

MODEL COMMUNITY CORRECTIONAL PROGRAM

SAN JOAQUIN COUNTY, CALIFORNIA

Report II
COMMUNITY ORGANIZATION FOR
CORRECTIONAL SERVICES

15-000097

INSTITUTE FOR THE STUDY
OF CRIME & DELINQUENCY

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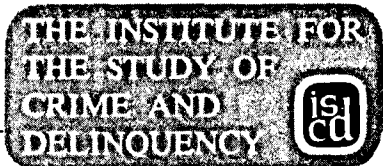
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PROJECT SUPPORT

U. S. Department of Justice, Law Enforcement Assistance
Administration (Corrections Grant No. 227) with matching
assistance by San Joaquin County.

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SPECIAL NOTE

The Policy and Review Council, an advisory and coordinating group of distinguished citizens and governmental officials, has met as a group and in various committees for over one and one-half years. They have influenced the project's organization, findings and recommendations; they have formally endorsed a number of specific program proposals; they have been an invaluable means of communication between the community and the project staff.

The final reports of the project have been provided to the Policy and Review Council (and to various project consultants) in preliminary draft form and many improvements in the reports have been made as a result of individual member's comments and suggestions.

The great scope and length of these reports and limited time allowed for their review has made it impossible for the Policy and Review Council as a group to express overall endorsement of the report contents; neither should it be construed that any individual member is in agreement with the final reports.

The contents of the final reports are the sole responsibility of the Institute for the Study of Crime and Delinquency and the Project staff. On the other hand, the reports reflect in large measure the great deal of assistance provided by members of the Policy and Review Council.

By: M. Robert Montilla
Project Director

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ENVIRONMENT FOR CHANGE

Crime and corrections exist not as independent forces within the community but as manifestations of the community itself. Crime reflects the mores of the community, its missed opportunities, its social, racial, and economic problems, its willingness to tolerate deviant behavior, its ability to absorb the deviants, and its ability to manage itself.

Correctional efforts to reduce the commission of crime by those already identified as delinquents or criminals and to prevent others from turning to crime as an answer to their problems likewise mirror the community's attitudes about itself and its people.

This report is, in part, an examination of the community's perceptions and attitudes about itself, its people, and those certain groups of people who have been labeled as offenders or mentally ill or welfare recipients. These attitudes and perceptions--what I think of you and our society--determine what kind of community San Joaquin County is and will be: what kind of social and economic climate exists.

The report delineates the environment for the community-based correctional organization and programs recommended in Report III and suggests ways for improving that environment.

It is impossible, for example, to change the structure of the public assistance system without changing the community's perceptions of welfare recipients. If the community feels that welfare recipients are just lazy and unwilling to work, public

assistance rules and regulations will be oppressive and services will be nil; if, on the other hand, it believes welfare recipients are victims of social and other circumstances beyond the recipients' control, the rules and regulations will be minimal and the helping services will be maximized.

"...62% of the Stockton churchmen think that the people of lower socio-economic groups are stupid, narrow in view, intolerant, lacking in imagination, lacking curiosity, and lacking ambition. Some people said they were rude, immoral, and dirty. Others said that they were concerned only with their own well being but were not willing to improve their own situation. Among the people who said these things were teachers, professional men, housewives, secretaries, and young people."--Stockton Church Metropolitan Strategies, The Bureau of Community Research, 1965.

In San Joaquin County, the needed environmental improvements can be summarized this way:

1. The community must develop a more positive self-image, a sense of pride in itself and in its ability to solve problems, and a sense of community of interest.
2. The community must develop mutual trust among its people and for its government; government must equally trust its people and share the governmental experience.
3. The community must solve the challenge of racial and economic segregation and accept the challenges against the established order by minorities; there must be no "out" groups, only "in" groups.
4. The community must strive to nurture and develop continuing and stable business and political leadership to provide direction for use of the community's resources.

Perhaps what is most needed is that sense of community expressed by the South Stockton Parish:

We believe that Stockton has the potential to be a model of a true metropolis--reflecting a wide and colorful spectrum of nationality, racial, and ethnic heritages--a true demonstration of the actualization of the American dream and a place of true preparation for living in a world of diversity.*

*A Study Paper on Stockton Schools and Integration, South Stockton Parish, Spring, 1968, pp. 21.

But, these environmental and attitudinal improvements, necessary as they are, will be more difficult to accomplish without scientific management of the criminal justice system. A community that wants effective crime prevention and community-based corrections to help create and implement the improvements suggested above must have or provide the modern management capable of managing toward the community's goals.

Part of the modern management requirement can be met by restructuring local government, eliminating artificial boundaries, creating agencies that group related functions, seeking out the unique talents that exist in any community.

Added to this must be what is known as the science of management. Its dimensions are:

- An information system to provide relevant data for decision making where too little information about offenders, programs and correctional outcomes now exist.
- Application of systems analyses for helping separate effective programs from ineffective ones, for identifying hidden relationships within and without the criminal justice system, for simulating the effect of changes.
- An ability to identify and use cost trade offs, for example, one dollar spent on a new program for absent fathers for a two dollar saving in jail and court costs.
- Budgeting by program with explicit, measurable goals so the effectiveness of a program can be objectively and rationally measured and changes made where necessary.

Scientific management is management by objectives and by performance with respect to those objectives, not promises. And the community, bearing the financial and social burden of crime and delinquency, can demand no less.

How does the community create a climate of optimism? This modern management? This responsive, relevant government? These are a few of the questions this report tries to answer.

Chapter One

SYSTEM ENTRY

The Role of the Citizen

It is the citizen in concert with fellow citizens who largely determine who enters the criminal justice system, first by establishing the threshold of deviant behavior that will not be tolerated, and second, by observing and reporting such activity.

The vast majority of crime that comes to the attention of law enforcement agencies is reported by citizens. The day of the patrolman walking a beat and observing crime is largely over in this electronic age; officers now work from patrol cars, increasing the chances of apprehending an offender because of their ability to respond more quickly than the man on foot. Citizens observe a crime and report it by telephone to police who dispatch patrolling cars by radio.

This report-response system is fast and efficient, especially in terms of utilizing what is at best limited manpower. But no one suggests that it is ideal because it removes and insulates police from the constant person-to-person contact with the public that the walking patrolman experienced.

Police observation still results in many arrests, particularly for the very visible offenses: traffic, drunken driving, and public drunkenness. Many vice arrests result from police observations, independent of citizen complaints; some felony arrests are made as the result of response to burglar alarms and similar devices.

But in the overwhelming majority of cases, especially the serious offenses, arrests are initiated by a citizen who calls the law enforcement jurisdiction in which the crime was committed. This means that in most cases the entire criminal justice process rests on one crucial event--a citizen reporting a crime.

Not only is citizen participation necessary to trigger the processes of the criminal justice system, it is necessary to insure its success. If the citizen is able and willing to identify the offender, the chances of apprehension are substantial; otherwise they are nil. The chances of apprehension are further improved if the offender is also known by the citizen.

The citizen's willingness to participate in this process is almost exclusively a produce of his perceptions of the criminal justice system and the community that created it. If the citizen is black or brown, he often feels that the system works against him and for the status quo; thus he may be reluctant to participate in the system. If he is a middle class white, he usually perceives the criminal justice system as preserving the status quo and the values that he cherishes so he is willing to participate.

It is also a matter of tolerance and life style. What may be intolerable behavior to the middle-class white in North Stockton--the argot of the black militant on the college campus--may be the norm in the community's subcultures and subcommunities.

More study is needed to fully understand this critical link between the citizen and his observation and reporting of crime to police agencies. Obviously, there are differences in the patterns of reporting within the community and from community to community.

Given enough experience and data, these differences in reporting of crime by citizens can be scientifically assessed.

These differences, based now more on empirical than scientific observations, show clearly that although entry into the criminal justice system formally begins with arrest by a police officer, many important correctional decisions are made before this although often they are not thought of as such.

CORRECTIONAL DECISION MAKING

Citizen Tolerance of Inappropriate Behavior

The first, most significant level of correctional decision making is influenced by the variations in citizen, family and community agency tolerance of behavior. Since most crime reports and, therefore, most arrests are directly related to a citizen complaint, it is obvious that citizen attitudes are crucial determinants of police, court, and correctional workloads.

In fact, whether the law enforcement agency is even called to the scene of a crime is a reflection of community attitudes about the kind of behavior the community can tolerate. Behavior it cannot tolerate starts the individual down the rejection route which will expel him from the community by isolating him in an institution.

It is important to understand that the conditions and circumstances which make up what can be termed a "community tolerance level" are very complex and change from hour to hour, day to day; they are different from community to community and in parts of the same community.

The Treatment, The Services, and The Community Resources Available

The second most significant correctional decision takes place before an offender is brought into contact with the formal criminal justice process.

"Each community, through the creation of certain social welfare agencies and the exclusion of others, defines for itself those kinds of offenders which it is willing to sustain in the community."¹

The basic function of any organization in society--family, school, business, church, government--is the continuing improvement of the human condition. Organizations are formed to meet the needs of people; they exist primarily to enrich the lives of people.

It is consistent with this view that public and private social welfare organizations have developed. These agencies along with other community resources are a natural expression of peoples' interest in others and of their desires to be of service.

The kinds of services the community has developed play an important part in determining what kind of offenders the community is able or willing to keep and treat in that community and which offenders need to be isolated in jail or prison.

In this sense, the treatment and services that are available in the community are a measurable expression of a community attitude about people who need the services. Obviously, some communities have more highly developed services for people in need than do others, and some communities are willing to marshal far more of their existing financial and personnel resources than are others.

In San Joaquin County, the level of services available, who receives them, how they are dispensed are measurable manifestations of community attitudes about juvenile and adult offenders, the mentally ill, the retarded, the migrant farm laborer, the "skid-row" alcoholic, the school child in a segregated school, the elderly, the welfare recipient, etc.

Community attitudes about alcoholism provide the most common example of double standards of community tolerance: the "common drunk" is a nuisance to some people and not to others; he is much more of a nuisance if he is a man than if he is a woman--about 20% of all alcoholics are women but only about 2% of the drunk arrests are women. Apparently, community conventions and practices create conditions whereby women are exposed to arrest less frequently than men, and the community is more willing to provide alternatives to arrest for women than men. In the same way, some communities have supported substantial levels of private shelter and care facilities for the homeless alcoholic and, as a result, there are less drunks arrested, prosecuted, and sentenced to jail.

Examples of variations in community agency tolerance and their effects are most plentiful in the juvenile delinquency area:

The schools have a tremendous effect on whether or not a youth will be entered into the juvenile justice system. The school may, on one hand, be reluctant to reject or expel a classroom disciplinary problem. They may assign counselors, work with the family, establish special classes, and so on. On the other hand, they may be overly ready to get rid of a problem by making it another agency's--the juvenile court. The odds against the youth and for society change sharply for the worse with the exercise of such an option.

To a great extent, the recent community panic about narcotics and dangerous drug use has forced the schools into what is probably the worst possible alternative: the premature referral to police of all suspected marijuana and dangerous drug users. As Milton Luger, Director of Youth Services, New York State, said recently:

". . . with the exception of a relatively few youths, it is probably better for all concerned if young delinquents were not detected, apprehended or institutionalized. Too many of them get worse in our care."²

Mr. Luger was referring to the fact that most delinquency including marijuana experimentation is self correcting; the ones who are entered into a youth correctional system are, in perhaps half of the cases, being directed into a long-- and to society, an expensive--career of extended delinquency and crime.

The great disparity in patterns of official response at every major decision point of the juvenile justice system provides startling testimony of the variation in community agency tolerance.

-- "In 1967, police referred approximately half of all juvenile arrestees to probation in California but in the jurisdiction of highest referral some 95% were turned over to the probation department while at the opposite end of the spectrum only one-third were referred."³

-- "Of those referred to probation statewide, an average of 36% were subject to the filing of a petition in juvenile court. The range was from a high of 100% to a low of 7%"⁴

A study of crime and delinquency in two cities in Contra Costa County--a county contiguous to San Joaquin County--discusses these variations in community tolerance in terms of "absorption."

". . . absorption may be defined generally as the attempt of parents, schools, neighborhoods, indeed, the communities, to address the problem of delinquent and deviant youth by minimizing referral to one of the official State or County agencies designated to handle such youth; or, if there has been a referral to one of these agencies, the attempt to remove the offender from the official process by offering a solution, a technique, or a method of dealing with the offender outside of the usual agency channels. Prior to the initiation of the project, it appeared that the agencies themselves, including law enforcement, probation and the courts, seemingly had been not only tolerant and supportive of this approach, but had encouraged it. Absorption by the community, except for the most flagrant law violations, appeared as the normal method for handling youthful offenders in the middle-class community. However, in recent years, this pattern had suffered a decline and an exploration of its restoration became a major object in the . . . research."⁵

It follows from this viewpoint that a rising incidence of reported crime, increases in arrest, or increases in criminal commitments to correctional programs may reflect more of a disintegration of a community's ability to absorb its delinquency than it is an indication of increased criminal activity. If this is the case, it is desirable to help revive those community processes which once were able to handle the problem.

It may be that these very processes are weakened by having the official agencies of the criminal justice system assume increased responsibility for disposition of cases brought to their attention.

"It may appear to some that the absorption process is 'undemocratic' since lower socio-economic classes do not generally enjoy the advantages of the informal handling of deviance described above. Our initial data suggest that middle-class absorption, rather than being an instance of privileged consideration is, in fact, a condition of engaging and treating delinquency which should be extended to and strengthened among the less advantaged. This observation can be supported by a demonstration of the effectiveness of the informal handling of delinquents through absorption."⁶

Formal Agencies of the Criminal Justice System

The third most significant level of correctional decision making determining entry into the criminal justice process involves the formal agencies of the criminal justice system itself--the police, the courts, and probation, parole, and other correctional agencies.

Law enforcement, judges, probation personnel, parole officers, and intake workers of the public and private agencies of the community make important correctional decisions.

The gross evidence is that heretofore the San Joaquin County community has been operating with a relatively low order of community correctional alternatives and that its ability to absorb crime and delinquency with its informal and formal alternatives to incarceration is limited.

Nowhere is this phenomenon seen more clearly than in the pattern of the overuse of detention for both adults and juveniles and, subsequently, patterns of court misdemeanor and felony sentencing to jail. As a result, the San Joaquin County Jail has at least twice--more likely, thrice--the inmate population that the county population and level of crime would produce in most other counties in California.

This is evidence of an overused rejection route for expelling nonconforming individuals from important segments of community life. And it is a route that is clearly marked.

Consider this all-too-familiar route drawn on the earlier example of removing a student from school:

1. A student is expelled from school and referred to police and probation authorities because of persistent truancy and running away from home; school officials say they have neither the programs nor the personnel to retain him in school.

2. The youth, no longer a student, is placed in juvenile hall because he violated the terms of his probation by running away from home again; probation authorities have "labeled" him as a probationer but say they have neither the programs nor the personnel to retain him in the community.
3. The youth, who repeatedly runs away from home despite repeated weekend and longer commitments to juvenile hall, is committed to the California Youth Authority; the Youth Authority says it has neither the programs nor the personnel to retain him in the community.

The succeeding stops along this route are often jail and then prison. There may be detours along the way but this is a route straight out of society. And it may be that no where along this route did anyone attempt to find and treat the causes of the deviant behavior; they treated the symptoms first by locking him out and then locking him up.

Possibly this youth was started along the rejection route at birth because he was black or brown. Possibly the first labeling came in school. But whenever it occurred, it facilitated the process of sequential removal from the community. Even though he may return physically to the community from which he came, his membership in that community will never be the same.

Probationers and parolees, youth and adult, have a higher recidivism rate in on San Joaquin County than do comparable parolees and probationers elsewhere in California.

A community that is "tough" on its first offenders and its juveniles produces people with more severe criminal records. If the individual appears in court again, this more severe record becomes a factor in deciding disposition of the current offense. This appears to be a significant factor in the escalation of the criminal records of San Joaquin County offenders.

Because the "absorption process" functions more consistently with the middle class, it is often the poor who become labeled and,

subsequently enter into these rejection routes. And, because the official agencies of the criminal justice system administer the rejection route, it is often the poor who become the clients of the official agencies of the system. Once labeled or identified as a client of the system, the offender is in a sense "tracked" and it is then more difficult to get back into the mainstream of the dominant social circles of the community--if he was ever there in the first place. The fact is that the communities of San Joaquin County are economically and ethnically segregated communities. The agrarian background of the area places certain ethnic and economic groups at the very bottom of the social ladder--people who are easily identifiable by reason of their language, skin color, foreign birth, occupation, or habits.

This makes it appear as if the criminal justice system is undemocratic--one system for middle-class people who avoid formal official agency involvement or receive suspended sentences, releases on bail, fines and restitution orders, and a second system for the poor who, lacking funds to post bail, employ counsel, or to pay fines, are sentenced to jail. While the services of the public defender are technically available to those who request this service, social alienation of this population coupled with subtly enticing court arraignment procedures produces an exceptional rate of guilty pleas with the right to defense counsel being waived.

These factors partially explain why the San Joaquin County Jail has more than twice the number of inmates than the county population and level of crime would produce in most other counties in California.

Creating a greater ability for the community and its agencies to absorb inappropriate behavior by its citizens will depend upon

the development of more informal and formal community based alternatives to incarceration. A number of these have been recommended in the Model Community Correctional Program:

- Medical treatment for the alcoholic
- Misdemeanant probation
- New strategies for dealing with the absent father in Aid to Families With Dependent Children cases
- Shifting dependent and neglected children from children's home (a children's jail) to foster and group homes
- Utilizing the highly favorable cost trade-offs involved in avoiding incarceration of welfare recipients
- Police use of citation in lieu of arrest
- Pre-trial and pre-sentence release-on-own recognizance
- Community-wide job development with increased employment opportunities for minorities in both private and public agencies
- Utilization of community agencies in performing correctional program services for the formal correctional agencies

But, in developing programs of public reorientation, merely prescribing and presenting a blueprint for action is not enough. The necessary changes in the criminal justice system are as much a change in attitude as they are a change in processes or new program proposals. Further, these changes will only take place as the local public and private agency power structure recognizes a major shift in the public's attitude and demands. This means that change must be triggered by informed and active citizen advocacy for change. Judging from the very difficult experiences of the Model Community Correctional Project Policy and Review Council, this process can be filled with difficult conflict for a community's citizens and its officials. The value of change must outweigh the discomfort of such conflict and, therefore, the value has to be substantial to a

large number of citizens as well as compatible with the needs of those in power before it results in a shift in actual practice.

The Public's Role--Expectations of Law Enforcement

The public, the great mass of the law abiding, tax paying public must share if not assume the burden for the failures of the criminal justice system. The public through its lawmakers in effect tells police to enforce the law and then cries out in anger and despair when enforcement does not control crime. This places unrealistic demands upon the police, and later upon the courts and corrections agencies.

The President's Commission on Law Enforcement and Administration of Justice said it eloquently--and considered it so important that it is on the first page of the Police Task Force Report. The Commission declared:

"Because the police have the responsibility for dealing with crime hour by hour, where, when, and as it occurs, there is a tendency on the part of the public, and often of the police themselves, to think of crime control almost exclusively in terms of police work. . . . The fact is, of course, that even under the most favorable circumstances the ability of the police to act against crime is limited. The police did not create and cannot resolve the social conditions that stimulate crime. They did not start and cannot stop in the convulsive social changes that are taking place in America. They do not enact the laws that they are required to enforce, nor do they dispose of the criminals they arrest. The police are only one part of the criminal justice system; the criminal justice system is only one part of the government; and the government is only one part of society. Insofar as crime is a social phenomenon, crime prevention is the responsibility of every part of society."⁷

"Crime prevention is the responsibility of every part of society." The words, the concept, cannot be too strongly emphasized.

The Stockton Board of Education, for example, may not feel that it has a role in crime prevention. But if the education provided by the Stockton Unified School District is not relevant to the needs of its students, if it does not solve the social problems inherent in de facto school segregation, if it does not do these and scores of other things, then it has, albeit indirectly, contributed to the social conditions, the social convulsion that causes deviant and delinquent behavior.

The same can be said of the Housing Authority of San Joaquin County, the Stockton City Council, the County Board of Supervisors, and every other governmental and quasi-governmental agency.

And, it can be said of the individuals who make up the law-abiding tax-paying public that assigns to police a role that police cannot possibly fill.

The employer who discriminates in his hiring practices, the merchant who takes everything out of the ghettos and puts nothing in, the real estate man who battles open housing, the churchman who ignores the problems of the society around him, all these and more have a crime prevention role. For some, it is a matter of taking positive, rather than negative, action; for others, it is merely a matter of getting involved with the world around them.

Again, the President's Commission, which made one of the most detailed studies of police ever undertaken, puts it eloquently:

". . . In communities and neighborhoods where the other instrumentalities of society whose success bears directly on controlling crime have failed--families, schools, jobs, markets, and welfare agencies--the police must handle an enormously increased volume of offenses, both serious and petty.

"It is when it attempts to solve problems that arise from the community's social and economic failures that policing is least effective and most frustrating. For, while charged with deterrence, the police can do little to prevent crime in the broader sense of removing its causes. On the whole, they (police) must accept society as it is--a society in which parents fail to raise their children as law-abiding citizens, in which schools fail to educate them to assume adult roles and in which the economy is not geared to provide them with jobs.

". . . The adjustment of conceptions of what can be expected of the police is particularly difficult for people who are themselves law-abiding and who live in a law-abiding community. For them, the phenomenon of crime seems far simpler than in fact it is. The voluntary controls of society work well for them and, since they have no desire to violate the criminal law, their supposition is that crime must be a choice between right and wrong for all men, and that more effective policing alone can determine this choice. Thus, public concern about crime is typically translated into demands for more law enforcement, and often into making the police scapegoats for a crime problem they did not create and do not have the resources to solve."⁸

Alternatives for Crime Prevention and Control

It is not enough to merely point out that the community has unrealistic expectations of what enforcement alone will accomplish, nor to just caution that the present over-investment in enforcement and increasingly severe penalties may be aggravated by proposing even more enforcement as the traditional solution. The blind faith in increased enforcement must be reassessed and new, more effective approaches must be found to complement and supplement the necessary levels of enforcement.

First, it must be recognized that 90 percent of the activity of local law enforcement agencies is non-criminal; most of the activity is providing services--answering the how, what, when, where, and why of urban living.

Law Enforcement Function as an Emergency Service Delivery System

Because they are highly visible to the public and easily identified by uniform or squad car, police agencies are forced to pick up the work left undone by other existing governmental agencies that only serve clients from 8 a.m. to 5 p.m. As the visible symbol of government, police agencies respond to this need. This response takes up a significant part of the law enforcement expenditure of time and resources.

The Model Community Correctional Project studies have identified a number of symptoms that indicate problems with the service delivery system in the community.

1. Inter-agency squabbles results in police workload.

Where inter-agency cooperation has broken down, police may have to temporarily provide emergency services while attempting to reconcile the differences of the two or more agencies involved.

2. Efforts to get the responsible agency to respond with the needed services are sometimes unsuccessful.

3. Law enforcement follow-through may not be consistent.

Law enforcement may not consistently take the steps necessary to follow through and see that the service is provided or the problem involved in the breakdown of the service delivery system is corrected. This is especially important when gaps in services are identified. Law enforcement must bring the situation to the attention of agencies which can possibly deliver the service.

4. Inadequate or make-shift services.

Law enforcement occupancy of the helping role is often makeshift, inadequate, or inappropriate. Law enforcement cannot be expected to be expert in all fields. Under the pressure of being all things to all people, law enforcement can do little more than provide the initial attention which should be followed by an agency more equipped to diagnose and treat social and medical illness as needed.

5. Unnecessary arrest, detention and commitment.

In Metropolitan Stockton, as well as in outlying cities of the county, it is not uncommon for a family or individual crisis to occur where services can be provided only if arrest or commitment takes place. In San Joaquin County certain counseling, medical treatment, and welfare services are not available unless the citizen is a client of an agency of the criminal justice system.

"Is it possible that the proliferation of service agencies may serve to militate against the past personalized approach by police personnel, thus making them appear only as unfeeling cops in the establishment machinery of control and suppression?" Comment offered by a businessman on the Project Policy and Review Council.

6. Law enforcement's helping role can prevent development of needed services.

The good will law enforcement receives from providing services may slow the transfer of this responsibility to the appropriate agency, even when that agency has the resources to provide the service and is willing to do so. This may result in a substitution of repeated first aid when what is needed is continuous goal-oriented treatment by specialized staff.

7. Services are said to exist but people needing the services are not receiving them.

This condition is often the result of "over-sell" on the part of an agency representative. A number of programs exist only on paper or in annual reports. More importantly, however, is the finding that the manner in which many public services are organized make it difficult for the poor to make use of them.

Over-centralization in one large building which serves the entire county, poor location of facilities, and inappropriate office hours exist. As a result, even when services exist, they are sometimes not used and an emergency situation results. The conclusion is obvious:

The service delivery system must be reorganized to accept the life styles of the poor and the minorities and to correct the imbalances that exist.

Consider that:

The poor and the minorities, often but not always the same people, definitely get second rate services for the reasons outlined earlier;

The symptoms of their problems are usually more advanced than those of the more advantaged before they seek help;

They have few means and little chance to make their complaints known.

As Anselm L. Strauss notes in "Medical Ghettos" in Trans-Action magazine:

"The reason the medical systems have not reached the poor is because they were never designed to do so. The way the poor think and respond, the way they live and operate, has hardly ever (if ever) been considered in the scheduling, paperwork, organization, and mores of clinics, hospitals, and doctors' offices. The life styles of the poor are different; they must be specifically taken into account. Professionals have not been trained and are not now being trained in the special skills and procedures necessary to do this."⁹

Substitute "criminal justice system" for "medical systems" and "police station, jail, and courts" for "clinics, hospitals, and doctors' offices" and Strauss could be describing the principal focus of this report.

Some of the common problems that blunt the effectiveness of the present service delivery system in San Joaquin County include:

1. Wide range of law enforcement commitments effecting direct crime prevention and apprehension activities may lead to a lack or inadequacy of services.

An example of this situation is the enormous amount of police time and energy that could be used more profitably now directed at the arrest, rearrest, detention, prosecution, and incarceration of public drunks. This activity would not be necessary if the community had a detoxification center, treating the drunk as a medical, not a criminal, problem.

Similarly, fewer juveniles would need overnight detention in the juvenile facilities if absorption or other alternatives were available.

Provided with these resources, police could offer better services to the total community.

2. Frustration over inability to obtain services.

Long waiting lines, large caseloads, bureaucratic indifference, public disinterest, and arbitrary eligibility requirements for public services are constant annoyances to persons in low income, high delinquency areas who may be already carrying enormous personal and family responsibilities as well as the stigma of being from such an area.

"I don't think this is much different for middle class who wait for doctors, in line at the bank, barber shop, etc.

The services you speak of are to combat emergencies, not to cultivate a sense that the ultimate in good living is through such services."

. . . Comment offered by a lay citizen representative on the Policy and Review Council.

3. Ignorance of available services or how to use them.

A job, a hot meal, a place to stay, medical help, transportation, financial emergencies, companionship-- these are some of the needs that commonly have been at the root of a criminal offense. Being unaware that employment, medical, and other services are available in the community or how to get them can create the criminal problem with which police will have to deal. It is a matter of matching the individual's needs with the services that exist and showing the individual how and where to get them.

The Police Role--Expectations of Law Enforcement

The rejection of police in high delinquency areas stems as much with dissatisfaction with the quantity and quality of all public services as with the detention-apprehension-arrest functions of the law enforcement agencies. Obviously, some of this rejection, both in low income, high minority areas and high income, low minority

areas, stems from the basic enforcement of the laws--no one wants to be arrested or have a friend or relative arrested.

This latter phenomenon cannot be changed unless society is willing to forego arrests and other enforcement activities, and no one would suggest that. However, as discussed elsewhere in the Model Community Correctional Project reports, increased use of citations, station house releases, and other programs directed toward incarcerating only those who would be a hazard to themselves or others might minimize some of this rejection.

"Much of the less than desirable image our police now have is caused by a direct effort by some elements of our society to create disrespect for police, law and order, and the establishment in general. Perhaps a useful step toward creating a better public attitude regarding law and order would be to appropriate funds for the purpose of exploiting the favorable aspects of law enforcement activities, and law and order, generally."--Comment offered by a citizen representative on the Policy and Review Council.

In no other field of endeavor can it be said--as it can of law enforcement--that police are respected most where they do the least and respected least where they do the most.

This lack of respect is not limited to the big city ghettos or the college campuses where confrontation is increasingly a way of life. Almost one-third of the 1,529 Metropolitan Stockton residents queried in the City of Stockton-County of San Joaquin-California Division of Highways transportation study in 1967 rated the protection provided by the Stockton Police Department and the County Sheriff's Department as fair, poor, or very poor. Most of the adverse ratings came from areas of high police activity.

It is obviously encouraging for law enforcement agencies to know that two of every three persons they serve rate police protection as good or very good. But police and the community must also be concerned with the one of every three who disagrees.

The table below reflects the distribution of the community's ratings of its police protection:

RESPONSE	SOUTH	EAST	NORTH EAST	NORTH WEST	CEN-TRAL	NORTH * CENTRAL	WEST	FRENCH CAMP*	TOTAL*
Good or Very Good	46%	51%	63%	69%	74%	83%	74%	54%	69%
Fair, Poor, or Very Poor	54%	39%	37%	31%	26%	18%	26%	47%	32%
*Do not add to 100% because figures rounded. Sample of 1,529 persons.									

What should be of deep concern to local policing agencies is the fact that in the southern section of the metropolitan area where there is a large concentration of racial, ethnic, and economic minorities and a high rate of police activity, more than half (54%) rate police protection no better than fair. This is in sharp contrast to the high ratings (83% good or very good) given by residents in the north central city, and area characterized by a largely Caucasian population of above average personal income.

In other words, the survey and countless empirical evaluations disclose that satisfaction with police service is lowest in the very areas where most of the law enforcement manpower is being thrown into enforcement activity, where the level of patrol and arrest activity is several times that of some areas of the metropolitan urban area.

It must be noted that other public services also received unfavorable ratings in the southern metropolitan area; thus the poor police ratings may be related more to perceptions of total services than to actual police performance. There is no intent on the part of the Model Community Correctional Project to blame the police agencies for this condition, only to report how public services are perceived, some of the reasons for these perceptions, and some corrective measures since it is essential to achieve police and minority community rapport.

The complaint is not, as some would have us believe, too much police activity but too little police protection.

This creates the dilemma for police: what is appropriate in middle class areas of the community may not be appropriate from either an enforcement or public image viewpoint in the lower class, higher delinquency areas of the community.

In the more affluent, largely Caucasian areas of a community where there is little reported crime and little arrest activity, police enjoy a good reputation. Increased enforcement in these areas is viewed positively and results in an even better image of the police. Over the years, this has led to a strengthening of the belief that providing highly visible evidence of increased enforcement acts as a deterrent to would-be offenders, and there is some evidence that it has.

But increased activity in low income, high delinquency, largely minority areas of a community is not necessarily accompanied by an increase in feelings of police protection by residents in the area. In fact, as the Metropolitan Stockton survey suggests, an increase in highly visible police activity may only increase the citizen's feeling of peril.

It must be emphasized that there is insufficient evidence to postulate that highly visible enforcement activity in these high delinquency areas actually is a deterrent, particularly if it results in a lessening of the image of the police agency. In fact, there is evidence that such activity increases the tension in some areas and incidents involving police officers have often sparked civil disorder and unrest.

In view of the overriding reliance on citizen reporting of crime and citizen cooperation in identifying offenders, the local law enforcement image is a crucial ingredient in crime deterrence and prevention.

This in no way is meant to suggest that such a high delinquency area should be turned into a no man's land without police protection and law enforcement. It is meant to suggest that the traditional response of more uniformed men, more patrol cars, more visible police activity may be inappropriate or inadequate.

Stockton Police Chief Jack A. O'Keefe, for example, recognized this during racial disturbances in the Sierra Vista public housing project during the summer of 1968 when he directed his officers to respond only to verified complaints and make only perimeter patrol of the area. Chief O'Keefe recognized that the mere presence of a red and white patrol car with uniformed officers responding to a prank--or crank--call or patrolling the streets could escalate tensions to incendiary proportions. There is every indication that this policy worked--tensions eased.

There were, of course, critics of the policy, both within and without the Police Department. Many believed a show of force was necessary with more force available if trouble--even if it was caused by the police presence--occurred.

This perhaps points up that public expectations of what police can accomplish through the enforcement function are often totally unrealistic. The public all too often is willing to overlook the responsibilities of the other institutions and assign the entire burden for correcting urban ills to police.

The criminal justice system is heavily dependent upon citizen reporting of crime and citizen cooperation in the prosecution process. Without this "trust"--a trust closely tied to the law enforcement image--the law enforcement agency cannot enforce the law, protect the public, nor prevent crime.

Law enforcement agencies can do a great deal to improve this image by enlarging their role to include correction of the community's system of delivering services to its citizens as well as correction of the offender. This does not mean that law enforcement should provide the services themselves. Law enforcement must help correct the system so the responsible agency begins to provide the service. To do this, law enforcement must occasionally become an advocate for the poor and an advocate for programs which will improve the community's ability to provide better ways of delivering needed services to its citizens. The growing interest in a model cities project for Stockton is an example of such a program.

In San Joaquin County, law enforcement agencies can do more to improve the service delivery system to the high delinquency areas: identifying those who are having trouble obtaining public services, identifying breakdowns in the system and initiating action to correct these breakdowns, identifying services that need to be developed and helping get people to the services they need. This is an essential element of any police crime control and prevention program.

In particular, identifying these problems and working toward solutions in high delinquency areas are appropriate functions of the community relations staff of the local police agencies. Such efforts improve the police agency image in these high delinquency areas and, therefore, should help reduce crime as the community perceives that the police role is truly one of helping and protecting.

This police role, ages old in practice but new in definition, must be consciously established and maintained less it revert into intelligence unit activities or other manifestations of the enforcement mold.

It is equally imperative that the community relations staff reflect racially the minority community with which it primarily deals. This need has been recognized in San Joaquin County by both Stockton Police Chief O'Keefe and Sheriff Michael N. Canlis, who have purposely included Negroes and Mexican-American on their community relations teams.

SOME RECOMMENDATIONS

To meet the many and varied responsibilities, police agencies should consider among other things:

- "Corrections" involves correcting the system of delivering services as well as correcting offenders.
- Structural and organizational changes to eliminate the artificial barriers created by city, county, and other political subdivision boundaries.
- Emphasizing the police role as communicators and brokers, serving as what one observer terms "all purpose ombudsmen" to match people and their needs to available services and to insure that those services are provided by the appropriate agency.
- Recruiting personnel from the minority communities so that the police agency better reflects the community with which it deals.

- Using former offenders and others from the minority communities as community liaison aides to help bridge the communications gap.
- Better training and retraining of personnel to make them aware of the problems of the minority subcommunities and of their own biases.

"Don't blow your cool and be the one who starts an incident. One man who allows his bigotry to enter into a police decision can do more damage than a hundred men can do good."--Former Los Angeles Police Chief Thomas Reddin in a department newsletter.

- Establishing area councils with membership drawn from both those sympathetic and antipathetic to police to solve mutual problems.
- Increasing formal crime prevention programs and decreasing response time to complaint calls to provide better protection.
- Participating with welfare, educational, and other agencies in multi-service centers on the neighborhood level.
- Increasing use of citations in lieu of arrests, warnings in lieu of citations.

Underlying all of these recommendations and the scores of others that could be made is the necessity for the officer in the field to realize that community relations in all its myriad forms makes his job easier, increasing the community's trust and confidence in him, and reducing the crime and delinquency that is fostered by distrust and alienation.

That police feel uncomfortable in many of the suggested roles is understandable. They generally perceive of their roles in quasi-military terms--fighting crime, warring on vice, etc.--and consider community relations, in military terms, as pacification.

They are expressing the dichotomy that exists in law enforcement today. As James Q. Wilson observes:

"In effect, municipal police departments are two organizations in one serving two related but not two identical functions. The strategy appropriate for strengthening their ability to serve one role tends to weaken their ability to serve the other. Crime deterrence and law enforcement require, or are facilitated by, specialization, strong hierarchical authority, improved mobility, and communications, clarity in legal codes and arrest procedures, close surveillance of the community, high standards of integrity, ... maintenance of order, on the other hand, is aided by departmental procedures that include decentralization, neighborhood involvement, foot patrol, wide discretion, the provision of services, an absence of arrest quotas, ..."10

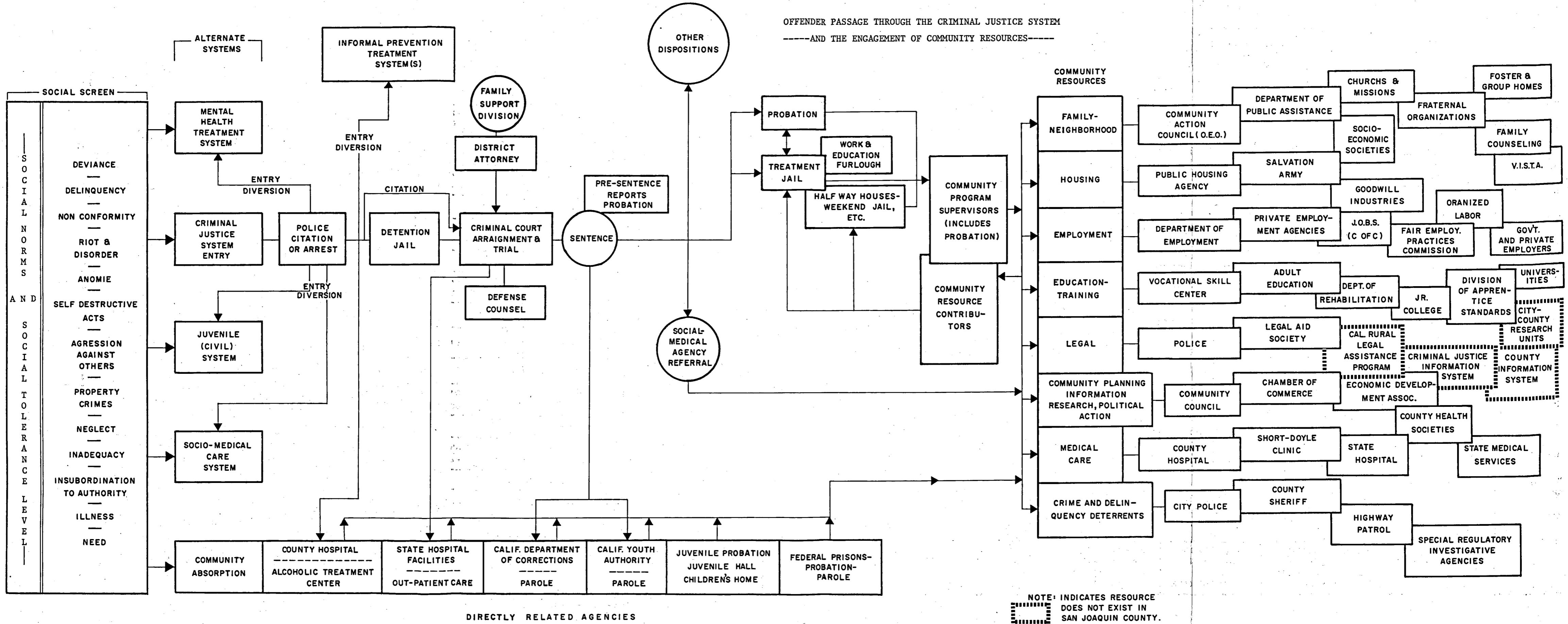
There is obviously a need for a balance between these two competing objectives. And finding that balance is the challenge of not only the police agencies but the community as a whole.

As the President's Commission on Law Enforcement and the Administration of Justice observed:

"Crime is a social problem that is interwoven with almost every aspect of American life; controlling it involves changing the way schools are run and classes are taught, the way cities are planned and houses built, the way businesses are managed and workers are hired. Crime is a kind of human behavior; controlling it means changing the minds and hearts of men. Controlling crime is the business of every American institution. Controlling crime is the business of every American."11

Until the whole community, its citizens and its institutions, realize this, crime will not be controlled. In all too many situations, the root problems that produce crime and delinquency have been ignored and the responsibility for suppressing the symptoms has been assigned to law enforcement agencies.

OFFENDER PASSAGE THROUGH THE CRIMINAL JUSTICE SYSTEM
 -----AND THE ENGAGEMENT OF COMMUNITY RESOURCES-----



NOTE: [Dotted Line] INDICATES RESOURCE DOES NOT EXIST IN SAN JOAQUIN COUNTY.

The chart on the previous page was drawn to illustrate a number of correctional program features. First we call attention to the existence of three formal alternate systems to the criminal justice system: (1) Mental Health, (2) Juvenile, and (3) Socio-Medical Care. These are either direct inputs or result from police/court referral after apprehension or arrest. A fourth alternative system is indicated as "community absorption"--the informal arrangements which allow the family, the neighborhood, the schools and churches, etc. to deal with various forms of deviance or delinquency without assistance of the other more formal criminal justice agencies.

The input to these various systems is so that cases processed by one system are not handled by another. Since the formal criminal justice system should be the alternative used as the last resort and it is the most expensive of the alternative systems, every effort should be made to improve or optimize use of these other systems.

Examples: (1) Divert alcoholic to socio-medical care system, (2) divert more of the 18 to 21 year old non-drunk misdemeanants--21% or over 1100 of all non-drunk misdemeanants broked in 1967--to the juvenile justice system.

Secondary diversions are indicated (1) after arrest by the line shown as "citation" which by passes the detention jail or (2) court referral to State Mental Hospital (or back to Juvenile Court). Increased police use of citations in lieu of arrest or after booking will drastically reduce detention jail population, expense of movement to court and even out court workload.

On sentencing, the court has a vast range of alternatives some of which include referral to State correctional systems. (Department

of Corrections and Youth Authority). The State agencies, plus the local juvenile justice system, and the U. S. Prison System must-- as does the local probation-jail system for adults--end up utilizing to some degree the varied community resources displayed at the right hand side of the chart. As a principle, the more local, non-criminal justice community resources are utilized in corrections and community reintegration programs, the better the outcome. Note, however, that only local correctional services--jail and probation--can fully utilize these services while the offender is in some degree of incarceration.

THE RESPONSIBILITY OF THE CITIZEN

The responsibility of the individual citizen is both singular and collective. It is singular in the sense of triggering the criminal justice processes and collective in the sense of establishing and changing the criminal justice processes and services. The exercise of these responsibilities is the result of the individual citizen's perception of what part he plays in the local criminal justice system.

"I Like Stockton" buttons and "Support Your Local Police" bumper strips may be manifestations of these perceptions, but they fall far short of what is needed.

"To reduce crime in their communities citizens must be prepared to back up their police forces with more than slogans," emphasizes the President's Commission on Law Enforcement and Administration of Justice.

What, then, can the citizen do?

First, he must recognize that if he as an individual does not exercise prudent personal measures to prevent crime, if he is unwilling to lend his own expertise to aiding the criminal justice system, if he does not report crime--and one need only recall the 38 persons who heard and ignored the screams of Kitty Genovese as she was hacked to death on a New York sidewalk in 1964--then the system cannot succeed and crime cannot be controlled or prevented.

The public does not expect fire departments to single handedly discover and extinguish the fires they cannot prevent; the public willingly serves as the fire departments' eyes and ears, reporting conditions that could lead to fires and sounding the alarm when fires occur. But crime, it seems, is another matter; too few want to get involved.

Second, the citizen must recognize that he has a collective burden shared with every other citizen because the criminal justice system is an instrument of government and government is the creature of the citizenry. If the citizen works collectively, he can make the reforms, the changes, the innovations in government that are needed. If he then elects competent officials, provides these officials with the funds and resources they need, and rationally supports their activities, he can expect and demand a responsive, responsible criminal justice system.

Formal and Informal Roles

The citizen can and should have formal, structured roles within the criminal justice system and informal, unstructured roles outside it. The formal roles are those assumed in serving on advisory or planning bodies and on citizen crime commissions. The informal roles involve personal service and efforts and those of private organizations outside the system. Each is important in its own way, providing the criminal justice system with the understanding, support, and innovative ideas it needs.

There are many ways the criminal justice system can get this support, understanding, and innovation, but one of the prime means is organizing the participation of citizens on advisory or planning bodies that aid legislative bodies, not shield or insulate them from problems. Such lay planning or advisory bodies are particularly necessary in the criminal justice system because the clients of this system--the offenders--have absolutely no special interest lobby on their behalf, no watchdog group insuring that their needs and the needs of the total community are being met.

Crime Prevention Bodies

San Joaquin County has generally been inhospitable to citizen advisory bodies although it has had a number that existed more on paper than in fact. And their efforts have had little co-ordination, and less impact on the criminal justice system.

Some of these advisory bodies such as the now defunct Citizens Welfare Advisory Committee or the Metropolitan Sewer Study Committee may seem far removed from crime prevention, the focus of this report. But this is because the committees and the legislative bodies that created them fail to perceive the larger problem, the larger role.

As the President's Commission on Law Enforcement and Administration of Justice observes:

Crime prevention can be built into almost every aspect of community planning. Unfortunately it is too often ignored because of the compartmentalization of municipal and county agencies. Crime is looked upon as the exclusive province of the police department and not the concern of those in charge of education, housing, urban renewal, health, welfare, or streets and highways. Both the police themselves and the other municipal agencies are guilty of this type of myopia.¹²

This compartmentalization is particularly evident in San Joaquin County where the six cities, whose functional role in the criminal justice system is largely limited to providing their own police departments, have allowed the county to assume almost total responsibility for crime and delinquency prevention planning.

But the county is no less compartmentalized or fragmented in its approach: there is a Juvenile Justice Commission but no advisory body for adult correctional services; there is a Delinquency Preven-

tion Commission but it has no relationship to the Juvenile Justice Commission.

Sections 4300 through 4305 of the California Penal Code provide for the creation of an Advisory Committee for Adult Detention, but none exists in San Joaquin County although the 1968 edition of the California Sheriffs Association "Jail Manual" sees such a committee as "both a public service and as a means of securing public acceptance and direction." Moreover, the manual says, "law enforcement must always be responsive to suggestions of lay persons in areas concerning detention programs."

Such a committee obviously has merit. It would, however, be far more preferable to create a committee with an overview of adult detention and probation, complementing the Juvenile Justice Commission and the Delinquency Prevention Commission which have similar overviews of juvenile detention and probation.

But far more preferable yet would be creation of a single advisory body encompassing the entire criminal justice-community correctional system. This body should also serve as the local planning agency required to secure federal matching grants under the Safe Streets and Crime Control Act of 1968 and be provided with a competent, paid staff.

This act is directed in part toward what a local crime and delinquency prevention and corrections advisory committee should be doing: "prepare and adopt comprehensive plans based upon their evaluation of state and local problems of law enforcement."

The planning work for funds under the federal law is, unfortunately, being attempted on a multi-county basis at the direction of the California Council on Criminal Justice. A number of local

officials have objected to this, but little corrective action can be taken immediately because of the deadline for the first round of applications for planning grants.

This does not, however, obviate the need for a county planning and advisory body. In fact, it reinforces the belief that such planning must be done on a local basis with regional and state coordination of local plans.

The comprehensive statewide crime control plan prescribes procedures and policies for local grants under the Safe Streets and Crime Control Act; these grants should provide the funds to strengthen and improve local law enforcement, which includes police, courts, and correctional agencies.

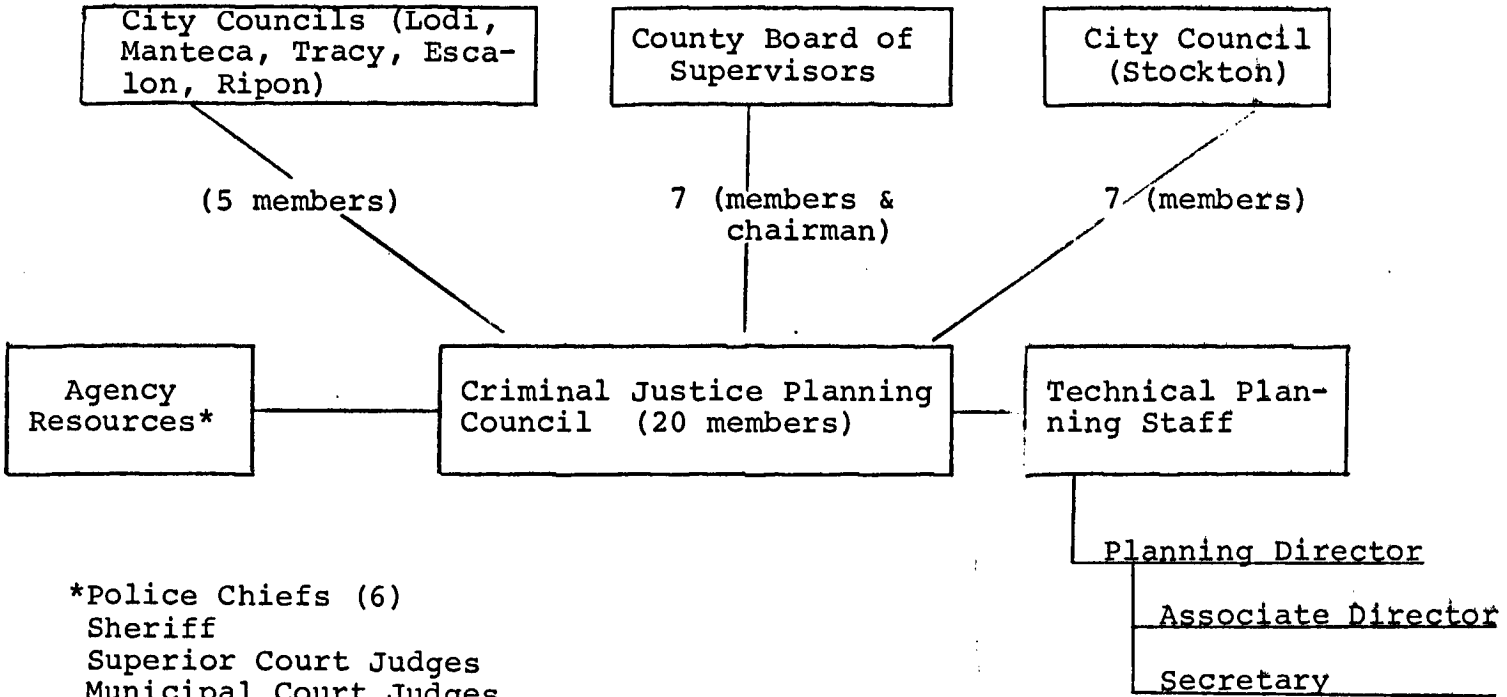
The law basically provides that the federal government will pay 60% of the cost of innovative programs in law enforcement. Local agencies would provide the remaining 40%, although nothing in the law precludes the state from contributing any part or all of the required 40%. State funds allocated for a probation subsidy program could, if used for an innovative program, constitute the local share for a matching federal grant.

The ideal model for the organizational structure of a local planning body under the act is shown on the following page. This structure places the citizen in the prime policy making role as he is on a city council or a board of supervisors and avoids the dominance by system professionals that often results in maintenance of the status quo.

A lay citizen planning body is needed because no existing legislative body has the time to cope with the welter of inputs involved in a system that cuts across so many agencies, jurisdictions, and separate branches of government.

"The term for serving as a representative could be set at whatever length of time appeared suitable; however, terms should be arranged so that continuity of a majority of the membership is retained from one month to the next. The organizational structure looks good but twenty members on the Criminal Justice Planning Council appears to create an unwieldy group. Would it be practical to trim the group to a representative from each City Council including Stockton's and a single representative from the Board of Supervisors?"--Comment offered by a representative of the business community who served on the Policy and Review Council.

PROPOSED ORGANIZATIONAL MODEL
FOR A COUNTY CRIMINAL JUSTICE PLANNING AGENCY



- *Police Chiefs (6)
 Sheriff
 Superior Court Judges
 Municipal Court Judges
 Justice Court Judges
 Probation Officer
 District Attorney
 Public Defender
 District Parole Supervisors (3)
 Employment Manager
 Vocational Rehabilitation Manager
 Welfare Director
 School Superintendents
 C.A.C. Director
 Public Health Director
 Hospital Administrator
 Data Processing Manager
 County Administrator
 City Manager
 Etc.

There is no question, however, that such a lay body needs the advice and counsel of the system experts and these experts must be given full opportunity to state problems and propose solutions. At the same time, the citizen must be provided with a technical staff such as that provided every policy making body to aid in evaluation and synthesis of proposals. This synthesis and evaluation must cut across many agencies and disciplines because the problems do and, funds should go where the need is greatest and to the program that is most responsive to that need.

A lay citizen advisory body should be one whose members have had broad experience and demonstrated skills in the organization, assessment, planning, and management of complex programs. Specifically, such a body should draw its membership from business and industrial executives, local legislators, members of existing advisory bodies such as the Redevelopment Agency, civic leaders such as the chairman of the League of Women Voters, labor leaders, professional society leaders, racial minority leadership, and youth leadership such as a college student body president.

The Businessman

Business and industrial leaders have three roles in community corrections and the criminal justice system: first, providing appropriate correctional and other "housekeeping" services on a contract basis;* second, offering their expertise to the lay planning body; and third, developing in themselves a sense of community.

*Chapter 2 pages 21-25 for detail.

This third role may seem far removed from crime and corrections, but as Daniel P. Moynihan, head of President Nixon's new Council for Urban Affairs, observes, "The millionaire who owns a plant and pours soot into the air does so because he doesn't know who you are and doesn't feel he has to act as if it matters to him. He doesn't have a sense of community. He's no different from the half-crazy kid snatching purses in the ghetto."¹³

Unless this sense of community, this sense of being part of a greater whole is developed within the business community, the billions spent on crime prevention, education, welfare, and other programs will go for naught.

One of the ideal ways to develop this sense of community is to get the businessman involved, but that involvement must be meaningful and not mere window dressing.

It has become the fad for government today to seek the involvement of the so-called private sector of the economy without really knowing what kind of involvement is needed or what to do once it is available; representatives of business and industry are equally at a loss to know what is expected of them.

But this should not be, because both public and private sectors should be operating from the same basic management philosophies of predicting and measuring the outcomes of administrative decisions and taking appropriate corrective actions. Unfortunately, what should be is not what exists: the private sector generally practices scientific management; the public sector to a large degree does not.

Simply put, businessmen are far more scientific than most professionals in government and the criminal justice system in particular: businessman assess results and then selectively modify the processes producing those results to produce the optimum results. It is a rational, objective, pragmatic, and systematic approach. To do otherwise means bankruptcy.

Lack of a feedback system by which to assess the results of decisions--decisions, it must be noted, that vitally effect the lives of its clients and the stability of the community--plagues the criminal justice system and hampers community corrections. But such a system is an absolute necessity if the system and its agencies are to use results as the basis for modifying processes and programs to produce better and better results.

And this is where the private sector, the businessman and the industrialist, should come in.

Business can help provide the management techniques to help the administrative units of the criminal justice system with the process of defining goals and objectives and managing toward them. The fractionated approach now taken by the various agencies within the system needs to be corrected and it is unlikely that the agencies themselves can do the job without the aid of advisors.

Men whose very livelihood depends upon the successful application of modern management techniques can provide the criminal justice system with direction in terms of budget models; for example, an understanding of the use of program planning and budgeting. The managers of the criminal justice system could well learn something from this orientation as well as other business techniques that contribute to management success.

Business leaders also can provide an immeasurable commodity that the criminal justice system desperately needs--public and political understanding and support.

The business community as a whole does not back many losers; it cannot afford to. Thus influenced by an informed Chamber of Commerce and trade and professional organizations, businessmen can produce the impetus for desired change within the system. Often the mere inertia of the system is all that needs to be overcome; providing the proper information to decision makers or requesting that studies be made of troublesome areas can help overcome this inertia.

But, it must be emphasized that the businessman and industrialist should assume these roles in the criminal justice system only from their own perspective and discipline. The special talents of the managers in the private sector should not be neutralized by placing them in the role of pupil, by forcing them to become amateur social scientists or criminologists, or by requiring them to accept on blind faith what the practitioners in the criminal justice system say and do.

Unfortunately, the criminal justice system has a history of wanting, perhaps unknowingly, its advisors to assume the role of pupil at the knee of the all knowing "professional". It is a subtle system maintenance device in which the system managers play teacher and force the advisors into the role of pupil, minimizing their ability to insist upon answers to questions, especially those relating to costs and results, that they might otherwise ask.

Advisory bodies must not be allowed to deteriorate into a political-personal influence tool or a bland rubber stamp that an agency head summons when he is threatened by budget cuts or criticism.

Free of such shackles, the businessman can protest those system accommodations that needlessly cost money. The professionals within the system cannot, unfortunately, do so without great jeopardy.

Even if the professionals favor certain system changes, they are often prohibited, psychologically if not in fact, from appearing before a Board of Supervisors or a City Council to suggest change or to criticize another official's program. Nor are the subordinates of these officials, often the most knowledgeable about an issue, able to publicly suggest change and thus embarrass their superiors. The professional is trapped in a deadend maze: unseen, unsigned, unstated contracts saying, "Don't criticize me and I won't criticize you" develop and thrive to protect the status quo.

The businessman, the industrialist, and the other lay advisors to the criminal justice system can lead the way out of this maze of accommodation. They, in fact, may well be the only ones who can. Grand Juries and other supposed citizen watchdog groups have been notably lacking in this ability or the willingness to exercise it.

Specialized Roles

Citizen crime commissions and planning bodies are--or at least should be--concerned with the broad scope of crime and corrections. There is in addition a wide range of specialized roles for the citizen and the citizen businessman.

The burglary prevention program undertaken in 1968 by the Stockton Police Department, the San Joaquin County Sheriff's Department, the Greater Stockton Chamber of Commerce, the Independent Insurance Agents Association of San Joaquin County, Cecil's Security Systems, and the Schlage Security Institute is typical of the specialized program that can be initiated.

That program--called Home Security Month--is credited with preventing more than 75 burglaries during a three-month period and saving the community some \$50,000 in direct and indirect costs. The program started with the concern of Police Chief Jack A. O'Keefe and the Model Community Correctional Project staff. It evolved into an intensive information campaign aimed at alerting residents to potential home security risks, home security checks by law enforcement agencies, and recommendations from locksmiths and hardware dealers for correcting the deficiencies uncovered in the home checks.

It was an experimental program and a successful one. The fact that it was a short, one-time program points up the need for a citizens crime commission because, to again quote the President's Commission on Law Enforcement and Administration of Justice, "Too often a crash campaign produces short term reductions in certain kinds of crime and then loses momentum. ...they need to be coordinated to insure complete coverage and continuing vigor."

There are scores of other specialized citizen roles:

- Police reserves, sheriff's auxiliaries, and junior cadet programs. One midwestern sheriff's department has a "junior posse" of more than 25,000 youngsters who distribute crime prevention literature to homeowners and apartment dwellers.
- Citizens band and other "ham" radio operators providing law enforcement with additional eyes and ears on the street. Stockton has made extensive use of the mobile radio enthusiasts, especially to minimize vandalism and mischief at Halloween.
- Neighborhood street patrols in cooperation with law enforcement agencies. This again has proven valuable in Stockton, especially in curbing violence in the Sierra Vista public housing project during the summer of 1968. It is impossible to become an anonymous member of a mob when a friend or neighbor is patrolling an area.

- Newspaper reward systems for information on criminal activity. Many persons are unwilling to report information to police for fear of "getting involved," but are willing to let a newspaper act as a middleman, especially when a reward may be involved.
- Co-operative educational programs involving law enforcement agencies and private clubs and organizations. The American Association of Federated Women's Clubs and the National Auto Theft Bureau have conducted auto theft prevention campaigns with police in several cities; the General Federation of Women's Clubs has vigorously campaigned for better street lighting as a deterrent to criminal activity.

The list of actual and potential specialized roles for the citizen working with law enforcement is almost endless. In every case, law enforcement is able to take advantage of the specialized interest and expertise of particular groups of its citizenry to aid in crime prevention.

Community Corrections

There is an equally endless list of roles that the citizen can perform in the field of corrections, which embodies all of the preceding as well as the control and correction of the offender.

The basic concept of community corrections is to provide the offender with the services he needs by utilizing the services that already exist within the community: delivering the offender to the service, or, if conditions require, delivering the service to the offender. The correctional system under this concept does not provide the services but merely matches the services to the offender's needs.

This not only requires the services of volunteers in the various public and private agencies, it also requires that the citizens insist on these agencies providing the same services to offenders as they do to the rest of the population.

Throughout the Model Community Correctional Program there is a need for citizen participation: in the release on own recognizance program, in misdemeanor probation, and in one sense or another, in every element of the total program. The failure of corrections can in large part be blamed on the failure of the citizen to be concerned, to take part, to understand; its success to a large measure will require just the reverse.

Non-System Roles

Outside the criminal justice and corrections system, there are again scores of roles and functions for the citizen. It is largely a matter of the individual realizing that his every activity has an influence on crime: his failure to properly safeguard his home and car aids the criminal; his support of public education and better housing helps prevent crime by removing some of its causes.

In its report on juvenile delinquency, the President's Commission on Law Enforcement and Administration of Justice offers more than a score of specific recommendations for curbing deviant and delinquent behavior that do not directly involve the criminal justice system; the list could be repeated as recommendations for San Joaquin County.

Those recommendations include:

- Expand efforts to improve housing and recreation.
- Develop methods to improve minimum family income.
- Revise welfare regulations to aid in keeping families together.
- Insure availability of family planning assistance.
- Expand counseling and therapy services to families.
- Provide assistance in problems of domestic management and child care.

- Develop activities that involve the whole family together.
- Involve youth in community activities.
- Employ young people as subprofessional aides.
- Establish Youth Service Bureaus to provide and coordinate programs for delinquents and nondelinquents.
- Increase involvement of religious institutions, private social agencies, and other groups in youth programs.
- Provide residential centers.
- Provide financial support for needed school personnel and facilities.
- Improve the quality of school personnel and facilities.
- Reduce racial and economic segregation.
- Compensate for inadequate preschool preparation.
- Develop better means for dealing with behavioral problems.
- Use instructional material in schools more relevant to inner city life.
- Encourage capable students to pursue higher education.
- Revise programs for students not going to college.
- Expand job placement by schools.
- Increase contacts between the school and the community.
- Prepare youth more adequately for employment.
- Provide easily accessible employment information.
- Eliminate irrational barriers to employment.
- Create new job opportunities.

Those are but a few of the areas that require citizen involvement--citizen participation in just a single area of concern outside the formal criminal justice system.

"Control of crime requires three very basic emphases: Preventing delinquency before it ever becomes a matter for the criminal justice system to deal with; providing the agencies of justice with adequate resources; and pushing forward the search for better knowledge about crime and how best to handle it. ...legislatures--and the public--must also be willing to spend a great deal more to secure safety and justice. And officials and citizens must be willing to undertake often difficult reforms. ...Private groups and individuals can join in--indeed lead--the process of change through activities ranging from doing volunteer work to employing released offenders. And the support of every citizen is crucial to all other progress in controlling crime."¹⁴

FOOTNOTES

- ¹Allen Breed, "Significance of Classification Procedures to the Field of Corrections", Consultant's Report to the President's Commission on Law Enforcement & Administration of Justice, 1967, p. 1.
- ²Milton Luger, testimony before the U. S. Senate Subcommittee on Juvenile Delinquency, March, 1969.
- ³California Council on Criminal Justice, "Patterns of Juvenile Justice in California", Report of the Task Force on Juvenile Delinquency, April 1, 1969, page 4.
- ⁴Ibid., page 4.
- ⁵Robert L. Carter, "Middle Class Delinquency, An Experiment In Community Control," University of Calif.: School of Criminology, April 1968, page 22.
- ⁶Ibid., page 23.
- ⁷The President's Commission on Law Enforcement and Administration Task Force Report: The Police, Washington, D. C.; U. S. Government Printing Office, 1967, page 1.
- ⁸Ibid., page 2.
- ⁹Anselm L. Strauss, "Medical Ghettos," Trans-Action, May, 1967, p. 8.
- ¹⁰"What Makes A Better Policeman," James Q. Wilson, Atlantic Monthly.
- ¹¹The President's Commission on Law Enforcement and the Administration of Justice, Task Force Report: The Police, Washington, D. C.; U. S. Government Printing Office, 1967.
- ¹²The President's Commission on Law Enforcement and Administration Task Force Report: The Police, Washington, D. C.; U. S. Government Printing Office, 1967, page 225.
- ¹³Newsweek Magazine, March 17, 1969, page 41.
- ¹⁴President's Commission on Law Enforcement and Administration of Justice, Challenge of Crime in a Free Society, Washington, D. C.: U. S. Government Printing Office, 1967, page 301.

Chapter Two

LOCAL GOVERNMENT ORGANIZATION

The citizen, as suggested in the previous chapter, plays the major role in determining the environment--physical, social and economic--of the community. And, it is the government that he theoretically created that is primarily involved in execution of his perceptions of what the community is and what it should be.

This government--the agencies, commissions, councils and other bodies that are its mechanism--can be required to lead the way despite inevitable dissent, diversity of opinion and conflict. Or, this government can tag along as an inconsistent and hesitant appendage. It can serve as a scapegoat where action is frozen by petty bickering among vested interests, where low expectations of public officials exist, and public apathy presides.

Success at reducing crime and delinquency is determined largely by the performance of this local government, its organizational structure, and the manner in which it copes with all the problems of urban living--not just the problem of crime and delinquency. The improvement of the criminal justice system, therefore, is highly dependent upon the quality of performance of local government in San Joaquin County.

Making Community Corrections Effective

To make community corrections more effective San Joaquin County must proceed much as it would attack any urban problem.

The community from the neighborhood level to the city to the county must establish objectives, set goals for action, and then

insure that steps are taken to meet these goals and objectives.

Specifically, the community must be more adequate and effective in:

1. Identifying and removing the root causes of social disorder, crime, and delinquency.
2. Creating a more concerned citizenry to improve law enforcement at both the citizen and police levels. Citizen tolerance toward non-conforming behavior determines outcomes far more than police observation and detection of offenses.
3. Providing resources to both prosecution and defense so that the practice of the adversary system of criminal justice approaches the theory.
4. Offering increased information and new alternatives for judicial sentencing of offenders.
5. Developing correctional programming to provide not only a new array of services but drastic changes in organization, management, and manpower.
6. Utilizing public and private community resources for increased support of the criminal justice system and encouraging the resource agencies to become more goal oriented and less concerned with protection of bureaucratic and professional territoriality.
7. Creating competent, responsive and, above all, unified political leadership so that the entire urban area can make policy decisions and establish priorities for action.

In order to change the system and to improve its performance and results, there are a number of obstacles to overcome, myths to dispel, objections to meet. Consider:

- Among the public officials and the public they serve there are deep philosophical conflicts between those who would rehabilitate offenders and those who favor harsh punishment and retribution. The latter groups find it difficult, if not impossible, to accept the concept of probation despite the evidence that the public receives better protection at less cost than if the offenders were imprisoned. The facts rarely correct the myths.
- A substantial segment of the general public still regards increased investment or any other change in the criminal justice system as leniency or coddling of criminals despite evidence of economies and improved results.

- Public officials often draw less criticism, or even public interest, by defending the status quo, despite evidence that it is inadequate or unacceptable, than by championing change.
- The total criminal justice system (involving city, county, state executive and judicial branches) is not subject to overall management control to any meaningful degree. Broad program plans can be created but responsibility for their execution is so diffused as to be non-existent. Coordinated action is so complicated that it is discouraged.
- Virtually every local institutional correctional service is over used and under provided.
- Resistance to change is often related to basic management capacity: many legislators and administrators are too involved and too burdened with today's tasks to devote time and effort to planning for new approaches for the problems of tomorrow.
- Public administrators, in the main, are woefully unprepared for a management system and the planning, programming, and budgeting it entails. These skills have not been required of administrators in the past nor has any appreciable effort been made to develop them, largely because of the peril a modern management system creates for administrators: they are judged on results and outcomes with such systems. Good management or technical administrative reform has little political charisma.
- Most public officials want to acquire power and status, not lose or share it; their staffs want to protect their "territories". Thus, most resent changes that would alter the status quo or imply that they are less than efficient because they have not made the changes on their own initiative.
- Political leadership, in California and in San Joaquin County in particular, is as fragmented as the criminal justice system itself, further discouraging change. No member of the San Joaquin County Board of Supervisors, for example, is elected countywide, but the sheriff, the district attorney, and others are. Thus, supervisors, although they have tacit budgetary and other controls over the district attorney's office, the sheriff's department, and similar agencies are reluctant to aggressively pursue a line of planning and action that cuts across the artificial boundaries of those agencies and those other departments such as public assistance and the public defender over which they have complete executive control. This lack of management control creates a sort of administrative limbo in which administrative inefficiency can flourish.

Thus, it appears that the criminal justice system and the political and governmental system that supports it are demonstrably ill-equipped and ill-organized to deal with change or even to recognize the need for change.

State-Local Government Relationships

California state and local government has a long record of successes in meeting its obligation to the people. These successes are typically associated with the ability to recognize shortcomings in organizational structure and to correct them as conditions change. The creation of the State Youth and Adult Corrections Agency in 1961, the organization of the Association of (San Francisco) Bay Area Governments, the transfer of the San Francisco Port Authority from State to City control in 1969 are but a few examples.

The findings of the Model Community Correctional Project call attention to a number of areas where state and local cooperation in criminal justice system programs need to be re-examined.

First, four general needs of local government, including but not limited to those agencies of the local criminal justice system, should be considered:

1. The need to come to grips with the changing nature of home rule.

In the United States there has been a long tradition of a belief in home rule; it would be folly for those involved in governmental planning to contemplate an organization which does not recognize this basic factor in American life. On the other hand, problems of the twentieth century are problems which transcend many earlier established jurisdictional boundaries. This study contemplates the necessity for extensive changes in state and local government organization which can deal with the larger problems within the home rule

tradition. In particular, the project concludes that to the extent home rule has failed to produce effective solutions to local problems, more effective solutions must involve more effective application of legitimate home rule concepts and not the transfer of local government functions to higher, necessarily less responsive government.

2. The need to bring government close to the people.

There are a great number of layers to government. To city, county, state and federal jurisdictions, there have been added a wide assortment of units designed for specific purposes. At times these entities are advisable to bring government closer to the people. In many cases, however, these jurisdictions constitute just another layer through which to try to coordinate and cooperate. One of the more important requirements for bringing government and its people closer together is to reduce the number of layers and to strengthen each layer from the bottom up.

3. The need to coordinate and cooperate.

Coordination and cooperation between governmental units has become ever more important as societal problems increasingly reach across jurisdictional units. Most of the problems facing government in California can only be solved through the effort of more than one of these units. Recognizing this, the Model Community Correctional Project staff kept in mind the possibility of changing state and local government organizational forms to help stimulate more effective relationships including reallocations of functions as well as revenues.

4. The need to recognize the rights of the individual.

Because of large bureaucracies, the rights of the individual may easily be lost in specialization, "red tape", and over attention to specific client groups. Thus, the people frequently ask for safeguards to be built into the very structure of government. Though these safeguards must be provided, their provision should not so burden the structure that there is a breakdown in the ability to launch cooperative action. In this study, the project has looked for a balance of safeguards to best serve the people. That balance is primarily achieved by broadening the participation of citizens in governmental planning, policy decision making, and program assessment.

Problems symptomatic of local government's rapidly developing needs, while not unique to San Joaquin County, are obviously evident: Crime is a major problem; the central city is deteriorating; urban sprawl is covering prime agricultural land; ghettos are building

(both those inhabited by underprivileged and the "white ghettos" in North Stockton); there is a high unemployment rate among unskilled and uneducated workers; transportation is inadequate; migration is continuing; etc. The tax base for local government is not growing sufficiently to meet the needs for tax dollars.

With all of these needs and all of these problems, one must ask, "What can local government do as a part of total government to fulfill a useful role, a role that cannot be filled better by either the State or Federal government?"

Though government in San Joaquin County is not large, it can as part of the state system be more acutely aware of and responsive to the citizen's needs than can a distant, impersonal state government. The county government of San Joaquin County can fulfill a leadership role to be emulated by other counties and make unnecessary a buildup of centralized power by a stronger but beneficent state or national government. It should be the philosophy of those having the stewardship of State government to do those things the State can do best and guard against incursion into local government except in those matters that can be done best on a statewide scale. The State must delegate those things to local entities that can be done best at the local level and assist where necessary in the development of local government capacity to execute such delegated functions and authority. In other words, this delegation to local government should be generous and supportive.

In responding to these general problems of State-local government relationships, especially as they relate to the administration of criminal justice, the Model Community Correctional Program proposals are intended to accomplish:

1. A streamlining of local government organization to produce greater efficiency and effectiveness.
2. A strengthening of local government to provide more rapid response to emerging needs.
3. A government which is closer to the people it serves.
4. A new and more productive relationship among local, state, and federal jurisdictions.
5. A clearer assignment of responsibility and accountability in local government.

Project findings indicate that certain aspects of the state-local government relationship, while well intentioned, weaken local government's ability to handle its problems of crime and delinquency and responsibility for preventing crime and delinquency:

1. Wide variations in county criminal commitments to state correctional agencies exist. The state allows too many counties to shift the responsibility and the cost of caring for these prisoners to the State levels. Localities need to be encouraged to see crime and the conditions which aggravate it as a local problem which needs local action and must be met by local responsibility. State government can provide money, support, and advice, but it only weakens the local correctional apparatus of counties when they are allowed to over use state programs.
2. The State Probation Subsidy Plan has served to partially correct this practice; however, it does not allow local government wide flexibility in the use of these funds, or even the opportunity to spend the probation subsidy unwisely and learn from the experience.
3. Once committed to State corrections, the local viewpoint is that the offender is a State inmate or a State parolee; in other words, someone else's responsibility. Conversely, State officials retain possession by referring to State commitments as "our inmate" or "our parolee." This is a barrier to the necessary processes of physically and psychologically returning the individual offender to the local community. The community reintegration process becomes one of State responsibility and not local responsibility.

Further, state and federal agencies now seek to extend their correctional territory into the community via State and Federal "half-way houses" or "community correctional centers."

An obvious alternative would be to use the funds devoted to developing these centers to help develop special programs at local jails and thereby upgrade local correctional resources, rather than sidestep them. Not only is there an implication that mixing "our" inmates with "your" inmates will undo any rehabilitation that has taken place, but there is an assumption that state and federal officials can do a better job of integrating the offender back into the local community than can local correctional programs.

4. There is a strong case for the development of short-term return units for parole violators in local jails, rather than re-committing them to prison. Such programs offer a fine opportunity for state and federal government to help upgrade local correctional facilities, resources and programs.
5. The community correctional process, as described in these reports, requires a political engagement and struggle at the local level, with local citizens including racial-economic minority groups, and administrative agencies as the major players. This concept of community corrections is not well understood by most State and Federal officials, and if it were many would probably wish to avoid the involvement that such a process requires. It should be sufficient to state that merely placing a correctional program in the community may make it a "community based program" but state and federal correctional administrators should not assume that because they have merely located the program in the community they are involved in community corrections.

The lack of success in reducing crime and delinquency lies with the structure, not the individual agencies and their staffs who are diligently endeavoring to decrease the future criminality of their charges, albeit with little success.

The task of improving correctional services is at once complex and simple. It is simple because to merely improve it there is no need to invent new programs such as probation or new services such as public assistance. Nor is there any need for new medicine like tranquilizers nor new hardware such as the computer. The fundamental tools and the knowledge exist; they are just not being used.

While all authorities decry the lack of knowledge and research in the field of criminal justice, the simple fact is that the system in most places, San Joaquin County included, operates more than a generation behind our present knowledge. It is akin to building the interstate highway system with pick and shovel.

The obvious implication is that the problem is not so much learning better techniques of treatment as it is one of changing community attitudes and providing champions of change with the political leverage to do the job. The complexity comes in convincing the participants in the criminal justice system that changes can be made within the system itself so that it is more successful in achieving its objectives. (See the Summary Report for a further discussion of correctional objectives.)

Local Government Organizational Problems--The City

The government of San Joaquin County and its cities is a labyrinth of boards, commissions, councils, special districts, and agencies, each with limited interest, scope, authority, and responsiveness. No single readily identifiable and visible entity is responsible for providing the urban services. Stockton with its slightly more than 150,000 metropolitan area residents is no exception.

Nearly one-third of the population lives outside the contiguous, incorporated City of Stockton and, thus, is unrepresented in city government; those who live within the city's corporate limits are represented by a part-time city council and its titular mayor who have no direct responsibility for most of the governmental functions that affect the quality of urban life--and the quality of criminal justice administered in the city.

The ills of local government may be most visible in the criminal justice system and its supportive agencies. The departments of employment, mental hygiene and rehabilitation, for example, serve the residents of Stockton but are solely state administered; other welfare, medical and health services for city residents are provided by the county, again administered without the direct participation of city government. There are six separate and distinct probation and parole services within the city--state adult parole, California Youth Authority parole, county probation, federal probation and parole, county jail parole and the district attorney's informal probation in non-support or failure-to-provide cases. Each goes its own way. (Incidentally, in no other field of governmental service is there the performance of essentially similar services as probation and parole by Federal, State and County government. They do not complement each other as does a state university complement a junior college system; they duplicate and compete with each other as they independently seek to engage the community in providing the necessary reintegration assistance a former offender needs.)

Stockton, of course, has its own police department. But the San Joaquin County sheriff runs the jail, offers a number of supportive police services, and provides the basic police services in the 40 percent of the urban metropolitan area that is not within city limits. Ironically, most of these unincorporated areas that most need a highest level of police service have the lowest.

The situation is no less fragmented in education. Stockton is served by three school districts, each with its own school board or board of trustees. Stockton Unified School District, the

largest, has nearly all of the minority population; Lincoln and Lodi Unified School Districts are nearly 100 percent Caucasian. Although the City Council has been used as a forum for discussion of school problems--elimination of de facto segregation, for one--city government has no voice in the decisions involving public education in Stockton. There may be overriding, cogent reasons against establishing city control over public schools, but there is little reason to perpetuate these separate and unequal school districts and the burden, financial and social, that they place on city residents.

Stockton is one of a handful of cities in the state that is chartered by the State Legislature, thus, theoretically able to exercise home rule. But it is obvious that under the present structure, city government cannot really influence the city's future.

Local Governmental Organization Problems--The County

County government has its own problems and it also compounds those of the city. Through scores of special assessment and special purpose taxing districts, San Joaquin County attempts to provide urban services, thus, discouraging annexation to the central city that could and should provide the services.

In contrast to the City Council, the Board of Supervisors is virtually full time and is heavily involved in minor administrative matters. But due to the county administrative structure, diffused, often uncoordinated local government administration and policy making are the result.

The major problem of county government is, again, fragmentation. The major functions of the criminal justice system--the jail and

related custodial services, the courts, the district attorney, the public defender, probation, public assistance, juvenile hall and the county hospital--are county responsibilities. These functions are largely beyond the control and direction of the San Joaquin County Board of Supervisors and its counterparts in the 57 other California counties because the judges, the sheriff, and the district attorney are elected, the probation system is directed by the superior courts, and the public assistance system is virtually beyond local influence due to pervasive state and federal regulations.

The chart on the adjacent page illustrates the fragmented jurisdictional structure of the criminal justice system at the community level.

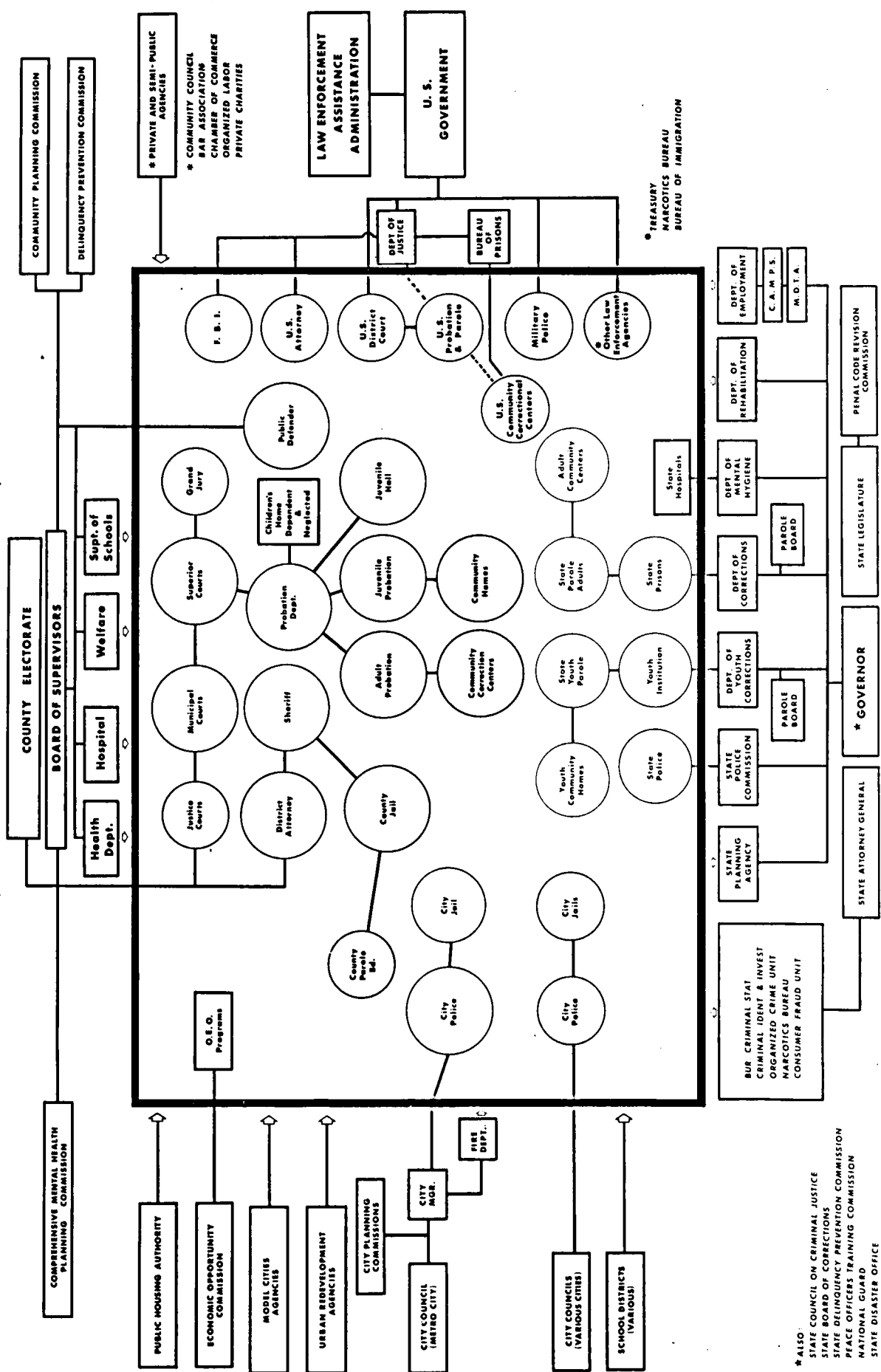
All of the encircled programs, functions, and agencies are related to each other, but:

- There is no mechanism to coordinate the four separate jurisdictional levels;
- The County Board of Supervisors does not have the clear and direct line of authority over county criminal justice agencies that the President has over federal agencies, the Governor over state agencies, and the City Managers and City Councils over city agencies.
- There is obvious overlapping and duplication of effort between community correctional programs of probation, parole, correctional centers, and community or group homes.

The chart also attempts to indicate the specific other governmental and semi-public agencies which influence or are influenced by the criminal justice system--and their fragmentation.

The costs of this fragmentation in both human and monetary terms are staggering. Some of the financial implications are discussed in detail in Chapters 3 and 4. The overlapping, repetitive nature of local government is wasting untold thousands of dollars

JURISDICTIONAL STRUCTURE OF CRIMINAL JUSTICE OPERATIONS AT THE COMMUNITY LEVEL (TYPICAL COUNTY GOVERNMENT BOUNDARIES)



* ALSO:
 STATE COUNCIL ON CRIMINAL JUSTICE
 STATE BOARD OF CORRECTIONS
 STATE DELINQUENCY PREVENTION COMMISSION
 PEACE OFFICERS TRAINING COMMISSION
 NATIONAL GUARD
 STATE DISASTER OFFICE

that could be used for improved services and new programs that could ultimately reduce the total cost of government and produce far better results, especially in the criminal justice system.

Systematic Discrimination

In most of the nation, the Negro and, to a lesser degree, the Mexican-American, is systematically excluded from virtually all administrative and political government.

San Joaquin County with its 5 percent Negro population is little better--token representation on the County Grand Jury, the County Housing Authority, the Stockton Redevelopment Agency, the Stockton Planning Commission; one Negro elected to the Stockton Board of Education; no minorities on the County Board of Supervisors, the Stockton City Council, the Juvenile Justice Commission, or in any of the countywide elected offices.

Thus, it is not surprising that Negroes comprise but 1% of the nearly 500 persons in the sheriff's department and the police departments of the county's six incorporated cities. Obviously, such discrimination permeating local government has a tremendous influence on the effectiveness of county correctional programs.

Not all of the discrimination is overtly racial, although the end result is. The probationer, the parolee, the man with a criminal record, for example, are systematically excluded from local government employment despite the fact that government is the fastest growing employer, providing 17 percent of all jobs in the area and 30 percent of all new jobs in 1967. But because the number of Negroes on probation and on parole or with a criminal record is far out of proportion to their total number, another chance to participate is denied them.

These job-racial discrimination problems develop in part from the rigidity of the existing civil service systems and the vigorous self-interest protection of these systems by various employee associations. There are some notable exceptions, the federal civil service system and the administration of Sharpe Army and Tracy Defense depots among them. However, the overall pattern is such that official policies must be established to add, say, 30 Negro police officers in a given period of time and to do so without compromising the merit principles of the civil service system. If this were not so difficult it would have been done already. That it is difficult and important should make it a high priority matter to resolve.

It should be emphasized that the discrimination that exists is not the act of an individual, rather it is the fault of a system that was conceived to be fair.

Some efforts to overcome these largely racial barriers to public employment can create more alienation and distrust than they cure. Public administrators must consider the psychology of the black, brown, and other minority communities in dealing with the problem. Token employment--the "house" or "showcase" Negro--often is worse than no employment at all because the black employee is rejected by his own community as a readily visible symbol of accommodation, an "Uncle Tom", and that further contributes to the alienation that exists. Minorities must be employed, especially in the criminal justice system, in a large enough number and at one time so that the individual can, in effect, lose himself within that group and the group itself can have some respectable visibility within its own community.

The balkanization of local government into single purpose agencies also discriminates against minorities. The Community Action Council, dealing with both financial and racial minorities as it directs the San Joaquin County anti-poverty programs, struggles almost independently of city and county government. The San Joaquin County Housing Authority and the Stockton Redevelopment Agency, again dealing with the poor and minority communities, similarly exist as independent agencies without the benefit of coordinated policy making or direction.

Unemployment

Even with the reforms that could and should be made in public employment, unemployment appears to be a near insoluble problem and one that contributes substantially to the problem of crime and delinquency. While it is impossible to prove a direct relationship between unemployment and criminality because many unemployed are able to conform to acceptable behavioral norms, the indignity and frustration of unemployment is, nevertheless, obviously a causative factor.

The unemployed are obviously poor, and arrest and conviction statistics amply demonstrate that it is the poor who are arrested and fare the worst in the adjudication and post-adjudication processes.

As indicated, increased employment opportunities should reduce the incidence of criminality. Equally important is the role of employment in recidivism. The importance of job placement in the community reintegration of the offender is still grossly neglected and cannot help but contribute to recidivism. In particular, where government employment provides 17 percent of all jobs in the area

and is increasing at nearly twice the rate of private employment, government discrimination towards the offender is hypocritical and intolerable. Curiously, it is the local business leaders who are approached by state and county employees and urged to hire state parolees or county probationers.

Considering employment on a countywide, metropolitan basis, the total number of new jobs created is constantly far below the supply of manpower. Thus, the irony and contradiction of the ever increasing attention to occupation skill training and retraining: if all the unemployed were to acquire superior job skills, they would merely displace a nearly equal number with marginal skills who are now employed.

Here is where regional, state and federal efforts are needed to plan, promote and arrange support for a combination of three programs: long term minimum income provisions for the unemployed; acceleration of economic and industrial growth to create new jobs; and, relocation of surplus labor to areas where employment is available.

A cautionary note must be added. The lack of educational and employment opportunities in past years has caused a consistent emigration of young workers from San Joaquin County. In effect, the county has been exporting a substantial number of persons in the crime prone 18 to 29 year age group. Creating more job or educational opportunities for young adults might reverse this population movement of young adults.

Employment--Some Recommendations

There is no panacea for the employment and vocational training problems that exist in San Joaquin County, but there is substantial

evidence that the present fractionated approach does not and will not succeed. If anything, a score of individual agencies involved with individual aspects of employment and vocational training and individual "solutions" compounds the problem; one program may well cancel out another.

The major need is for a community-wide or regional plan for employment and vocational training services with definite priorities. Development of such an action plan should involve the State Department of Employment, welfare agencies, schools, private employers, and the various trade and labor organizations at a minimum; the lay citizen and City Councils and County Board of Supervisors should also be involved in the planning process.

Implementing such a plan will involve well over 100 separate, readily identifiable public and private agencies and organizations in San Joaquin County alone. And, it emphasizes the need to free the department of Employment from its legislative and policy restraints on job referrals and information gathering.

It is imperative that the Department of Employment become the central repository for information on employment, vocational training, counseling, and, in general, the economic and social conditions of the community. Moreover, it must share this information with the public and private agencies that need it for their individual planning to carry out an overall community master plan.

The recommendations and goal statements of a Joint Vocational Training and Placement Conference convened by the Model Community Correctional Project in cooperation with county and state agencies and area school districts indicate the direction in which the community must go.

The more than 300 participants concluded:

1. The community must help business and industry expand stable, year round employment and aid local schools, vocational programs, and placement services to prepare local residents to take these jobs.
2. An organization is needed to work toward stabilizing the work force in San Joaquin County and move persons who work only part of the year toward year-round employment.
3. An inventory and listing of available programs and resources in the community--expanding the Cooperative Area Manpower Planning System--is needed.
4. Improved measurement of the results of vocational training and placement programs is needed in terms of the relationship of costs to placement of trained workers to separate successful programs from unsuccessful ones.
5. Contacts with employers must be coordinated to avoid employer rejection of all programs when faced with a number of competing programs.
6. Educators must become more closely involved in business and industry, and business and industry must give more attention to the schools.
7. Any program aimed at preventing school dropouts should be encouraged and schools and parents should impress students with the importance of completing high school.
8. Entry and completion dates of vocational programs should be arranged so the student completes his training during a period when employment is most assured.
9. The skills of presently employed personnel should be upgraded to open up new entry level positions and to lessen the need to import workers to fill the more skilled jobs.
10. An inter-agency coordinating council should be established to encourage public and private employers to review entry level requirements and to sponsor intensive education and vocational classes to qualify persons for these jobs.
11. Unions should establish entry level positions other than apprentice, creating a category such as helper.
12. Government must modify civil service regulations that now make entry into public employment far more difficult than into most private employment.

13. Government must provide a subsidy of some sort to private employers who hire marginal workers; the more marginal the worker, the greater the need for subsidy.
14. Government should seek the advice of business and industry when vocational training and placement programs are being studied or developed.
15. Vocational training should involve not only technical skills but social skills and should consider the attitudes of the disadvantaged.
16. Workers should be trained for specific tasks as vacant jobs are identified; centralized information is needed to match available jobs to people needing work.
17. Relocation of workers to where jobs are available should be encouraged; areas where employment is available should be identified and qualified, unemployed workers should be encouraged to move to them.

These recommendations and goal statements clearly indicate that creating new jobs, training people for these jobs, and establishing an aggressive placement program are the joint responsibilities of government and the business community. They also show that one program alone will not succeed.

Vocational training of the unemployed without the other programs would result only in the displacement of marginal workers now employed because there is a shortage of jobs and an abundance of poorly skilled workers to fill those that are available.

Again, creating new job openings without training and other programs is unsuccessful because the new jobs will merely attract skilled workers from outside the community.

Training, creation of new jobs and placement are a troika; one cannot succeed without the others.

Model Cities

The need for a coordinated, multi-agency approach to the problems of crime and delinquency--and the need to recognize that

crime and delinquency are largely manifestations of a greater problem in the urban environment--emphasized throughout this and other Model Community Correctional Project reports has been acknowledged in the Model Cities program authorized by Title I of the U. S. Demonstration Cities and Metropolitan Development Act of 1966.

Model Cities provides the ideal vehicle for executing and implementing much of the Model Community Correctional Program: It offers the theoretical and philosophical base for coordinated community corrections and further provides a financial incentive for such an approach.

But, if for political, financial or other reasons, the City of Stockton and the County of San Joaquin cannot establish a Model Cities program, the multi-agency cooperation and study that has been undertaken in consideration of Model Cities provides the framework for a local level "model neighborhood" program.

Model Cities is basically a five-year program to concentrate public and private resources in a comprehensive attack on the social, economic and physical problems of the community. It is human and physical renewal and it is an attempt to attack causes, not symptoms, of urban human and physical blight and decay by substantially raising levels of housing, education, health and medical care, employment, job training and, of course, income.

The Model Cities approach explicitly says that no single agency can deal effectively with the physical and social problems of an area. As former Stockton City Manager Frank Fargo observed:

"The mission-oriented objectives of the Model City approach focus on problems which extend beyond the functional boundaries of agencies with their programs and budget authority. If we are going to deal with the causes of urban problems, then our combined program objectives must go beyond separate, independent, and uncoordinated efforts into a total system approach."

Model Cities is less a new program and more a coordination of existing programs. It contains many of the elements of scientific management described in Chapter 4 and it recognizes that there is a relationship, for example, between the availability of public transportation and unemployment, between poor housing and poor health. And, as the Model Community Correctional Program proposes, it calls for widespread citizen participation, participation that gives citizens direct access to the decision making process.

The criminal justice system and its agencies obviously are but one part of the Model Cities program. The role of the criminal justice agencies cannot be determined until a Model Cities plan is developed, but they should have a major role in developing such a plan.

The impact of Model Cities on the criminal justice system can be indicated, however, by examining what might be a typical project--developing neighborhood multi-service centers. Such centers would have police, parole, and probation community workers as well as employment, education, welfare, health, housing, and other specialists under a single roof, in effect providing one-stop service for the neighborhood. The criminal justice agencies' share of the cost of such a center might be \$100,000 and the agencies might initially get \$60,000 of this under the 60-40 matching grant program under the U. S. Omnibus Crime Control and Safe Streets Act of 1967. These agencies would also qualify for additional federal Model Cities funds equivalent to 80 percent--or \$32,000 in this case--of the local contribution. This bonus or incentive money is for programs in which the federal government does not

participate and could be used for possibly an in-service retraining program to help police, parole, and probation better deal with the problems of the target area.

Thus, Model Cities not only provides for a coordinated approach to urban problems but also offers "seed" funds for local programs in which the federal government would not otherwise participate financially.

Model Cities is not, however, an exclusively governmental program. It demands and requires the active participation, support, and knowledge of the business community, private institutions, and the wide range of quasi-public social welfare agencies.

It is perhaps no exaggeration to say that many of the requirements for developing community corrections in San Joaquin County, and particularly in metropolitan Stockton, are requirements which will be furthered by a Model Cities program. The basic approach and the goal is to create a better urban environment and this, hopefully, will be an important factor in reducing, controlling and preventing crime and delinquency.

Private Enterprise in Corrections

Private enterprise--the business community--must work hand in glove with government in solving the urban problems that exist today, taking an active part in the development and execution of Model Cities' programs, employment and vocational training programs, crime and prevention programs, and scores of others.

In the field of community corrections, private enterprise cannot only aid in solving employment problems but also can relieve government and the criminal justice system of some of its other burdens.

Private enterprise has some obvious roles and functions in community corrections and the criminal justice system; it employs former offenders on work furlough or after their release from jail and prison; it helps prevent crime and delinquency by eliminating discriminatory hiring practices and through positive efforts to train, employ and advance the so-called "hard core" unemployed.

It also has a role of taking the leadership in economic development of the separate communities, the metropolitan area and the region. It should help correct the lack of job growth or its one-industry distortion, which is more of a problem in San Joaquin County than most areas of California as indicated in the Appendix Report, "A Socio-Economic Investigation of San Joaquin County." In San Joaquin County, private enterprise must concentrate its efforts on a persistent high rate of unemployment and the wide seasonal fluctuations in employment.

To a large degree, private enterprise is meeting this challenge in partnership with local government. The various Chambers of Commerce in the county, for example, and the County Board of Supervisors formed the San Joaquin County Economic Development Association, which has had a high degree of success in attracting new industry. The Greater Stockton Chamber of Commerce, the Stockton City Council, and the County Board of Supervisors jointly founded and funded the Job Opportunity Betterment Service (JOBS), which has found permanent employment for more than 500--many of them "hard core" unemployed and welfare recipients--in its first year of operation.

New Roles For Private Enterprise

These efforts of private enterprise are mere starting points, however. Many correctional activities can be shifted in whole or in part to the private sector of the economy.

It is a generally accepted truism that private business operates more efficiently than government. But even at equal levels of proficiency and economy, there are several factors that favor shifting as many correctional activities as possible to the business and industrial community:

- The former offender is more likely to respond favorably both in a therapeutic and an emotional sense to a private citizen than to the direct authority of the criminal justice system's employees.
- When paid work by the offender is involved, employment in private enterprise provides not only pay but the important fringe benefits of Social Security and unemployment compensation. (See also p. , "The Older Offender and Social Security.")
- Program change is more feasible if government is able to shop among competing private businesses for the best services under the most favorable terms.

These conclusions are drawn in part from observations of state and private agency operation of half-way houses for former offenders returning to the community. Private operators in the business for profit seem to provide a more effective service in terms of reintegrating the offender into the community and at less cost than do the state-operated community residential centers or half-way houses. Additional evaluation and cost analysis is needed to fully document this conclusion, but the evidence of success appears to exist.

Private Contract Possibilities

Based upon these findings, there are at least seven correctional service areas that appear highly amenable to contract with private firms or individuals. They are:

1. Group homes or half-way houses providing both short and, in some cases, relatively long term shelter and care of former offenders during their physical and psychological movement from total custody to total freedom in the community. The relative absence of such facilities in San Joaquin County is a gap in the correctional service resources needed for both adult and juvenile offenders.
2. Foster homes for juvenile offenders to provide a better--and lower cost--correctional placement resource than the alternative of correctional agency institutionalization. Foster parents should be recruited, provided better training, offered increased remuneration, and supported with volunteer or other service aides to relieve them periodically (afternoons, evenings, weekends, vacation periods) and assist them in special areas of need such as family counseling, remedial tutoring, and recreation supervision.
3. Use of paid probation aides and other volunteers to provide high level but sub-professional supporting services to the professional correction, probation, parole, and social workers within the criminal justice and related systems. Projects including the San Joaquin County Community Action Council's Foster Grandparents program at the California Youth Authority's Northern California Youth Center show there is a large, untapped source of skilled and empathetic manpower available in older, retired persons who are interested in meaningful work at the nominal compensation allowed by Social Security.

(Business and industry have already recognized the potential of older, retired executives and have used these skills in aiding minorities to develop businesses, providing consulting services to depressed areas, etc.)

The Peace Corps and the Volunteers in Service to America (VISTA) programs have demonstrated that desire, not age, is one of the keys to success.

4. Purchasing data already available for the verification of residence, job, family, and other community ties needed in release on own recognizance and pre-sentence investigations. Such data are often available from highly efficient credit reporting agencies at far less

cost than gathering the data independently. Probation officers could develop the additional data and additional verification that might be required.

One caveat must be added: the reliability of the data provided by some credit reporting agencies has been questioned by a number of persons in the field of consumer protection. Spot checks on the accuracy and relevance of the information supplied by such agencies would appear to be a mandatory requirement for its use.

5. Contracting for culinary, laundry, inmate canteen, and other jail, prison, or similar custodial institution housekeeping services. The terms of the contracts with private business would require or provide a cash incentive for employment of jail inmates or former inmates who might keep their jobs after discharge or parole from jail.
6. Similar contracting for the same basic housekeeping services at juvenile facilities, including, in the case of San Joaquin County, an examination of the feasibility of having the jail serve as the nucleus of central feeding and laundry services.
7. Contracting for vehicle service and repair, particularly, for sheriff's patrol vehicles, at the County Jail or at a community vocational center where inmates could attend classes on educational furlough during the day. Private business would give inmates training and experience in the field of vehicle service, maintenance, and repair thus providing generally good post-release employment prospects.

There are obviously a number of other areas in community corrections in which private business and industry could provide better service at less cost with certain "fringe benefits" such as providing Social Security coverage for older inmates, job training, etc.

If private agencies can provide the service at a profit and at a cost the same or less than government, it is imperative that they be encouraged to do so. In many cases, the employment the private sector provides, the taxes it pays, the new concepts it offers justify contracting for services when the immediate cost to government appears even higher than the government's cost for providing the same services on its own.

The Service Delivery Concept

The Model Community Correctional Program is designed as a service delivery system: the community should deliver needed services to the offenders being detained or, where possible, the offender, or more properly, the former offender, should be guided to the treatment resources within the community as a probationer, parolee, work furlougher, or an inmate on educational furlough.

The concept is that the correctional system should not provide or duplicate services that are available within the community.

For example, school teachers should not be hired by the jail administration as jail employees to teach jail inmates; educational resources exist in plentitude in the community and should be available, on a contract basis if necessary, for the jail inmate as well as other citizens of the community.

The benefits of the private business contract approach are many. It provides a corrections-private business approach to the creative use of the jobs in the laundry, culinary, canteen, and other service areas. Inmates hired by the private contractors for these services--and any contract should stipulate or provide incentives for the hiring of inmates--can learn employable skills, qualify for Social Security coverage, and earn money to help them in the often painful process of returning to the community and finding employment. There are also possibilities for the development of sheltered workshops with private industry to aid the handicapped inmate in developing skills and, more importantly, qualifying for aid to the disabled under Social Security.

All of these proposals require that commercial interests be willing to contract to provide the services. There is every reason

to believe that private business would be willing to enter into such contracts; if not, the jail has no choice but to continue to supply the services under civil service employee supervision and assigned inmate labor.

Inmate Wages

The inmate, whether he works for a private contractor or under county employee supervision, should expect to receive fair wages, the same as if he were on work furlough and working outside the jail and its immediate supervision.

The principle is clearly that inmate labor should not be exploited for governmental or private gain.

The questionable practice of using San Joaquin County jail inmates to do routine maintenance work in county parks, at Stockton Metropolitan Airport and elsewhere is a case in point. These inmates are paid \$1 per day, a fraction of what the cost would be if the work were done by private contract or by county employees; that in every sense of the word is exploitation. If the work is not worth the resulting cost of paying fair wages, then the work simply should be abandoned.

It is almost mandatory that a wage and salary rating board be established to set minimum compensation rates for jail work and work furlough to prevent any abuses by private or public employers. The board should include the Sheriff, an employer representative, a labor representative, the manager of the local California Department of Employment office, and the district manager of the California Department of Vocational Rehabilitation. The board should meet at least semi-annually and should follow the criteria of prevailing

wages based upon Department of Employment job referrals and related information in setting minimum pay scales.

The question of "union scale" is a delicate problem but one that can be solved, preferably by having the wage rating board set the minimum wage in proportion to the number of union and non-union employees in the county in the particular occupational category. Organized labor, especially in California, has demonstrated leadership and responsibility in assisting former offenders in skill training and union employment. There is little doubt that organized labor will be equally responsive to the need to assist inmates to obtain work at fair wages in occupational areas not covered by collective bargaining agreements.

The wage rating board, representing as it should the labor, management and job counseling resources of the community, must also initiate plans for the post-institutional adjustment of the individual inmate. The inmate may be unable upon his release to fully compete in the workaday world and because this is or can be a major factor in his delinquency, the board must help the community find means to help the former offender secure a place in that community.

The Handicapped Inmate

One exception to the concept of paying inmates the prevailing rate of private enterprise involves the handicapped prisoner. Such an exception is necessary to permit the employment of inmates whose physical or mental condition limits their potential productive output.

In these cases, a proportionate rate based upon the extent of the disability should be established. If the inmate is 50 percent disabled and able to produce only 50 percent of the output of a healthy inmate, he should be paid 50 percent of the established wage.

The handicapped inmate cannot be ignored except at great psychological cost to the individual and great monetary cost to county, state, and federal governments. The handicapped inmate can become a productive member of society in every sense of the word and can improve his own self-image with what should be a resulting decrease in deviant or delinquent behavior by learning a skill in a sheltered workshop or in a job where he is paid on the basis of his productivity. As noted previously, such employment will help qualify the inmate for Social Security coverage and the disability provisions of Social Security, thus reducing the direct financial burden on county, state and federal government.

Inmate Payments

Under any of the employment conditions mentioned--work furlough, jail and county work crews, private contract employment, and sheltered workshops--the inmate would pay for jail care services such as feeding and laundry but not custody or depreciation of the facilities. Inmates participating in work furlough now pay \$5 per work day to the county and this more than covers the county's direct room and board costs.

Inmate earnings from any source should also be subject to charges for family support and restitution orders of courts. However, court use of jail sentences with the expectation that the offender will be placed on work furlough as a means of forcing family support payments is questionable from a cost viewpoint as well as a moral viewpoint. The courts have no means of assigning an inmate to work furlough; this is the prerogative of the Sheriff. Thus, there is no assurance that the offender will have any work

furlough earnings to aid his family, there is a potentially high county cost of incarcerating the offender, and there is the stigma of a jail sentence that may limit the offender's future ability to find and hold a job that would allow normal family support payments.

The Older Offender and Social Security

One of the major benefits of involving private enterprise in corrections is the potential of aiding older offenders to qualify for Social Security coverage. And, in helping the older offender, the counties and the State of California can help themselves save between 68 and 130 million dollars during the lifetimes of these older offenders.

There are substantial savings in monetary and human terms in helping non-offenders qualify as well and these are discussed in Chapter 3.

Social Security eligibility is based on earnings--generally a minimum of \$50 per calendar quarter--and duration of contributions to the Social Security trust fund. The number of quarters needed for coverage varies with age so that a man reaching age 65 in 1969 needs 18 quarters of coverage while a man reaching age 65 in 1979 will need 28 quarters. (See Chart in Chapter 3)

There are a number of reasons why jail and prison inmates fail to qualify for Social Security coverage. Among them are:

- Men and women who are arrested repeatedly are usually inadequate persons who have difficulty in many areas of their lives including regular employment. This alone increases their chances of reaching retirement age without acquiring minimum coverage.
- Once incarcerated, men and women lose access to employment that would give them wage credits toward Social Security coverage. Repeated short term jail or long term prison sentences reduce an offender's chances of gaining the needed coverage.