those convicted under criminal proceedings.

4. The parent agency should not be permitted to place a child for long-term care in a facility which requires special admission proceedings, such as an institution for the mentally retarded or mentally ill.
5. Use of institutions for the mentally retarded or mentally ill for observation and diagnosis should be temporary and should not exceed ninety days.
6. Dependent and neglected children should not be committed to or placed in training schools or other facilities for delinquents.
7. Training schools should not be used as detention centers for temporary care of children pending court decision.

#### B. Organization

1. The parent state agency administering the state delinquency program should have the control, supervisory consultation, data collection, and research functions to discharge its statutory obligations.
2. The parent state agency should have inspection and subsidy authority for juvenile detention and other local services dealing with delinquency treatment.

#### C. Personnel

1. All positions in the juvenile institution, including that of superintendent, should be covered by an adequate merit or civil service system. The forty-hour week should prevail for all employees.
2. The institution administrator should have training in social work, clinical or social psychology, psychiatry, education, or a related field of child development.
3. The following staff ratios should be met:
  - (a) A minimum of one full-time psychiatrist for each 150 children.
  - (b) A minimum of one full-time psychologist for each 150 children.
  - (c) A minimum of one social caseworker for every thirty children.
  - (d) One trained recreation person for each fifty children.
  - (e) A minimum of one supervisor for eight or ten cottage staff, or one supervisory for two or three living units.

- (f) A minimum of one registered nurse during the working hours.
  - (g) A minimum of one teacher to fifteen youngsters with sixth-grade reading ability and above.
  - (h) A minimum of one teacher to ten youngsters with third- to fifth-grade reading ability.
  - (i) Individual teaching staff for each youngster with less than third-grade reading ability.
  - (j) A full-time librarian for each institution.
4. Major religious faiths represented in a training school population should be served by chaplains on the training school staff.

#### D. Clientele

1. A state should have diversified services and institutions for delinquent youth. These should include, in addition to basic child welfare services, detention facilities, diagnostic study centers, small residential treatment centers for seriously disturbed children, facilities for various age and coeducational groupings, foster homes, group homes, forestry camps, and other community-based facilities.
2. The capacity of a training school should be limited to 150 children.
3. Living groups in a training school should consist of not more than twenty children. Forestry camp populations should total no more than forty to fifty.
4. Corporal punishment should not be tolerated in any form in a training school program.
5. Confinement of children for prolonged periods in segregation rooms as a disciplinary measure should be prohibited. Children in segregation should be constantly supervised.
6. Each child should have a complete physical examination by a physician upon admission or within twenty-four hours. He should have a complete physical examination just prior to his release from the training school.
7. A twelve-month school program is recommended. The entire educational program within a training school should be administered within the institutions' administrative structure. All youth in the training school who can benefit from an education should have access to participation in a complete educational program.

## APPENDIX I

### SOURCES OF INFORMATION FOR CORRECTIONAL PLANNERS

#### Statistics

Federal Bureau of Investigation - Uniform Crime Reports  
 Bureau of Prisons - National Prisoner Statistics  
 Bureau of Census - Directory of Federal Statistics for  
 Areas--A guide to sources, 1966, order from Superintendent of Documents, Washington, D. C. 20402  
 U.S. Childrens Bureau - Juvenile Court Statistics  
 (State highway departments)  
 (State, county and city planning commissions)  
 (Federal and state employment security divisions)  
 (State, county and municipal correctional agencies)  
 (State and local courts and police agencies)  
 (State taxpayers associations)  
 (State and local chambers of commerce)  
 (State departments of education)  
 (State departments of health and mental hygiene)  
 (State and local departments of public welfare)

#### Special Reports

"The Challenge of Crime in a Free Society," and 9 Task Force Reports of the President's Commission on Law Enforcement and the Administration of Justice.  
 (Obtain from U.S. Government Printing Office)

Report of the President's Commission on Crime in the District of Columbia, 1966; Superintendent of Documents, U.S. Government Printing Office, Washington, D. C. price \$3.00



"Correction in the United States," a survey for the President's Commission on Law Enforcement and the Administration of Justice by the National Council on Crime and Delinquency. (Obtain from N.C.C.D., 44 East 23rd Street, New York, New York 10010)

"Bail in the United States: 1964," by Daniel J. Freed and Patricia M. Wald; a report to the National Conference on Bail and Criminal Justice, Washington, D.C., May 27-29, 1964 (Available from the Department of Justice)

"Prevention and Control of Crime and Delinquency," Final report (PCCD-7) prepared by Space-General Corporation (9200 East Flair Drive, E. Monte, California)

Special reports of the Joint Commission on Correctional Manpower and Training. (Obtain from Joint Commission, 1522 K Street, N.W., Washington, D.C.)

"The Organization of State Correctional Services in the Control and Treatment of Crime and Delinquency." 1967; Board of Corrections, State Office Building, No. 1, Sacramento, California 95814)

"Improving the Quality of Urban Life," a program guide to model neighborhoods in demonstration cities, U.S. Department of Housing and Urban Development, HUD, p. 47, Dec. 1967; Washington, D.C. 20410

"Community Work--An Alternative to Imprisonment." (Obtain from U.S. Bureau of Prisons, Dept. of Justice, Washington, D.C.)

"The Residential Center: Corrections in the Community." (Obtain from U.S. Bureau of Prisons)

"Community Correctional Centers: New Roles for Jails" (Obtain from U.S. Bureau of Prisons)

Catalogs and Other Information Sources on Federal Aid Programs, Report M-30, Advisory Commission on Inter-Governmental Relations, 1800 G Street, N.W., Washington, D. C. 20595

"Preliminary Report of the New York Governor's Special Committee on Criminal Offenders," June, 1968; 100 Church Street, New York, New York 10007

#### Standards

"Manual of Correctional Standards." (Obtain from American Woodbridge Station, P.O. Box 10176, Washington, D.C.)

Standards relating to probation, parole, juvenile courts, juvenile detention and Standard Juvenile Court, Family Court, and Sentencing Acts. (Obtain from National Council on Crime and Delinquency, 44 East 23rd St., New York, New York 10010)

Model Sentencing Act. (Obtain from American Bar Association, 1705 Desales St., N.W., Washington, D.C.)

Jail Operations Manual. (To be published by National Sheriff's Association, 1250 Connecticut Avenue, N.W., Washington, D.C.)

#### Pertinent Current Projects

"Correctional Systems Self-Evaluation Project," American Correctional Association (under Ford Foundation Grant); project recently commenced, coordination with State Planning Agencies has been assured by A.C.A.

"Model Community Corrections Program," Institute for Study of Crime and Delinquency, San Joaquin County, California under LEAA Grant No. 227; final report to be completed by June. 1969.

#### Related U.S. Assistance Programs\*

##### Department of Health, Education and Welfare

Vocational rehabilitation and research grants (115)  
Correctional rehabilitation study programs (116)  
Vocational rehabilitation training grants for personnel involved in the rehabilitation of disabled persons (116)  
Vocational rehabilitation facilities and workshops (376)

##### Department of Housing and Urban Development

Planning assistance for schools and other education facilities (36)  
Planning assistance for hospital and other health care facilities (34)  
Planning staff recruitment and training (38)  
Planning and technical assistance in development of multi-purpose community and neighborhood centers (245)

\*Source: The Vice-President's Handbook for Local Officials, Supt. of Documents, U.S. Govt. Printing Office, Washington D.C. 20402 (Price \$2.00); numbers in parenthesis are page references. See also, "Catalog of Federal Assistance Programs." (Obtain from Office of Economic Opportunity, Office of Information, Washington, D. C. 20506).



## Department of Labor

Skill training in areas where it is determined a shortage of skilled workers exist (112)

Training assistance for chronically unemployed adults or older with annual income below the poverty level (112)  
Similar program for those 16 years or over (113)

## Office of Economic Opportunity

Assistance for migrant and farm workers--opportunity centers, counseling and vocational training for migrants before and after having migrant agriculture employment (118)

## Information Center, National Council on Crime and Delinquency

The NCCD Information Center scans, processes, and abstracts world literature and maintains a registry of current projects and new programs in crime and delinquency. The Information Center maintains a staff of information analysts able to respond to requests for information about crime and delinquency literature, projects and programs. Of special interest is the Criminal Justice Planning Resource Center which specializes in serving the information needs of planners. Selected Highlights of Crime and Delinquency Literature and Information Review on Crime and Delinquency are published bi-monthly.

# Corrections

"CORRECTIONS," AMERICA'S prisons, jails, juvenile training schools, and probation and parole machinery, is the part of the criminal justice system that the public sees least of and knows least about. It seldom gets into the news unless there is a jail break, a prison riot, or a sensational scandal involving corruption or brutality in an institution or by an official. The institutions in which about a third of the corrections population lives are situated for the most part in remote rural areas, or in the basements of police stations or courthouses. The other two-thirds of the corrections population are on probation and parole, and so are widely, and on the whole invisibly, dispersed in the community. Corrections is not only hard to see; traditionally, society has been reluctant to look at it. Many of the people, juvenile and adult, with whom corrections deals are the most troublesome and troubling members of society: The misfits and the failures, the unrespectable and the irresponsible. Society has been well content to keep them out of sight.

Its invisibility belies the system's size, complexity, and crucial importance to the control of crime. Corrections consists of scores of different kinds of institutions and programs of the utmost diversity in approach, facilities, and quality. On any given day it is responsible for approximately 1.3 million offenders. In the course of a year it handles nearly 2.5 million admissions, and spends over a billion dollars doing so. If it could restore all or even most of these people to the community as responsible citizens, America's crime rate would drop significantly. For as it is today, a substantial percentage of offenders become recidivists; they go on to commit more, and as chapter 11 shows, often more serious crimes.

For a great many offenders, then, corrections does not correct. Indeed, experts are increasingly coming to feel that the conditions under which many offenders are handled, particularly in institutions, are often a positive detriment to rehabilitation.

Life in many institutions is at best barren and futile, at worst unspeakably brutal and degrading. To be sure, the offenders in such institutions are incapacitated from com-

mitting further crimes while serving their sentences, but the conditions in which they live are the poorest possible preparation for their successful reentry into society, and often merely reinforce in them a pattern of manipulation or destructiveness.

These conditions are to a great extent the result of a drastic shortage of resources together with widespread ignorance as to how to use the resources available. Moreover, corrections by its very nature must always work at the "end of the line" of the criminal justice system, with those whose problems have overtaken the resources of other systems.

However, there are hopeful signs that far-reaching changes can be made in present conditions. The Commission found, in the course of its work, a number of imaginative and dedicated people at work in corrections. It found a few systems where their impact, and enlightened judicial and legislative correctional policies, had already made a marked difference; a few experimental programs whose results in terms of reduced recidivism were dramatic. A start has been made in developing methods of classification that will permit more discriminating selection of techniques to treat particular types of offenders. But many of the new ideas, while supported by logic and some experience, are yet to be scientifically evaluated. Nevertheless, the potential for change is great.

As a foundation for its work, the Commission decided that a comprehensive, nationwide survey of correctional operations should be undertaken. Relevant information existed in bits and pieces around the country, but there was no overall picture of American corrections. The structure of probation and parole programs, institutions, theories, and procedures that together make up corrections is extremely complex and diverse. A few jurisdictions have relatively small probation caseloads, an integrated system of institutions, well-trained staffs, and a variety of experimental programs. Others consist of several autonomous and antiquated county jails, a state training school for juveniles, and a huge prison farm where convicts toil under the surveillance of trustees armed with shotguns.

It was necessary for the Commission to survey all of the disparate segments of the system so that its analysis and recommendations would not simply perpetuate the existing state of fragmented and inadequate knowledge. The Commission, therefore, in collaboration with the Office of Law Enforcement Assistance, arranged for the National Council on Crime and Delinquency, an independent, nationwide group with long experience in the corrections field, to undertake the necessary survey. The detailed report of this survey is presented in the corrections task force volume.

## BACKGROUND OF CORRECTIONS TODAY

The survey gave the first accurate national picture of the number of offenders under correctional authority on an average day: 1.3 million (table 1). This total is so much larger than had ever before been estimated that it has startled even those familiar with the field. It overtaxes the facilities, programs, and personnel of the correctional system badly. Moreover, if present trends in arrests and convictions continue, the system 10 years from now will be facing even more extreme pressures. The juvenile system, because of the rapid increase in the number of young people in the population, will be the most hard pressed. Adult probation and parole treatment will also suffer, because of the trend toward probation or early parole rather than prolonged confinement. In recent years, adult institutional commitments have been leveling off.

Table 1.—Average Daily Population in Corrections

1965:		
Misdemeanant.....	342,688	
Juvenile.....	348,204	
Adult felon.....	591,494	
Total, 1965.....	1,282,386	
1975:		
Misdemeanant.....	482,000	
Juvenile.....	588,000	
Adult felon.....	771,000	
Total estimated, 1975.....	1,841,000	

SOURCES: 1965 figures computed from the National Survey of Corrections and tabulations provided by the Federal Bureau of Prisons and the Administrative Office of the U.S. Courts; 1975 projections computed by the task force on science and technology.

## CHARACTERISTICS OF OFFENDERS

Offenders themselves differ strikingly. Some seem irrevocably committed to criminal careers; others subscribe to quite conventional values; still others, probably the majority, are aimless and uncommitted to goals of any kind. Many are disturbed and frustrated youths. Many others are alcoholics, narcotics addicts, victims of senility, and sex deviants. This diversity poses immense problems for correctional officials, for in most places the many special offender groups must be managed within large, general-purpose programs. The superintendent of an institution must meet the challenge of especially hostile and violent inmates, respond appropriately to those

who are mentally disordered, guard against the smuggling and use of narcotics, provide instruction and supervision for the mentally retarded, and handle the dangerous and intricate problem of sexual deviance—all within a locked and artificial world.

Beneath the diversities, certain characteristics predominate. A great majority of offenders are male. Most of them are young: in the age range between 16 and 30. The life histories of most of them document the ways in which the social and economic factors discussed in chapters 2 and 3 contribute to crime and delinquency. Education is as good a barometer as any of the likelihood of success in modern urban society; as figure 1 shows, a high proportion of offenders are severely handicapped educationally. Many of them have dropped out of school.

Offenders also tend to have unstable work records and, as shown by figure 2, a lack of vocational skill.

A large proportion come from backgrounds of poverty, and many are members of groups that suffer economic and social disadvantage. Material failure, then, in a culture firmly oriented toward material success, is the most common denominator of offenders. Some have been automatically excluded from economic and social opportunity; some have been disqualified by lack of native abilities; some may simply not have tried hard enough. Many, too, have failed in their relationships with their families and friends. Offenders, adult or juvenile, usually have little self-esteem, and for some it is only when they are undergoing correction that they get a first glimmering of their personal worth.

## CORRECTIONAL ADMINISTRATION

The differences among offenders do not account for the most salient differences among correctional facilities and procedures. These can be traced, rather, to historical development, administrative fragmentation, and divergent and unreconciled purposes and theories.

Table 2 shows the diversity of American corrections with respect to size and cost.

The Federal Government, all 50 States, the District of Columbia, the Commonwealth of Puerto Rico, most of the country's 3,047 counties, and all except the smallest cities engage in correctional activities—if only maintaining a primitive jail in which to lock up overnight those who are "drunk and disorderly." Each level of government typically acts independently of the others. The Federal Government has no direct control over State corrections. The States usually have responsibility for prisons and parole programs, but probation is frequently tied to court administration as a county or municipal function. Counties do not have jurisdiction over the jails operated by cities and towns.

Responsibility for the administration of corrections is divided not only among levels of government, but also within single jurisdictions. There has been a strong historic tendency for juvenile and adult corrections to follow separate paths. Public support for rehabilitative

Comparison of Educational Levels—Federal and State Felony Inmates Figure 1

	Years of School Completed	%	General Population	Inmate Population	%
College	4 years or more	8.4			1.1
	1 to 3 years	0.4			4.2
High School	4 years	27.5			12.4
	1 to 3 years	20.7			27.0
Elementary	5 to 8 years	28			40.3
	4 years or none	0			14.4

Sources: U.S. Department of Labor, Manpower Administration, Office of Manpower Policy, Evaluation, and Research, based on data from the U.S. Department of Commerce, Bureau of the Census.

Comparison of Occupational Experience—Federal and State Felony Inmates (Males) Figure 2

	%	General Labor Force	Inmate Prior Work Experience	%
Professional and technical workers	10.4			2.2
Managers and owners, incl. farm	10.3			4.3
Clerical and sales	14.2			7.1
Craftsmen, foremen	20.6			17.0
Operatives	21.2			25.2
Service workers, incl. household	6.4			11.6
Laborers (except mine) incl. farm laborers and foremen	10.8			31.0

1 All data are for males only; since the correctional institution population is 95 percent male, data for males were used to eliminate the effects of substantial differences between male and female occupational employment patterns.

Sources: U.S. Department of Labor, Manpower Administration, Office of Manpower Policy, Evaluation, and Research, based on data from U.S. Department of Commerce, Bureau of the Census.

Table 2.—Some National Characteristics of Corrections, 1965

	Average daily population of offenders	Total operating costs	Average cost of offender per year	Number of employees in corrections	Number of employees treating offenders
Juvenile corrections:					
Institutions.....	62,713	\$226,809,600	\$3,613	31,687	5,621
Community.....	285,431	93,613,400	328	9,633	7,706
Subtotal.....	348,204	320,423,000			
Adult felon corrections:					
Institutions.....	221,597	435,594,500	1,966	51,866	3,220
Community.....	369,897	73,251,900	198	6,352	5,081
Subtotal.....	591,494	508,846,400			
Misdemeanant corrections:					
Institutions.....	141,303	147,794,200	1,046	19,195	501
Community.....	201,385	28,682,900	142	2,430	1,944
Subtotal.....	342,688	176,477,100			
Total.....	1,282,386	1,005,746,500		121,163	24,073

SOURCES: National Survey of Corrections and tabulations provided by the Federal Bureau of Prisons and the Administrative Office of the U.S. Courts.

programs first developed in connection with juveniles. Today, progressive programs for adults resemble progressive programs for juveniles, but more often than not they are administered separately to the detriment of overall planning and of continuity of programming for offenders. The ambiguity and awkwardness resulting from this division is nowhere more apparent than in the handling of older adolescent and young adult offenders, who often defy precise classification and are dealt with maladroitly by both the juvenile and the adult correctional systems.

Much the same is true of the historical barriers that exist between institutional and community programs. Parole and probation services have often held themselves aloof from jails and prisons, and they are frequently run entirely separately. One result often is that the transition between the way an offender is handled in an institution and his supervision in the community is irrationally abrupt. And of course there are also vast differences in many places between programs in such misdemeanor institutions as jails and workhouses, and those in State prisons and training schools.

#### THE PERSONNEL OF CORRECTIONS

More than 121,000 people were employed in corrections in 1965. Only a small proportion of correctional staff had treatment and rehabilitation as their primary function. Twenty-four thousand, or 20 percent of the staff, were probation and parole officers working in the community, and educators, social workers, psychologists, and psychiatrists working in institutions. By contrast, 80 percent of correctional manpower had major responsibility for such functions as custody and maintenance.

Correctional agencies across the country face acute shortages of qualified manpower, especially in positions charged with responsibility for treatment and rehabilitation. Thousands of additional staff are required now to achieve minimum standards for effective treatment and control. Many more thousands will be needed in the next decade.

#### HISTORY AND THEORY

The oldest part of the correctional apparatus is institutional confinement. Until the middle of the 18th century, execution and such corporal punishments as flogging and pillorying were the principal means by which society dealt with offenders. Their replacement by imprisonment arose from both the growing spirit of humanitarianism that accompanied the "Enlightenment" in Western Europe, and the effect of the philosophy of utilitarianism developed in the late 18th and early 19th centuries. Criminals were no longer seen as men and women possessed by evil demons that had to be exorcised by corporal punishment or death. They were persons who had deliberately chosen to violate the law because it gave them pleasure or profit.

Imprisonment was seen on the one hand as a punitive sanction to deter lawbreaking by making it painful rather than pleasant. On the other hand, unlike corporal punishment and execution, it gave an offender an opportunity to reflect in solitude over his wrong choices and to mend his ways. Not incidentally, of course, incarceration also prevented an offender from committing further harm against the community, which corporal punishment short of execution did not.

Many legacies of these philosophical developments run through corrections today. They can be seen in much prison architecture for adult felons, grim and fortresslike, with tier upon tier of individual cells arranged chiefly with a view to security. They can be seen in the daily regimen of many such institutions, too, though in most cases this has been mitigated by later correctional movements. The wide gulf between inmates and staff in many prisons, maintained by restrictions on "fraternization," rules of address, and constant rollcalls and inspections, is part of this. Impersonality extends to dress, restrictions on conversation with other prisoners, and the way in which prisoners are marched in groups from cells to dining hall to shop. Cells are usually small and bare, with prisoners locked into them at night and out of them—and into shops, recreation rooms, or simply hallways—during the day. Juvenile training schools, though their architecture and their routine are far less forbidding, too often emphasize in subtle ways that restraint is their primary purpose and treatment a casual afterthought.

A prisoner under this sort of regimen is expected to "do his own time" aloof from staff and other inmates, and his release may often be accelerated or postponed according to his good or bad behavior in this peculiar institutional setting rather than his preparedness to enter the world outside. Many institutions, especially those for juveniles have counselors, teachers, and chaplains whose charge it is to aid in the process of rehabilitation, but their limited role and number typically make significant rehabilitative efforts impossible. Shops and farms or other work activities too often are operated primarily because of their value to the state and conducted in a fashion useless for instruction in skills and habits needed to succeed in the community.

This model of corrections has further inadequacies. With offenders of all kinds confined together and handled indiscriminately without close staff contact, a special inmate culture may develop that is deleterious to everyone, and especially the juvenile, who is exposed for the first time to it. Certain inmates—often the most aggressive—assume control over the others with tacit staff consent; in some adult institutions this situation is formalized through the use of "trusties"—sometimes armed—to carry the burden of close supervision. Rackets, violence, corruption, coerced homosexuality, and other abuses may exist without staff intervention. The physical inadequacy of the older prisons has been compounded in most cases by severe overcrowding. At best, however, their construction is unsuited to most rehabilitative programs. It

is difficult to hold group counseling sessions when there are no rooms of a size between cells and the dining hall; difficult to release prisoners during the day to settle themselves into regular jobs in the community when the nearest town is miles away; difficult more generally to promote self-discipline and responsible independence in an institution architecturally dedicated to intimate and constant authoritarian control.

These conditions have given rise to a whole series of changes, beginning as long ago as the latter part of the 19th century. Authorities in most jurisdictions began to realize that mere restraint could not accomplish the purpose of corrections, and that many of the features of prison life actually intensified the problems of offenders. The resulting determination to undertake more positive efforts at reformation was accompanied by the recognition that motivation was more than a matter of rational choice between good and evil, and that psychological treatment might thus be a necessary part of corrections. It was also recognized that the useful occupation of prisoners in shops, farms, classes, and recreation would ease institutional tensions and contribute to an atmosphere less detrimental to rehabilitation.

The reform model reshaped all roles in the correctional system. No longer was the offender regarded as a morally deficient person, to be controlled by a keeper. Instead he became, for some purposes at least, a "patient." The old rule—"Let the punishment fit the crime"—was replaced by a new maxim—"Let the treatment fit the needs of the individual offender."

On the reform model was built a far more complex approach to corrections than had existed before. This new approach began with and has gained most ground with juveniles, who had previously been imprisoned indiscriminately with adults, but now began to be treated separately. A wide range of services was to be provided:

Education; vocational training; religious guidance; and eventually psychotherapy in its various forms. Prison schools and counselors would help some; prison industries would accustom others to the beneficial effects of regular employment as against the irregular gains of crime. The main focus was on the individual—on correcting him.

The new ideals led to the development of different kinds of institutions. Medium-security prisons were built that had fences rather than walls and guard towers, rooms rather than cells, locked doors and windows rather than bars. Minimum-security facilities showed even greater departures: Schools where offenders lived in cottages, forestry camps and farms where they lived in barracks without locks and worked without armed surveillance. Facilities were created for women, for youths, for reception and diagnosis, for prerelease and postrelease guidance, for medical and psychiatric treatment, for alcoholics, for addicts, for sexual psychopaths, and for others.

Some of the reforms have been notable. The Federal prison system and several State systems have taken leadership in bringing about many of the changes discussed later in this chapter—from such important atmosphere changes as dining facilities with small tables to modern prison industries and programmed learning. The progress that these reforms have made has not been uniform or free from complications, however. The old buildings were built in the stoutest fashion, and it has been difficult to secure their replacement. Today there are 25 prisons in the United States over a hundred years old. Old methods and evils have been perpetuated as well as old architecture. In some States juveniles are still jailed with adults. In a few, the bulk of the corrections population is still employed on vast farms raising cash crops under conditions scarcely distinguishable from slavery. Flogging is still practiced in at least one place as discipline even for such offenses as "overlooking okra"—carelessness in harvesting. But a more pervasive evil is idleness; this is especially destructive where there are no industries, no educational programs, no recreational facilities—only aimless loitering in corridors or yards.

Where it has come, the process of reform has not always been smooth. Those in the field have sometimes lacked the inclination, and have almost always lacked the resources, to evaluate their new programs carefully. There has been a tendency for the correctional field to adopt new or seemingly new programs in an impulsive, sometimes faddish manner, only to replace them later with some more recent innovation. Much supposed progress really has been only circular movement. "New" approaches turn out to be devices tried elsewhere under a different name. The advance guard of corrections in one jurisdiction may be stressing individual and family therapy; in another, vocational training and job placement; and in still another, group treatment relying upon the influence of fellow offenders to accomplish rehabilitation. Frustration in achieving clear results sometimes leads officials to drop one approach and move on to a completely new one, or to add treatment methods one on the other without clearly distinguishing their purposes.

Correction of offenders has also labored under what is coming to be seen as a fundamental deficiency in approach. All of the past phases in the evolution of corrections accounted for criminal and delinquent behavior primarily on the basis of some form of defect within the individual offender. The idea of being possessed by devils was replaced with the idea of psychological disability. Until recently reformers have tended to ignore the evidence that crime and delinquency are symptoms of the disorganization of the community as well as of individual personalities, and that community institutions—through extending or denying their resources—have a critical influence in determining the success or failure of an in-



dividual offender.

The responsibility for community treatment and supervision has been entrusted mainly to probation and parole services. As noted, these programs handle far more offenders than do institutions. Probation—supervision in the community in lieu of imprisonment—was first established for juveniles almost a century ago, and is now at least superficially available for both juveniles and adult felons in a majority of States. Very little probation service is available to misdemeanants.

Parole, the postincarceration equivalent of probation, dating from about the same period, is also widely used for juveniles and felons, but seldom for misdemeanants.

Often probation and parole are separately administered, probation as a service to the courts and parole as a part of State correctional agencies. Probation officers typically spend much time preparing sentencing reports for judges in addition to supervising offenders. Parole officers perform like functions for parole boards in providing information relative to decisions to grant or revoke parole.

Supervision consists basically of a combination of surveillance and counseling, drawing partly upon the methods identified with social casework, but distinguished by the need to enforce authoritative limits and standards of behavior. Offenders are put on probation or released on parole subject to certain conditions: That they stay out of trouble; that they maintain regular employment or stay in school; that they not drink or use narcotics; and usually that they obtain permission for such steps as getting married, changing jobs or residence, or leaving the jurisdiction. The probation or parole officer's first duty is to "keep track" of his cases and see that they comply with these conditions. Often he has little time even for this function.

If this were the whole of the job, it still would not be easy to accomplish in most jurisdictions. But in fact probation and parole supervision aims at much more. An officer is expected to offer counseling and guidance and to help in getting a job or in straightening out family difficulties. In practice he is almost always too pressed to do this well. Probation and parole supervision typically consists of a 10- or 15-minute interview once or twice a month, during which the officer questions and admonishes his charge, refers him to an employment agency or a public health clinic, and makes notations for the reports he must file. The great pressures on these officers make it difficult for them to exercise evenly and knowledgeably the tremendous discretion they have in recommending the revocation or continuation of community treatment when offenders under their supervision get into trouble.

There are, of course, many exceptions to this picture, some of them very impressive—experiments with small caseloads of offenders classified on the basis of need and given carefully prescribed treatment, and with agencies that use teams of caseworkers and have specialized services such as psychiatric treatment, legal advice, job placement, and remedial tutoring.

The challenge facing parole and probation officers is increased by the growing sense that the efforts of correctional officials should be directed toward both the offender and the community institutions—school, work, religion, and recreation—with which he must effect a reconciliation if he is to avoid further crimes. It is of little use to improve the reading skills and motivation of a juvenile offender if the community school system will not receive him when he is placed on parole, or if it cannot provide usable instruction for him. It makes little sense for a correctional institution to offer vocational training if an offender cannot find related work when he returns to the community. The process of repairing defects in the individual must be combined with the opening of opportunities for satisfying participation in community life, opportunities that lead toward legitimate success and away from ill-learned and destructive ways of life. For most offenders, however, the doors to legitimate opportunity are hard to find and harder to open.

There is a growing appreciation within the field of the irrationality that runs through much of correctional practice today: Of having such sharp lines between institutional and community treatment, between juvenile and adult programs, between local jails and State prisons; of spending so much on custody and so little on rehabilitation; of focusing so heavily on security during incarceration and so little on supervision to protect the community once an offender is returned to it.

While recent public opinion polls show increasing public sympathy with rehabilitative goals, conflict and uncertainty about the theories behind and the goals of corrections have impaired broad support for needed experiments and changes. Correctional treatment designed to meet the offender's needs is often (although not always) less burdensome and unpleasant than traditional forms of treatment. Thus, rehabilitation efforts may to some extent conflict with the deterrent goal of the criminal system and, if treatment is in the community instead of in prison, with the goal of incapacitating the offender from committing further crime. But the issue is not simply whether new correctional methods amount to "coddling." A major goal of corrections is to make the community safer by preventing the offender's return to crime upon his release.

#### COMMUNITY-BASED CORRECTIONS

With two-thirds of the total corrections caseload under probation or parole supervision today, the central question is no longer whether to handle offenders in the community but how to do so safely and successfully. Clearly, there is a need to incarcerate those criminals who are dangerous until they no longer are a threat to the community. However, for the large bulk of offenders, particularly the youthful, the first or the minor offender, institutional commitments can cause more problems than they solve.

Institutions tend to isolate offenders from society, both physically and psychologically, cutting them off from

schools, jobs, families, and other supportive influences and increasing the probability that the label of criminal will be indelibly impressed upon them. The goal of reintegration is likely to be furthered much more readily by working with offenders in the community than by incarceration.

Additionally other goals are met. One is economy. In 1965 it cost, on the average, about \$3,600 a year to keep a youngster in a training school, while it cost less than one-tenth that amount to keep him on probation. Even allowing for the substantial improvements in salaries and personnel needed to make community programs more effective, they are less costly. This is especially true when construction costs, which now run up to \$20,000 for each bed in a children's institution, are included. The differential becomes even greater if the costs of welfare for the families of the incarcerated, as well as the loss of taxable income, are included.

Various studies have sought to measure the success of community treatment. One summary analysis of 15 different studies of probation outcomes indicates that from 60 to 90 percent of the probationers studied completed terms without revocation. In another study, undertaken in California, 11,638 adult probationers who were granted probation during 1956 to 1958 were followed up after 7 years. Of this group almost 72 percent completed their probation terms without revocation.

These findings were not obtained under controlled conditions, nor were they supported by data that distinguished among the types of offenders who succeeded or among the types of services that were rendered. But they are the product of a variety of probation services administered at different times and places and provide some evidence that well planned and administered community programs can be successful in reducing recidivism. These findings, combined with the data from the national survey of corrections showing that probation and parole services are characteristically poorly staffed and often poorly administered, suggest that improvement in the quality of community treatment should be a major goal.

#### INSURING AVAILABILITY OF PROBATION AND PAROLE SUPERVISION

The Commission's survey of corrections disclosed that there are still a significant number of jurisdictions that lack probation or parole facilities of any sort for misdemeanor offenders. Of the 250 counties studied in the national corrections survey, one-third provided no probation service at all. Institutionalization and outright release on suspended sentence without supervision are the only alternatives in such jurisdictions. Most misdemeanants are released from local institutions and jails without parole; information obtained in the survey from a sample of 212 local jails indicated that 131 of them (62 percent) had no parole procedure. In the other 81, only 8 percent of the inmates were in fact released on parole; thus 92 percent were simply discharged at the expiration of their sentences.

All States appear to have community supervision facilities for juvenile offenders and adult felons, but in some jurisdictions these are no more than nominal. Many small juvenile courts, for example, rely almost entirely on release on suspended sentence in lieu of probation supervision, and their judges attempt to keep a check on those released as best they can, often with the assistance of the local police.

These inadequacies can have serious consequences. Lack of community treatment facilities for misdemeanants and juveniles means the neglect of one of the most important lines of defense against serious crimes, since many persons with juvenile or misdemeanor records graduate to graver offenses. Lack of probation facilities

also may mean that many minor and first-time offenders, who would be more suitably and economically dealt with in the community, are instead institutionalized. And lack of supervision, particularly through parole, means that the community is being exposed to unnecessary risks and that offenders are going without assistance in reestablishing themselves in jobs and schools.

#### The Commission recommends:

Parole and probation services should be available in all jurisdictions for felons, juveniles, and those adult misdemeanants who need or can profit from community treatment.

If a prisoner serves his term without having been paroled, in most places he is released into the community without any guidance or supervision. But in the Federal system, and in several States, when an inmate is released before his maximum term because of good behavior, he is subject to supervision in the community for a period equivalent to his "good time credit." He is released to a parole officer under the same conditions as an inmate who is paroled, and he can be returned to prison to serve out his sentence if he violates those conditions.

#### The Commission recommends:

Every State should provide that offenders who are not paroled receive adequate supervision after release unless it is determined to be unnecessary in a specific case.

#### THE NEED FOR INCREASED MANPOWER

The statistics from the national survey of corrections make clear the vastness of the community treatment task and the inadequacy of the resources available to accomplish it. They do not convey the everyday problems and frustrations that result from that disparity. These take many forms. For example:

- A probation officer meets with a 16-year-old boy who 2 months previously was placed on probation for hav-

ing stolen a car. The boy begins to talk. He explains that he began to "slip into the wrong crowd" a year or so after his stepfather died. He says that it would help him to talk about it. But there is no time; the waiting room is full, and the boy is not scheduled to come back for another 15-minute conference until next month.

- A parole officer feels that a 29-year-old man, on parole after serving 3 years for burglary, is heading for trouble. He frequently is absent from his job, and there is a report of his hanging around a bar with a bad reputation. The parole officer thinks that now is a critical time to straighten things out—before it is too late. He tries unsuccessfully two or three times to reach his man by telephone, and considers going out to look for him. He decides against it. He is already far behind in dictating "revocations" on parolees who have failed and are being returned to prison.
- A young, enthusiastic probation officer goes to see his supervisor and presents a plan for "something different," a group counseling session to operate three evenings a week for juvenile probationers and their parents. The supervisor tells him to forget it. "You've got more than you can handle now getting up presentence reports for the judge. Besides, we don't have any extra budget for a psychiatrist to help out."

In these situations the offender is denied the counseling and supervision that are the main objects of probation and parole. Because the probation or parole officer is too overworked to provide these services, the offender is left on his own. If he does not succeed, he loses and the community loses.

On the basis of information gathered in the corrections survey, it is possible to form a general picture of the magnitude of need for additional probation and parole officers if they are simply to carry on orthodox supervision at the caseload levels widely accepted as the maximum possible. Figure 3 on the following page shows the average present caseload sizes of probation officers. The findings of the survey are alarming:

- In the juvenile field there is an immediate need to increase the number of probation and parole officers from the present 7,706 to approximately 13,800. This manpower pool would mean caseloads of 35 offenders per officer, and would permit additional time for the hundreds of thousands of diagnostic investigations needed each year by juvenile courts. It is estimated that a total of 23,000 officers will be required by 1975 to carry out the functions essential to community treatment of juveniles.

- For adult felons there is an immediate need for almost three times the number of probation and parole officers currently employed. This estimate again is based on an average caseload size of 35, for while adult probation and parole caseloads have typically been somewhat larger than those of juvenile systems, this difference is more a reflection of historical factors than one justified by a difference in need. On this basis, too, population projections point to a requirement of a total of 23,000 officers in 1975.

- The need for officers for misdemeanants is staggering; 15,400 officers are needed as against 1,944 currently employed. The number needed in 1975 is estimated at 22,000. This forecast, unlike those for adult felony and juvenile officers, is based upon needs for officers to supervise only the rather modest proportion of the misdemeanor group that could be aided in the community, plus others to provide minimal screening and classification services for the roughly 5 million persons referred to the lower courts each year. Many of the latter, particularly alcoholics, could be diverted from the criminal justice system if identified in time.

#### *The Commission recommends:*

All jurisdictions should examine their need for probation and parole officers on the basis of an average ratio of 35 offenders per officer, and make an immediate start toward recruiting additional officers on the basis of that examination.

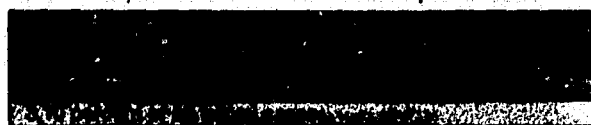
Standards for average caseload size serve a useful purpose in estimating the magnitude of present and future needs for probation and parole officers. But in operation there is no single optimum caseload size. Indeed, in the Commission's opinion, it would be a mistake to approach the problem of upgrading community treatment solely in terms of strengthening orthodox supervision to bring caseload sizes down to universal maximum standards. Such an approach would ignore the need for specialized caseloads to deal differently with particular types of offenders, and for changes in the standard procedure that results in an offender being supervised by only one officer.

Furthermore many of the answers to manpower needs must be found outside the mold of the existing system. There is, for example, great promise in employing subprofessionals and volunteers in community corrections. Much work performed today by probation and parole

### **Caseloads of Probation Officers Figure 3**

Source: National Corrections Survey

Probation Officers with 0-50 cases are responsible for:



officers could be effectively handled by persons without graduate training in social work or the behavioral sciences. In fact, organizing teams of workers within which the tasks of investigating, monitoring, helping, and guiding offenders are divided in a logical manner, would permit more specialized and individualized attention. The use of subprofessionals and volunteers could significantly reduce the need for fully trained officers.

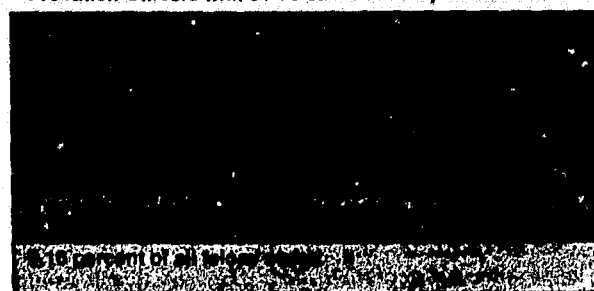
Citizen volunteers have been used with apparent success by some probation departments. Royal Oak, Mich., for example, has utilized volunteers for 6 years and claims a high success rate for the probationers who have received supervision. The General Board of Christian Social Concerns of the Methodist Church, the North American Judges Association, and the National Council on Crime and Delinquency have launched "Project Misdemeanant," a program to encourage other communities to develop programs similar to that in Royal Oak. By 1966, 75 communities in over 30 States had expressed interest, and a number of other such programs were operating or were in the developmental stage.

The State parole agency in Texas uses volunteers as assistants to parole officers. Volunteers contact parolees upon release and help arrange jobs for them or secure their readmission into school. Thereafter volunteers are available to counsel parolees in any problems they may have or simply to serve as the kind of successful friends whom many offenders have never known. The work of the volunteers is closely supervised by professional parole officers, to whom they go for guidance when there are signs of trouble.

The use of paid, subprofessional aides in probation and parole is also promising. Such people, if properly trained and supervised, could, for example, collect and verify information about offenders, work that now takes up much of the time that probation and parole officers could be spending in counseling and arranging community services for offenders.

Subprofessionals could provide positive benefits beyond that of meeting manpower shortages. People who have themselves experienced problems and come from backgrounds like those of offenders often can help them in ways professional caseworkers cannot. Contact with a person who has overcome handicaps and is living successfully in the community could mean a great deal more to an offender than conventional advice and guidance.

Probation Officers with 51-70 cases are responsible for:



To the extent possible, subprofessionals should be prepared for career advancement within the corrections field.

#### *The Commission recommends:*

Probation and parole services should make use of volunteers and subprofessional aides in demonstration projects and regular programs.

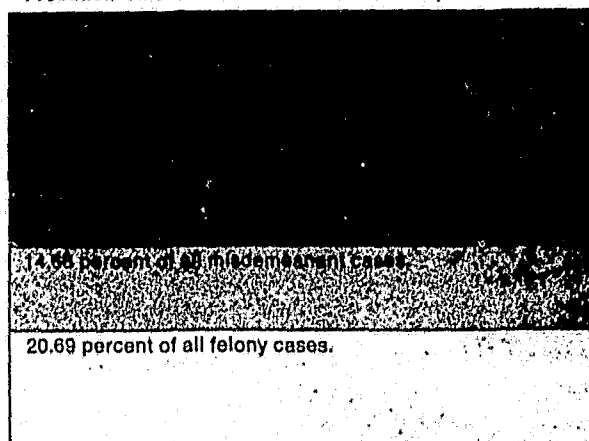
#### **MOBILIZING COMMUNITY RESOURCES**

Basic changes also must be made in what probation and parole officers do. They usually are trained in case-work techniques and know how to counsel and supervise individuals, but they are seldom skilled in or oriented to the tasks required in mobilizing community institutions to help offenders. Much of the assistance that probationers and parolees need can come only from institutions in the community—help from the schools in gaining the education necessary for employment; help from employment services and vocational training facilities in getting jobs; help in finding housing, solving domestic difficulties, and taking care of medical disabilities.

As chapter 3 has pointed out with respect to juveniles, many offenders are, at the time of their offenses, already rejects and failures in home, school, work, and leisure-time activities. Once they become officially labeled criminal or delinquent, and particularly once they have been institutionalized and their community and family ties have been broken, their estrangement from these primary institutions increases, and their sense of powerlessness to succeed in legitimate ways is accentuated. In many cases, society reacts to their criminality by walling them off from the help they most need if they are to turn away from criminality.

There are many specific barriers to reentry. Perhaps the most damaging are those limiting employment opportunity. The inability of ex-offenders to obtain the bonding needed for certain kinds of employment; licensing restrictions that deny them access to certain kinds of work; and outright ineligibility for many forms of employment. The rituals surrounding the banishment of a lawbreaker

Probation Officers with 71-100 cases are responsible for:



are very potent, but there are no rituals to remove from him the label of offender when he seeks to reenter the community.

Even stronger than these formal restrictions are the informal pressures operating throughout the community to "lock out" the person who carries a criminal stigma. Those who profess to believe in rehabilitation often personally shun ex-offenders who seek to return to school, find work, or join recreation groups. Of course, this fear is in some cases legitimate. But when it is not, there is rarely any official assurance to minimize it. There is usually no conference with the parole or probation officer at which a job applicant's background and problems are discussed, or means worked out to enable employers to consult the officer if problems result.

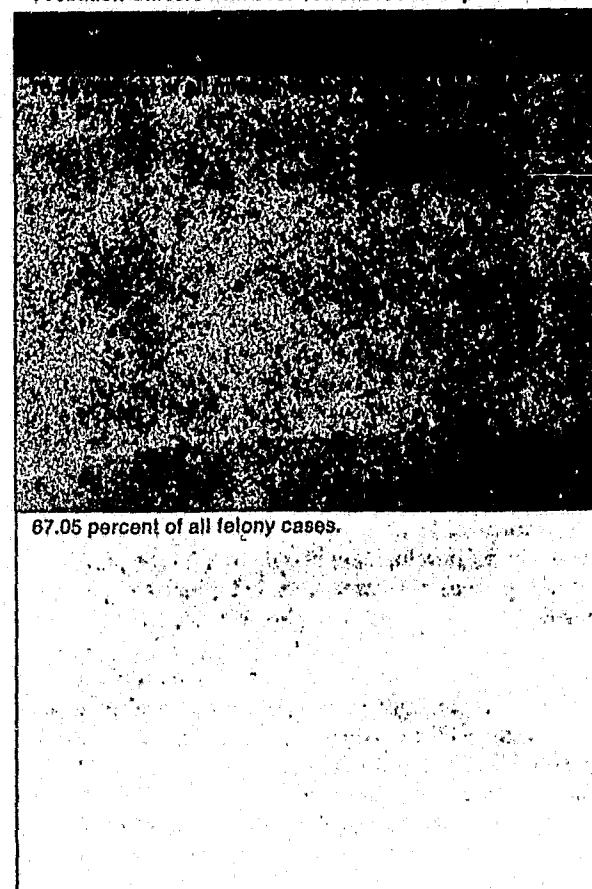
If corrections is to succeed in mobilizing varied community resources to deal more effectively with offenders, it must significantly change its way of operating. Probation and parole officers today direct their energies primarily toward the offender rather than the social environment with which he must come to terms.

Although it is important that present skills in working with individual offenders be retained and improved, much is to be gained by developing new work styles that reach out to community resources and relate them to the needs of the caseload. The officer of the future must be a link between the offender and community institutions; a mediator when there is trouble on the job or in school; an advocate of the offender when bureaucratic policies act irrationally to screen him out; a shaper and developer of new jobs, training, recreation, and other institutional resources.

*The Commission recommends:*

Probation and parole officials should develop new methods and skills to aid in reintegrating offenders through active intervention on their behalf with community institutions.

Probation Officers with over 100 cases are responsible for:



A number of changes will be necessary if community corrections is to do this. A basic one is in the internal organization and management of many probation and parole agencies.

Few departments have expanded their concept of programming beyond the basic relationship between an officer and an offender. The resources of staff and of community agencies typically are made available to an offender through the officer to whose caseload he is assigned. There must be more direct relationships between offenders and persons who can help them to find success in legitimate ways.

Instead of giving a single officer total responsibility for an offender, the system needs to draw many persons into the task—teachers, vocational counselors, friends, family members, and employers. The aim must be to change the context of an offender's life as well as his personal orientation to the world around him. Most probation and parole agencies should reexamine their policies and operating procedures: how they assign cases, how they use the time of officers, and how they relate to the surrounding community.

The Youth Services Bureau recommended in chapter 3 as an alternative to adjudicatory treatment of delin-

quents can both serve and be served by community correctional programs. Such bureaus could constitute a valuable point of referral for probationers and parolees. Corrections, on the other hand, could provide important assistance to the Youth Services Bureaus through diagnosis and investigation, and through provision of special treatment services not involving coercion.

**SERVICE PURCHASE**

If community institutions can be encouraged to develop policies and operating procedures to help offenders, and to allocate a larger share of resources to them, their chances for success in the community will be greatly increased. Usually, however, a probation or parole officer has no means to encourage community institutions to extend this sort of help.

The Vocational Rehabilitation Administration of the Department of Health, Education, and Welfare has pioneered in the development of a method for helping handicapped persons overcome personal problems that stand in the way of self-sufficient performance in the community. This method, called service purchase, provides counselors with funds that they can use to obtain psychological, vocational, educational, medical, and other services for their clients when the counselors' own agencies cannot provide them. This approach would, in many places, be a valuable tool in reintegration of the offender. The ability to obtain a period of on-the-job training, for example, might well be a critical factor in moving an offender recently released from prison away from his earlier pattern of illegitimate associations and activities.

*The Commission recommends:*

Substantial service-purchase funds should be made available to probation and parole agencies for use in meeting imperative needs of individual offenders that cannot otherwise be met.

**SPECIAL COMMUNITY PROGRAMS**

One of the most disappointing experiments in corrections was conducted several years ago in California. The caseloads of some parole officers were greatly reduced to allow more intensive contact. Methods of parole supervision remained static; caseworkers simply had more time to devote to their usual duties of checking on progress in school or work, briefly interviewing parolees, and interceding occasionally in family or personal problems. The performance of parolees in avoiding further trouble with the law did not improve.

Substantial improvement did occur, however, when in a subsequent experiment parolees were divided into subgroups according to their special characteristics, and

assigned to different kinds of officers who used different methods. This result has been confirmed and elaborated by an impressive line of research over the past several years. It was the basis for an innovative community program that has attracted national attention. In this experiment, the community treatment project of the California Youth Authority, juvenile court commitments from Sacramento and San Joaquin Counties were first screened to eliminate those offenders—about 25 percent of the boys and 5 to 10 percent of the girls—for whom institutionalization was deemed mandatory. From the remaining cases, assignments were divided randomly between the community project and the regular institutional programs.

The youthful offenders assigned to the community treatment project were placed in caseloads of 10 to 12 per officer. Treatment methods were tailored to meet the individual needs of each youth. They included a wide variety of personal and group counseling, family therapy, tutoring for the marginal or expelled student, occasional short-term confinement to provide essential disciplinary controls, and an increased use of foster homes and group homes.

A principal goal has been to determine the effectiveness of different kinds of treatment for different kinds of delinquents. Current results include striking differences in the responses to differentiated treatment. As the research data accumulate, important clues as to who should and should not be institutionalized are emerging, as well as insights in the specific kinds of treatment and control required for particular offenders.

After approximately 5 years of experimentation, the community treatment project reports that only 28 percent of the experimental group have been subject to parole revocation, as against 52 percent of the comparable control group who were incarcerated. The results have been so encouraging that the California Youth Authority has launched modified versions of the project in high-delinquency areas in Los Angeles (including Watts), Oakland, and San Francisco. By 1966, these community programs were handling a youth population of approximately 600, larger than the capacity of an institution, thus saving some 7 to 8 millions of dollars of construction funds plus the difference in costs between institutional and community treatment.

*The Commission recommends:*

Caseloads for different types of offenders should vary in size and in type and intensity of treatment. Classification and assignment of offenders should be made according to their needs and problems.

In recent years, too, a number of imaginative programs have been developed that offer a middle ground between the often nominal supervision in the community provided



by probation services and confinement in an institution. Some of them involve part-time residential supervision of offenders in small centers situated in their own communities. A significant element of some programs has been a research project to evaluate the effectiveness of the programs. These projects bring together in an extremely useful way practitioners interested in trying new methods and researchers concerned with increasing knowledge.

The prototype for several experimental programs was launched at Highfields, N.J., in 1950. The Highfields program limits its population to 20 boys, aged 16 and 17, who are assigned directly from the juvenile court as a condition of probation. It operates on the premise that corrections has its major impact on an offender during the first 3 or 4 months of contact. The inmates work during the day at a nearby psychiatric institution; in the evening they participate in group counseling sessions.

They are given as much responsibility for their own futures as the staff feels they can manage. Youths who do not respond favorably are transferred elsewhere, but those who do remain must confront their own and each other's problems, and participate actively in solving them.

For example, the boys are not usually released until their peers feel they are ready for freedom in the community. Robert Weber, who studied some 160 programs for juveniles immediately prior to the Commission's work, reported:

*If you ask a youth in most conventional institutions, "How do you get out?" you invariably hear some version of "Be good. Do what you are told. Behave yourself." If one asks a youth in a group treatment program, "How do you get out?" one hears, "I have to help myself with my problems," or "when my group thinks I have been helped." This implies a basic difference in the social system of organization, including staff roles and functions. In the large institution the youth perceives getting out in terms of the problem of meeting the institutional need for conformity. In the group treatment program the youth sees getting out in terms of his solutions to his own problems, or how that is perceived by other youths in the group.*

The Highfields project has been a model for similar programs elsewhere: The Turrel Residential Center and Essexfields in New Jersey; Pine Hills in Provo, Utah; and other programs in San Francisco and Los Angeles, in Kentucky and New York. The California community treatment project, which was discussed above, is partly based on the Highfields approach. The Provo, Essexfields, and San Francisco versions, unlike Highfields, permit the boys to live at home. Program activity centers on gainful employment in the community, classroom studies, and daily group meetings. The regimen is rigorous.

During the Provo experiment, for example, all boys were employed by the city during the summer. They put in a full day's work on the city streets, the golf courses, the cemetery—wherever they were needed. They were paid 50 cents an hour. After work they all returned to the program headquarters to meet as a group. At 7 in the evening they were free to return home.

The daily group sessions were built around the techniques of "guided group interaction." All group members, not staff alone, were responsible for defining and addressing difficult questions. Such programs seek to discover how much responsibility for their own lives offenders can take and how to reward them for responsible behavior. The basic assumption is that change, if it is to occur, must be shared with others. It is reasoned that if a youth can see others changing and receiving support for doing so, he is more likely to change himself.

Because these programs are located in the community, the problems with which the participants struggle are not the artificial ones of institutional life but the real ones of living with family, friends, school, work, and leisure-time activity. The available evidence indicates that these programs are achieving higher success rates than the institutional alternatives, and at a substantially lower cost.

Another effort to find alternatives to institutions is the program of the New York State Division for Youth. This agency, which is independent of the State training schools and prisons, deals with the offenders served by both. Originally developed to subsidize delinquency prevention programs, it moved into the direct-service field about 5 years ago. For the more delinquent youth, several programs that are replications of the original Highfields model have been developed. For the younger or more immature youth, who needs to be removed from inadequate home or community situations, the agency provides a series of small forestry camp operations, which combine work with schooling and group counseling. And for the youth who needs support in his efforts to obtain emancipation from a poor home environment, there are residential centers within the cities. The program provides shelter, group guidance, and supportive counseling by a small staff, but it relies primarily on the educational and employment resources of the community.

*The Commission recommends:*

**Correctional authorities should develop more extensive community programs providing special, intensive treatment as an alternative to institutionalization for both juvenile and adult offenders.**

## CORRECTIONAL INSTITUTIONS

On an average day in 1965, as table 3 shows, there were some 426,000 persons in correctional institutions. Whatever the differences in type and quality among cor-

Table 3.—Daily Average Number of Inmates in American Correctional Institutions in 1965

Institutions primarily for adults:	
Federal prisons.....	20,377
State prisons.....	201,220
Local jails and workhouses.....	141,303
Total.....	362,900
Institutions primarily for juveniles:	
Public training schools.....	143,636
Local juvenile institutions.....	6,024
Detention homes.....	13,113
Total.....	62,773
Grand total.....	425,673

<sup>1</sup> Includes 1,247 Juvenile and Youthful offenders in Federal Bureau of Prisons institutions. SOURCES: National Survey of Corrections and U.S. Department of Justice, Bureau of Prisons, "Statistical Tables, Fiscal Year 1965," p. 2.

rectional institutions—from huge maximum-security prisons to open forestry camps without guards or fences, from short-term detention homes for juveniles to penitentiaries where men spend most of their lives, from institutions of brutal or stultifying routine to those with a variety of rehabilitative programs—there remains an inherent sameness about places where people are kept against their will.

It arises partly from restraint per se, whether symbolized by walls and guns or by the myriad more subtle inhibitions on personal liberty. It arises from the isolation of the institutional community from the outside world and from the alienation and apartness of the inmate society. It is fed by the strangeness of living apart from families, with no choice about place of residence, selection of intimate associates, or type of occupation—all crucial values that are taken for granted in the world outside.

These restraints have both advantages and disadvantages. On the one hand they serve the function of punishment and deterrence. They also prevent the dangerous offender from committing further crimes in the community during the term of his sentence. And, by keeping him apart from the conditions of community life and subjecting him to a special environment that can be artificially controlled 24 hours a day, they sometimes afford opportunities for rehabilitative treatment that cannot be duplicated in the community.

On the other hand, an artificial environment that works against self-reliance and self-control often complicates and makes more difficult the reintegration of offenders into free society. Sometimes institutions foster conspicuously deleterious conditions—idleness, corruption, brutality, and moral deterioration.

There are many ways in which the advantages of institutionalization can be exploited and the disadvantages minimized. For many offenders, institutionalization can be an extremely valuable prelude to community treatment. For a few, those who must be incapacitated for society's protection if not their own, it is the only possible alternative.

## A MODEL FOR INSTITUTIONS

The Commission's national survey of corrections and other studies showed it how far many jurisdictions still were from optimal uses of institutions. It was disturbed to find that much planning for institutional construction, and the attitudes of many officials concerned, indicated that these conditions were not likely to be radically changed in the future.

The Commission believes that there is, therefore, value in setting forth, in the form of a "model," the changes that it sees as necessary for most correctional institutions. There will, of course, continue to be special offender problems that must be dealt with in other kinds of institutions. But in general new institutions should be of the sort represented by the model, and old institutions should as far as possible be modified to incorporate its concepts.

The model institution would be relatively small, and located as close as possible to the areas from which it draws its inmates, probably in or near a city rather than in a remote location. While it might have a few high-security units for short-term detention under unusual circumstances, difficult and dangerous inmates would be sent to other institutions for longer confinement.

Architecturally, the model institution would resemble as much as possible a normal residential setting. Rooms, for example, would have doors rather than bars. Inmates would eat at small tables in an informal atmosphere. There would be classrooms, recreation facilities, day-rooms, and perhaps a shop and library.

In the main, however, education, vocational training, and other such activities would be carried on in the community, or would draw into the institution community-based resources. In this sense the model would operate much like such programs as the Highfields and Essexfields projects. Its staff, like probation and parole officers, would be active in arranging for participation by offenders in community activities and in guiding and counseling them.

Some offenders might be released after an initial period of detention for diagnosis and intensive treatment. The model institution would permit correctional officials to invoke short-term detention—overnight or for a few days—as a sanction or discipline, or to head off an offender from prospective trouble. Even if initial screening and classification indicated that long-term incarceration was called for, and an offender was, therefore, confined in another facility, the community-based institution could serve as a halfway house or prerelease center to ease his transition to community life. It could indeed serve as the base for a network of separate group homes and residential centers to be used for some offenders as a final step before complete release.

This prototype proposal here, if followed widely, would help shift the focus of correctional efforts from temporary containment of offenders to a carefully devised combination of control and treatment. If supported by sufficiently flexible laws and policies, it would permit institutional flexibility to be used only for as long as necessary, and in carefully graduated degrees rather than as a relatively blind and inflexible process.

A final advantage of the concept suggested here is that institutions that are small, close to metropolitan areas, and highly diversified in their programs provide excellent settings for research and experimentation and can serve as pilot grounds for needed innovations. Not only are they accessible to university and other research centers, but their size and freedom from restrictions foster a climate friendly to inquiry and to the implementation of changes suggested by it.

#### The Commission recommends:

Federal and State governments should finance the establishment of model small-unit correctional institutions for flexible, community-oriented treatment.

#### COLLABORATIVE INSTITUTIONS

Even in institutions committed to longer term custody, more steps can be taken short of this model to improve capacity to contribute to the rehabilitation of offenders. The most fundamental of these changes may be summed up as the establishment of a collaborative regime in which staff and inmate work together toward rehabilitative goals, and inmate-staff conflict between the two groups is avoided.

Institutional communities in which persons are kept against their will tend to generate tension and conflict between the inmate and the staff. The task of preparing the inmate for reintegration into the community becomes lost in elaborate forms of competition, in covert and corrupting intrigues between guards and inmate leaders, and in forced maintenance of passivity on the part of inmates. This encourages anger toward and yet complete dependence on institutional authority.

The collaborative approach seeks to reverse this too common pattern. The custodial staff, for example, is recognized as having great potential for counseling functions, both individually with individual inmates and in organized group discussions. Administrators and business staff likewise have been brought into the role of counselor and assigned rehabilitative functions in some programs. This collaborative style of management is more readily achieved if the institution staff is augmented by persons from the free community with whom inmates can identify. This involves recruiting outsiders who can help the inmate to develop motivation for needed vocational, educational, and other self-improvement goals. Volunteers and subprofessional aides can be as useful in corrections as in community-based corrections.

Another important dimension of the collaborative concept is the involvement of offenders themselves in treatment functions. Group counseling sessions, for example, provide opportunities for inmates to help each other, through hard and honest demands for honesty in self-examination, demands that cannot be made with equal force and insight by staff, whose members have not had personal experience in the world of criminal activity. The loosening of inmate-to-staff and of inmate-to-inmate communication tends to reduce the inmate politician's power. Moreover, the "rat" complex, which brings great social stigma and physical danger to an inmate who cooperates with staff in traditional institutions, is greatly diminished.

A delicate balance is involved between giving inmates a meaningful role to play in the life of the institution, and allowing them to usurp authority that should only be carried by staff. The line is still being fashioned in most institutions today, and more experience will be required to decide where it lies in specific areas such as assignment of inmates to jobs, work, and living units and decisions involving discipline and security.

#### The Commission recommends:

All institutions should be run to the greatest possible extent with rehabilitation a joint responsibility of staff and inmates. Training of correctional managers and staff should reflect this mode of operation.

#### EDUCATION AND VOCATIONAL TRAINING

It has been noted that the inability of offenders are severely handicapped by educational deficiencies from surviving in a labor market that increasingly demands at least a high school education.

The society of delinquents and criminals is especially inhospitable to those unable to find legitimate pathways to success and self-esteem. Failure is humiliating in the typical case. Poor performance and small reward in the early school years lead to failing and dropping out at the high school level. This, in turn, makes entry into the world of work doubtful. Lack of specific skills is aggravated by inability to cope with time schedules and the standards of diligence and conformity required in most jobs.

Traditional work and vocational training programs within correctional institutions have not effectively solved such problems. A major difficulty in such programs today is the lack of incentives for achievement, which results in low motivation on the part of inmate trainees. Immediate rewards for efficient learning are small. Such long-term rewards as improved employability seem distant and unreal. In fact they often are unreal in the most practical sense that ex-offenders cannot secure the jobs for which they were trained in prisons and juvenile institutions.

Recent experiments in special education for students from culturally deprived neighborhoods have provided both insights and methods that can be transplanted into correctional programs. It is noteworthy that most inmates have had experience in the schools of poor neighborhoods. They have achieved far less academically than their intelligence test scores indicate they can achieve. The way to help them to learn is to make learning a rewarding experience and thus overcome the sense of failure and humiliation they have come to feel as a result of past performances in school.

One of the most promising approaches to this problem is the use of programmed learning techniques. Special texts and machines present the material to be learned in small units. The student must master each part before he proceeds to the next. He goes at his own pace. It then becomes possible to use a variety of incentives and rewards for achievement. Programmed instruction is discussed further in Chapter II.

During the past few years there have been several experimental applications of programmed instruction to correctional education. The most significant work has taken place in two centers. The Draper Youth Center, a reformatory-type institution in Alabama, has combined programmed learning with efforts to change the social climate of the institution. Inmates who progress well in their studies are enlisted in a service corps to help other inmates. College students from nearby Auburn University have been recruited to work in this program. Although no scientific evaluation has been made, informal reports show highly accelerated educational and vocational progress, as well as an apparent reduction in recidivism, on the part of those who participated in the special program.

At the National Training School for Boys, a Federal institution in Washington, D.C., a whole "programmed environment" for rehabilitative learning has been created. The inmates have a wide range of choice as to how to occupy themselves, and are rewarded in "points" that are equivalent to money. They have a variety of opportunities to "spend" these points, but they may also be fined for misbehavior and so do not earn many points if they choose to be lazy or indifferent.

This program makes a determined effort to simulate the problems and conditions of life in the outside world. For example, the boys must use earned points to pay rent for especially attractive sleeping quarters or to purchase more desirable meals than those routinely offered. They may also purchase a variety of small items from a commissary or a mail-order catalog. Meals and visits to relatives are paid for with points; special recreational equipment and courses can also be purchased with points. Points may be earned by work, completion of programmed courses, or good behavior. Such incentive programs go far toward stimulating inmates to take responsibility for their own lives. They create opportunities for learning how to deal with the very problems they will encounter in the community.

#### The Commission recommends:

Correctional institutions should upgrade educational and vocational training programs, extending them to all inmates who can profit from them. They should experiment with special techniques such as programmed instruction.

The greatest need is at the elementary and secondary level: more than half of adult inmates have not completed elementary school. However, enrichment of programs is much needed at all stages, including college-level courses. Opportunity for bringing the resources of nearby universities into correctional institutions in new and creative ways is great, and is largely unexploited. But it is noteworthy that a "prison college" was recently started in San Quentin by the University of California and the Institute for Policy Studies of the District of Columbia.

There are about 6,500 academic and vocational teachers now employed in the Nation's correctional institutions. It is estimated that an additional 10,700 persons are needed immediately to develop effective academic and vocational programs. In order to close this gap, which is expanding rapidly, substantial subsidies are needed to recruit needed specialists and to provide them with the training required to make them effective in their complex and challenging task.

#### The Commission recommends:

States should, with Federal support, establish immediate programs to recruit and train academic and vocational instructors to work in correctional institutions.

#### CORRECTIONAL INDUSTRIES

Vocational training can in many cases be best carried out in conjunction with operating prison industries.

Work programs for prisoners were first established for "sturdy beggars" in 16th-century Europe, and were a dominant feature of American reformatories and penitentiaries from the outset. Typically, however, penal work programs have been repetitious drudgery, providing little incentive for diligent or enthusiastic performance. In some instances institutions have been and still are required to be self-supporting or even to show a profit, and work (generally agriculture) is carried on typically without regard for the offender, under conditions that have long since been displaced in the rest of society.

During periods when unemployment was extensive in the outside community and private businesses could not sell their goods, political pressures mounted to prevent prisons from engaging in enterprises seen as competitive. This culminated during the Great Depression in a variety of State and Federal laws designed to restrict the use of prison labor.

Beginning in 1929, with the passage of the Hawes-Cooder Act, the sale of prison-made goods was gradually restricted by Federal and State legislation. Today there are severe constraints upon the development of industrial work programs within correctional institutions. This fact, combined with a frequent attitude of suspicion and resistance on the part of organized labor and business interests, has made idleness a prevailing characteristic of most American prisons and jails.

In the absence of good industrial programs, maintenance and work details are usually so heavily overmanned that offenders do not learn from them the habit of working independently and with dispatch.

Prison-made goods tend to be inferior in design and workmanship to those available from private enterprise. Delivery has been unreliable, and, despite the availability of cheap prison labor, the products frequently cost more than similar items that are privately produced. This is the result of many factors, including the small size of prison shops, the lack of strong administrative support for industrial programs, and the dearth of imaginative and aggressive sales operations.

One of the first requirements for the promotion of more realistic and competitive correctional industries is a clear recognition on the part of the public that gross idleness in penal institutions works a serious detriment to the larger society. As has been noted, work skills are badly needed by many offenders. These skills are best developed under realistic conditions of production. Useful jobs cannot be learned in an environment of indolence and lethargy. Moreover, it is tremendously wasteful to support thousands of persons with no return of goods or services. Of course, increasing the productivity of prison industries would be futile if action also were not taken to increase the market for prison-made goods or, at the very least, increase the current percentage of the State-use market which is now the principal outlet for those goods.

The most extensive and successful use of prison industries is found in the Federal prisons. In 1965 Federal prisoners assigned to industry shops earned an average of \$40 per month, according to their skill and productivity, primarily on a piece-rate basis. The industries also paid the cost of vocational training programs in the Federal prisons. The staff includes employment placement officers who help procure postrelease jobs for prisoners. In some cases industries and vocational training are supported by private businesses and labor unions and tied to job placement upon release. The Federal system offers a model for the development of prison industries programs in the States, although most States would be unable to duplicate its features without financial assistance from the Federal Government or cooperative arrangements with each other.

#### *The Commission recommends:*

States should work together and with the Federal Government to institute modern correctional industries programs aimed at rehabilitation of offenders through instilling good work habits and methods. State and Federal laws restricting the sale of prison-made products should be modified or repealed.

Strong and informed administrative support in State correctional programs will be required to upgrade services and to adopt the practices of private industry. Labor organizations and business firms could be of inestimable help in advising and guiding the development of new programs, and in neutralizing opposition to them.

#### PARTIAL RELEASE AND FURLOUGH PROGRAMS

Even within the limitations of most existing institutions, there are a number of means by which the transition from institution to community can be made less abrupt, and the resources of community institutions drawn upon to help in rehabilitation. Short-term furloughs from institutions have been used most extensively in Mississippi and Michigan, each of which has reported less than 1 percent failure to return. Juvenile institutions have used such procedures successfully, though parsimoniously, at family-gathering times, such as Christmas, Thanksgiving, weddings, and funerals. Furloughs are useful in helping to prevent the deterioration of family ties and in allowing offenders to try newly learned skills, and test the insights they have developed in counseling experiences.

The most striking increase in temporary release from institutions in recent years has been in work-release programs. Introduced in Wisconsin institutions for misdemeanants over 40 years ago, their use spread slowly until large-scale extension to adult felons began in North Carolina in 1959. Favorable experience there led to work-release programs for felons in the early 1960's in South Carolina, Maryland, and other States in rapid succession, and to work-release provisions for Federal prisoners under the Prisoner Rehabilitation Act of 1965.

Despite difficulties inherent in lack of experience in administering them, work-release programs have been highly successful. In North Carolina, where inmates are eligible for work release when they have served a relatively small portion of their sentences, cancellation of work release for serious misbehavior—generally absconding—has occurred in only 15 percent of the cases. Revocation has been lower in the Federal system, where prisoners usually enter work release approximately 6 months before their expected parole date.

With their earnings the work-release prisoners usually

pay for their transportation to and from their work, and meet incidental expenses as well. They buy necessary work clothes and tools and pay union fees and income taxes. In some places they have also reimbursed the State for room and board. With the surplus above these expenses they can send money to dependents, pay fines and debts arising from their preprison activities, and save funds to use once they return to the community.

The Federal correctional system has been a leader in the establishment of special prerelease guidance centers—residential facilities where prisoners stay prior to parole and which help them arrange jobs and other contacts and adjust to reentry into the community. The same principles, on a less formal basis, are reflected in the halfway houses established by a number of State and local jurisdictions, often in cooperation with private agencies.

A number of work releasees and residents of prerelease guidance centers attend school part time or full time in addition to or instead of working. This arrangement sometimes is called study release. Particularly appropriate for juvenile and youthful offenders, it is highly developed at several State establishments resembling the Federal prerelease guidance centers. The New York State Division of Youth, for example, has several centers consisting of selected apartments within large apartment buildings, which serve primarily as alternatives to traditional commitment.

All of the programs described here suggest that crime control can be increased by making the transition from confinement in a correctional institution to freedom in the community a gradual, closely supervised process. This process of graduated release permits offenders to cope with their many postrelease problems in manageable steps, rather than trying to develop satisfactory home relationships, employment, and leisure-time activity all at once upon release. It also permits staff to initiate early and continuing assessment of progress under actual stresses of life.

#### *The Commission recommends:*

Graduated release and furlough programs should be expanded. They should be accompanied by guidance and coordinated with community treatment services.

#### LOCAL JAILS AND MISDEMEANANT INSTITUTIONS

No part of corrections is weaker than the local facilities that handle persons awaiting trial and serving short sentences. Because their inmates do not seem to present a clear danger to society, the response to their needs has usually been one of indifference. Because their crimes are considered petty and the sentences they serve are relatively short, the corrections system gives them low status. Many local jails and misdemeanor institutions are administered by the police or county sheriffs, authorities whose experience and main concern are in other

fields. Most facilities lack well-developed recreational and counseling programs, sometimes even medical services. The first offender, the innocent awaiting trial, sometimes juveniles and women are imprisoned with confirmed criminals, drunks, and the mentally disturbed or retarded.

A large majority of the 215 misdemeanor institutions examined in detail in the Commission's survey of corrections have few, if any, rehabilitative programs. Less than 3 percent of the staff perform rehabilitative duties, and some of these work only part time. It would not be uncommon to find a single psychologist—or none at all—for several thousand inmates (table 4). Most teachers

Table 4.—Distribution of Personnel in Jails and Local Correctional Institutions, 1965

	Number	Ratio of staff to inmates
Social workers or counselors.....	167	1:846
Psychologists.....	33	1:4282
Psychiatrists.....	58	1:2436
Academic teachers.....	105	1:1333
Vocational teachers.....	137	1:1031
Custodial officers.....	14,993	1:9
Administrative and supportive services.....	3,701	1:38
Total.....	19,195	1:7

SOURCE: National Survey of Corrections.

and social workers are concentrated in the larger facilities, leaving the great bulk of institutions without any at all.

Since many misdemeanants go on to commit subsequent offenses, and many "graduate" into felons, the general lack of rehabilitative programs is critical.

In a few misdemeanor institutions promising steps have been taken to correct the deficiency. The St. Paul, Minn., workhouse has in the last 8 years substantially improved its work and educational programs. Professional staff is augmented by volunteers. Counseling and testing services for men under 21 years of age are provided through funding by the Office of Economic Opportunity. A work and school release program has been initiated. Since the inception of the release program, a high proportion of the inmates involved appear to have adjusted successfully.

Multnomah County, Oreg. (Portland), is among the jurisdictions that have established special facilities as an adjunct to their county jails. Multnomah's program serves offenders who are sentenced for more than 60 days, apply for transfer and are accepted after case history review and psychological testing. The program includes work, counseling, tutoring by college student volunteers, corrective surgery, and dentistry. Work release has been added recently. Since December 1, 1963, when it received its first inmates, over 500 have been released. The recidivism rate has been estimated at less than 20 percent. The population includes all categories of misdemeanants, including skid row alcoholics and felons who ordinarily would serve prison sentences.



San Diego, Calif., has established five camps to which prisoners sentenced to the county jail are transferred after screening. Men are sent to particular camps according to their needs. One camp accepts only younger prisoners and has a specially trained staff selected for its ability to train and counsel younger offenders.

Such projects illustrate the progress that can be made by implementing reforms directed toward rehabilitation of offenders; they indicate that many of the measures required in institutions for juveniles and adult felons are also applicable to the misdemeanor system. It is not feasible in most States, however, to expect that advances such as these will be made as long as local jails and misdemeanor institutions are administered separately from the rest of corrections.

*The Commission recommends:*

Local jails and misdemeanor institutions should be integrated into State correctional systems. They should not be operated by law enforcement agencies. Rehabilitative programs and other reforms should be instituted.

The national survey found that in 93 percent of the country's juvenile court jurisdictions, covering 44 percent of the population, there is no place for the pretrial detention of juveniles other than a county jail or police lockup. In 1965, over 100,000 juveniles were confined in adult institutions. Presumably most of them were there because no separate juvenile detention facilities existed. Nonetheless, it is clearly undesirable that juveniles be confined with adults.

Even more undesirable is placing abandoned, neglected, or runaway juveniles in detention, a practice pursued in many communities that do not have shelter facilities under their welfare departments.

*The Commission recommends:*

Separate detention facilities should be provided for juveniles. All jurisdictions should have shelter facilities outside the correctional system for abandoned, neglected, or runaway children.

A special problem exists in the handling of persons awaiting trial or appeal. The implementation of bail reforms proposed in chapter 5 would go far toward alleviating the present situation in most jurisdictions, where large numbers of persons presenting no particular danger to the community are imprisoned pending trial, often to be released on probation afterwards. There will, of course, continue to be persons who require pretrial custody. However, in large cities they might still feasibly be housed or handled separately from adjudicated offenders.

*The Commission recommends:*

Wherever possible, persons awaiting trial should be housed and handled separately from offenders.

## CORRECTIONAL DECISIONMAKING

The preceding discussion has been about the range of correctional treatment. There is another issue in corrections that has not been touched on—the range of decisions made by correctional personnel and the problems created by the great discretion they exercise. Most of these questions are old ones, but they have become acute with the widening of treatment alternatives and the growing advocacy of greater flexibility in choosing among them.

During the period when restraint was the dominant response to crime, there were only two major statuses to differentiate: In prison being punished and out of prison after having served a sentence. Concern for accurate factfinding and procedural safeguards was therefore focused on adjudication.

Today, however, an offender may be sentenced for an indeterminate length of time, with his release depending on the decision of correctional authorities. He may be referred to any of a wide variety of facilities or treatments on the basis of screening by correctional authorities. And he may be subjected to special discipline or punishment on the basis of determinations from which he has no appeal.

More numerous alternatives also create decision-making problems from the standpoint of effectiveness. Most correctional decisionmaking is to some degree handicapped by the following deficiencies:

First, important data often are not available, data which are essential to the making of sound decisions. In determining whether or not to grant parole for example, decisions usually are based on scanty information collected at the time the offender was committed to the institution. Information on changes that have occurred during confinement is usually either not available or inadequate.

Second, information that is available may be irrelevant to the outcomes which determine whether the decision was sound. It is characteristic of any decisionmaking process that those involved often are not aware of the particular bits of information they employ in arriving at a judgment. Moreover, the information they do use may, by empirical standards, be unrelated to the judgment being made. The question of relevance cannot be answered by argument but only by careful research.

By withholding certain items of information from the directors of juvenile institutions in England, for example, one study found that prognosis of inmate performance could often be improved. Apparently certain items of information tended to mislead the officials because they attached greater weight to them than was warranted.

A final and related problem is that the volume of information often overloads human capacity for analysis and utilization. The sheer number of offenders under correctional supervision is staggering and is growing rapidly each year. Adequate disposition of these offenders may require tens or hundreds of items of information on each offender at each step in the correctional cycle. The

potential of computerized information systems as an aid to meeting this problem is discussed in chapter 11.

### DISTINGUISHING DEGREES OF DANGEROUSNESS AND DETERMINING OPTIMAL DISPOSITION FOR DIFFERENT OFFENDERS

A core responsibility found in all phases of the correctional process is the requirement of gathering and analyzing that information about the offender that will provide an adequate basis on which to predicate the series of correctional decisions.

Whether the decision be to invoke the judicial process, to choose between probation or imprisonment, to select the appropriate degree of security in a correctional institution, to determine the timing for release from incarceration or the necessity for revocation of parole, the judicial and administrative decisionmakers are concerned with very similar issues.

These issues include:

- (1) The extent or degree of threat to the public posed by the individual. Significant clues will be provided by the nature of the present offense, and the length of any prior record;
- (2) The extent or degree of an individual's commitment to criminal or delinquent values, and the nature of his response to any earlier correctional programs;
- (3) The kind of personal stability and responsibility evidenced in his employment record, residential patterns, and family support history;
- (4) The kind of personal deficiencies apparent, including educational and vocational training needs;
- (5) The personal, psychological characteristics of the offender that determine how he perceives the world and his relationship to it.

A few correctional research programs are seeking to test the way in which these personal dimensions can be subjected to objective analyses and used as the basis for predicting the probable response to alternative correctional programs. Some progress is evident in both statistical and psychological research experiments.

Central to such evaluation is the necessity for identifying those dangerous or habitual offenders who pose a serious threat to the community's safety. They include those offenders whose personal instability is so gross as to erupt periodically in violent and assaultive behavior, and those individuals whose long-term exposure to criminal influences has produced a thoroughgoing commitment to criminal values that is resistive of superficial efforts to effect change.

For these persons the still primitive state of treatment methodologies can only offer a period of confinement followed by the kind of parole supervision that will provide the requisite control.

Clearly indicated is the need for an improved capability in the information gathering and analysis process and continued experimental development to improve the pre-

dictive power of the information gathered. These needs point to increased manpower and the training requisite for the development of sophistication and skill in the investigative-diagnostic process.

Paralleling these general needs is the need for professional clinical personnel to assist in the evaluation of the bizarre acting, seriously disturbed, and mentally deficient offenders, and to provide consultation and advice to the line staff who must deal on a day-to-day basis with this special group.

Improved correctional decisionmaking requires not only better information and personnel but also a wider range of alternative facilities and programs. These are particularly needed when dealing with disturbed or dangerous offenders.

Penal institutions tend to be a kind of catch basin for a myriad of human problems not resolved elsewhere. Correctional staff must deal not only with offenders as such, but with offenders who also are alcoholic, mentally ill or deficient, addicted to narcotics, or driven by psychological pressures to commit sexually deviant acts. The implications of these conditions for needed treatment resources are sobering indeed, if they are faced realistically.

It is true, moreover, that some categories of offenders require special treatment and control, not because they

are pathological in a particular way but because they are different from the numerically dominant inmate group. For example, female offenders, especially juveniles, have mainly been provided only with inadequate imitations of the institutional programs used for males, despite factual evidence that their needs and their involvements in criminal activity are strikingly different. Older adolescents and young adults often are not served well by either the adult or juvenile system of corrections.

It would seem obvious that offenders are as different from each other as are people in the general population. Those who are highly skilled and persistent at manipulating and hoodwinking persons in authority must be handled firmly if change is to occur. Others need reassurance about their importance as human beings more than they need firm limits on their behavior. Still others require practical assistance in getting a job or securing needed training, rather than psychological help of any kind. And there are those who need no help at all; they have experienced a legal sanction and will manage ably enough in the community thereafter with only perfunctory contact with authority.

Special offender groups such as alcoholics, derelicts, those with psychological problems, narcotics addicts, gifted people with high IQ's and female offenders may also require very distinct kinds of services that can be provided most effectively and efficiently through specialized treatment. Promising experiments with this kind of classification have occurred in New York and Pennsylvania.

The problems of special offender groups should be ap-

proached through efforts to classify and handle them separately wherever this will achieve either improvement in their treatment or alleviation of the conditions under which other inmates are handled. This will require in many cases—particularly for local misdemeanor systems—that jurisdictions join together, as a number are now beginning to do, in operating joint facilities and programs for special offender groups, or alternatively that they contract with neighboring facilities to handle such persons.

*The Commission recommends:*

Screening and diagnostic resources should be strengthened, with Federal support, at every point of significant decision. Jurisdictions should classify and assign offenders according to their needs and problems, giving separate treatment to all special offender groups when this is desirable. They should join together to operate joint regional facilities or make use of neighboring facilities on a contract basis where necessary to achieve these ends.

Under such a pattern, the Federal Government would be in a particularly advantageous position to undertake the handling of small groups of special offenders who require highly specialized or long-term treatment. Maximum security prisoners and those serving life sentences, are among the groups that could be handled away from local communities.

IMPROVING PAROLE DECISIONS

A particularly critical area of correctional decision-making is that which surrounds the granting of parole.

Chapter 5 has suggested a number of improvements in sentencing procedures. Unlike sentencing, which has traditionally been a judicial function, the parole decision is administrative. It is made by correctional authorities or by a special parole board, usually composed of laymen.

While many parole officials are extremely able and knowledgeable, some still are merely political appointees without training and many serve only on a part-time basis. Such a situation is incompatible with the development of the kind of expertise necessary to make a decision which is as complex and important as that made by a sentencing judge.

*The Commission recommends:*

Parole boards should be appointed solely on the basis of competence and should receive training and orientation in their task. They should be required to serve full time and should be compensated accordingly.

Parole boards should concentrate on developing and monitoring policy guidelines within which decisions about individual cases could be made fairly and consistently. Where the workload is heavy, boards should review the actions of professional hearing officers rather than attempting to carry on all hearings themselves.

In the main, both juvenile and adult releasing authorities must depend on their staffs for information about persons being considered for release. The quality of staff available to releasing authorities is, therefore, a crucial determinant in effective decisionmaking. Staff must be able to develop and assemble vital information and present it in such a way as to establish its relevance to the decision. Far too typically, the pattern is for an overworked caseworker to attempt to gather information on a prisoner from meager institutional records. Institution officials sometimes form their impressions primarily in terms of whether an individual was docile during confinement, rather than on the basis of his readiness for release into the community.

Another problem arises from the fact that the information on offenders often is fitted into a highly stereotyped format. The repetitious character of parole hearings, coupled with the sameness of reporting style and jargon, make it very difficult for board members to understand the individual aspects of a given case and to assess them wisely.

It seems especially important that research and experimentation should be undertaken to develop improved information for use in making parole decisions and to discover better ways of presenting that information. There should be a flow of information on the performance in the community of offenders previously released, so that parole officials will know who succeeded and who failed to adopt law abiding ways.

CONCERN FOR THE RIGHTS OF OFFENDERS

As the line between institutional and community treatment becomes increasingly blurred, problems of achieving fairness in decisions relating to release will proliferate. Partial release to the community for work or study, placement in a prerelease residential unit—these are only some of many ways of gradually shifting an offender from life in an institution to life in the community. Given the many shades of gray along that transition route, and the present rapid invention of new variations on the theme, it is increasingly difficult to determine when the shift actually has been made—indeed this is the very point of such correctional strategy.

But many questions arise relative to the decisions that are made as the offender moves away from the institution. These questions become even more acute if it is decided that he should move part or all of the way back. This area of decisions has for a considerable time been the province of parole boards, but such new procedures as work furloughs and educational leaves sometimes place the decisions in the hands of institution officials.

These developments have increased the need to insure that adequate procedures are present to safeguard the rights of offenders. Already such formal decisions as parole revocation are coming to be seen as requiring legal representation of offenders—as the Commission recommends in chapter 5. Less formalized decisions—

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## 1 OF 2

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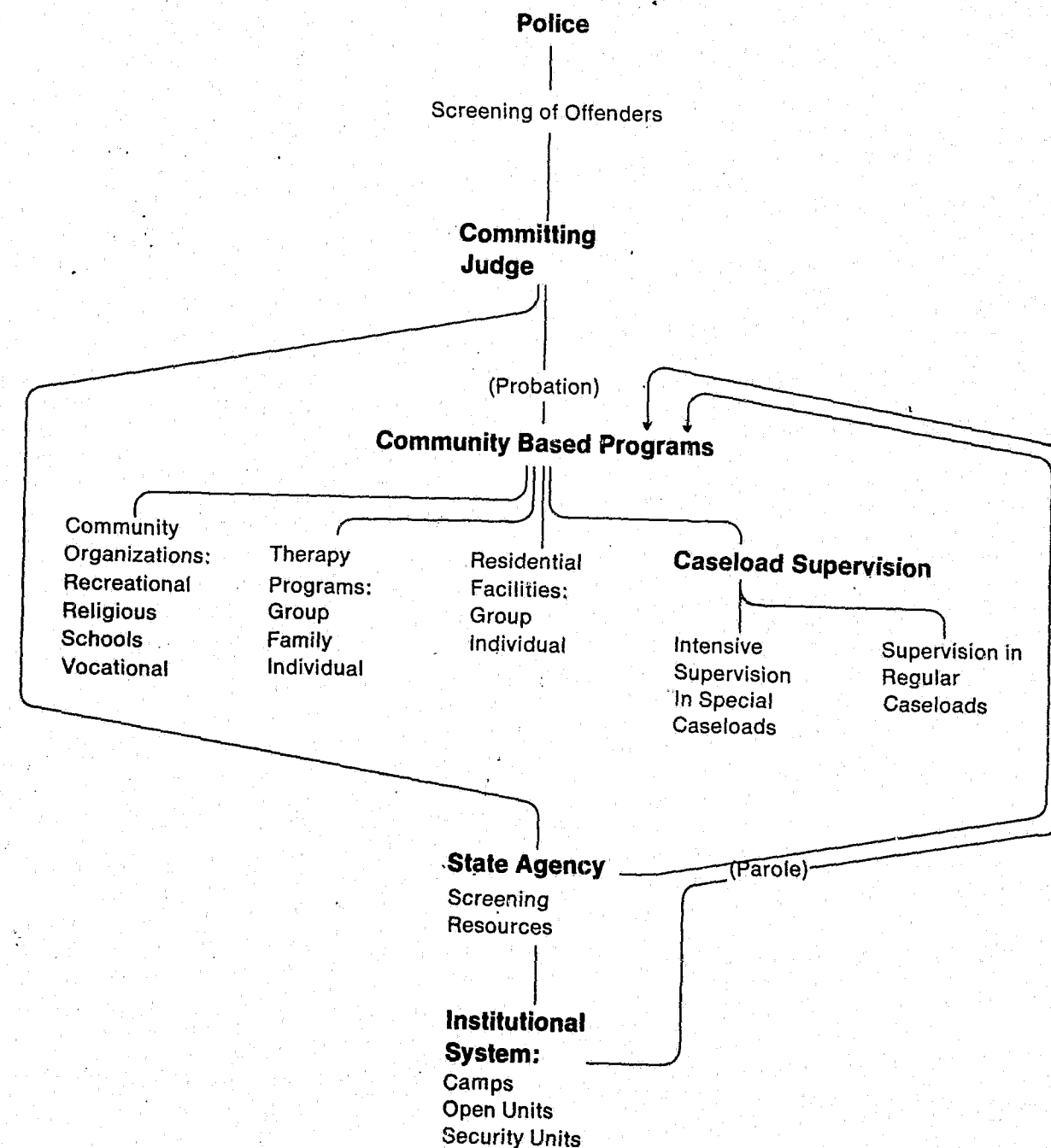
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Elements of a Modern Correctional System Figure 4





assignment to particular facilities and treatment programs, return of halfway-house residents to confinement before rather than after trouble—present greater difficulties.

On the one hand, such decisions can vitally affect the lives of offenders, and there is danger that they may be made on the basis of inadequate or incorrect information, or through prejudice. On the other hand, serious problems would be presented by subjecting these and similar actions to all of the traditional legal procedures associated with judicial due process requirements. The law has yet to define limits and standards in this area. But correctional authorities should take immediate steps to insure that there are adequate safeguards by providing for hearing procedures, review of decisions by persons removed from the immediate situation, explicit policy guidelines and standards, and adequate records to support decisions.

Offenders should always have administrative recourse for grievances against officials, and the adequacy of this recourse should be subject to review by some external authority.

#### *The Commission recommends:*

Correctional agencies should develop explicit standards and administrative procedures to enable those under correctional control to test the fairness of key decisions affecting them. These procedures should include gathering and recording facts and providing for independent monitoring and review of the actions of correctional staff.

### CREATING CHANGE

The correctional programs of the United States cannot perform their assigned work by mere tinkering with faulty machinery. A substantial upgrading of services and a new orientation of the enterprise toward integration of offenders into community life is needed.

To achieve this end, there must be new divisions of labor, cooperative arrangements between governments, and a better balance between institutional and community programs. There must be a wide variety of techniques for controlling and treating offenders, and arrangements that allow these techniques to be used flexibly and interchangeably. A strategy of search and validation must be substituted for the present random methods of determining how correctional resources should be used. Figure 4 depicts the operational elements of a modern correctional system as recommended by the Commission.

Such pervasive changes will require strong and decisive action. The following points out where responsibility for taking action rests and notes the cost and consequences of inaction.

### RESPONSIBILITY FOR ACTION: ROLE OF GOVERNMENT

Certain principles should govern correctional operations:

- (1) Correctional operations should be located as close as possible to the homes of the offenders.
- (2) Reciprocal arrangements between governments should be developed to permit flexible use of resources. Regional sharing of institutional facilities and community programs should be greatly increased.
- (3) Large governmental units should take responsibility for a variety of forms of indirect service to smaller and less financially able units, helping them to develop and strengthen their correctional services.

The Federal Government should assume a large share of responsibility for providing impetus and direction to needed changes. It should take increasing responsibility for helping to upgrade the correctional programs of State and local governments. Ultimately, Federal authorities might provide only those direct services which cannot be operated effectively and economically by State and local governments.

The Federal Government can stimulate action by providing financial and other assistance to State and local governments. Federal financial support can be of crucial importance in developing the capacity to secure, analyze, and disseminate information on the treatment that is most successful with different classifications of offenders; in assisting State and local agencies to recruit and train the many kinds of personnel needed to staff new programs; in providing funds for needed research and demonstration, and curriculum development projects.

State and local activities should reflect the principles outlined above. Some counties and metropolitan areas are sufficiently large to develop comprehensive correctional services of their own. In such cases, the State role might be similar to the Federal role indicated above—providing stimulus for change. Primarily, however, the State governments themselves should develop and administer correctional services, involving local governments as much as possible and decentralizing operations through regional offices. No single pattern of organization will fit the varied conditions that exist; needs in the correctional field are a challenge to imaginative inter-governmental problem solving.

### RESPONSIBILITY FOR ACTION: NONGOVERNMENTAL ROLE

A sizable number of nongovernmental organizations operate nationally to improve correctional practices. Among them are the National Council on Crime and Delinquency, the American Correctional Association, the National Association of Training Schools, the Joint Com-

mission on Correctional Manpower and Training, and various affiliated groups. These entities, operating independently of vested interests and of the limitations imposed by public office, have an opportunity to play a most important role in bringing about needed changes in corrections. They can carry out surveys in States and localities, provide consulting services, and help with research and information exchange. Above all, they can inform the public about needs and problems and mobilize the grassroots support required for major change. Public funds should be made available to help private agencies perform these functions, but it is imperative that they maintain a perspective from outside the system in order to be incisive critics and monitors of its operations.

### RESPONSIBILITIES OF HIGHER EDUCATION

At present, university curricula generally ignore the field of corrections. Correctional concerns tend to be invisible to students and faculty at both the undergraduate and graduate level, despite the fact that many disciplines and professions—psychology, sociology, public administration, law, and social work, among others—have legitimate responsibilities in this area. Universities have an indispensable role to play in filling the knowledge gap that exists throughout corrections. However, two hazards should be avoided: Heavily vocational programs which purport to answer questions about how to perform correctional functions without addressing the complexities of what and why and thus further isolate corrections from the university community; and conversely the reluctance of scholars to address the specific problems faced by those charged with the perplexing task of controlling and rehabilitating offenders.

Funds from Federal, State and local governments and private foundations are specifically needed for research; for fellowships and stipends to promising students and to those employed in corrections who want further university training; and for sustained support for internships and field placement programs developed with correctional agencies.

#### *The Commission recommends:*

Universities and colleges should, with governmental and private participation and support, develop more courses and launch more research studies and projects on the problems of contemporary corrections.

### CONSEQUENCES OF INACTION

It would be satisfying to have available a quantitative statement of the costs and consequences over the decades ahead of continuing the present faltering correctional system, and of the gains that could be achieved through implementation of the recommended changes. How much reduction of crime and delinquency could be achieved over 5, 10, or 20 years? When would the econ-

omies implicit in more effective handling of offenders equal or surpass the increased cost of a renovated correctional system? What would be the cost to the Nation, in human lives and suffering as well as in dollars, of inaction in the face of such critical conditions?

It is impossible to answer such questions in quantitative terms. The cost of additional personnel and facilities can be estimated roughly, but there is at present no solid basis in experience for predicting the impact of a changed correctional system.

However, the ineffectiveness of the present system is not really a subject of controversy. The directions of change—toward the community, toward differential handling of offenders, toward a coherent organization of services—are supported by a combination of objective evidence and informed opinion.

The costs of action are substantial. But the costs of inaction are immensely greater. Inaction would mean, in effect, that the Nation would continue to avoid, rather than confront, one of its most critical social problems; that it would accept for the next generation a huge, if now immeasurable, burden of wasted and destructive lives. Decisive action, on the other hand, could make a difference that would really matter within our time.