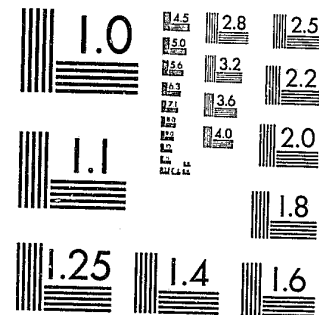


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JUNE 1982

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

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A JOURNAL OF CORRECTIONAL PHILOSOPHY AND PRACTICE

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VOLUME XXXXVI

JUNE 1982

NUMBER 2

This Issue in Brief

Can Corrections Be Rehabilitated?—During the last 30 years much progress has been made toward dissolving the barriers of hostility that generated violence and distrust between correctional staffs and prisoners. Because of forthcoming budgetary stringencies, rapidly increasing populations, and a vast increase in the level and frequency of violence, much of that progress is in danger of reversal. Author John Conrad feels it is urgently necessary to reduce prison intake by making maximum use of community-based corrections. He proposes a new model of sanctions that will be more severe than the present community corrections without resort to incarceration.

"It Only Gets Worse When It's Better."—This article by W. Clifford of the Australian Institute of Criminology, and the following article by Professor López-Rey of Cambridge, England, present two differing perspectives on world corrections. Mr. Clifford states that in the past 10 years regimes have changed or been overthrown, ideologies have been transformed, but corrections throughout the world has not changed all that much. Some of the older and outdated systems are yet 10 years more behind the times. In fact, he adds, corrections in its old form has a remarkable facility for surviving all kinds of revolutions and looking much the same afterwards.

Crime, Criminal Justice, and Criminology: An Inventory.—This article by Professor Manuel López-Rey attempts to demonstrate that crime is not an ensemble of behavioral problems but a sociopolitical phenomenon, that criminology should overcome excessive professional aims, and that criminal justice is increasingly unable everywhere to cope with the problem of crime, even within the limits of common crime.

Adopting National Standards for Correctional Reform.—The concept of correctional accreditation, according to Dale Sechrest and Ernest Reimer, is built on the foundation of humanitarian

reform of prison conditions through the application of standards of performance. A Commission on Accreditation for Corrections was formed in 1974. The Commission, using trained professionals, has accredited over 250 correctional agencies including 80 prisons, having a total involvement of over 500 correctional facilities and programs of all types.

Volunteers in Criminal Justice: How Effective?—The acceptance or rejection of the use of volunteers in justice settings has been based primarily on personal belief rather than on sound empirical evidence, assert authors Sigler and

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Leenhouts. While many volunteer programs have been evaluated, the results are questionable because of methodological errors. Two methodologically correct professional evaluations have indicated that volunteers are successful in working with justice system clients.

Volunteers in Corrections: Do They Make a Meaningful Contribution?—This article by Peter C. Kratcoski examines the roles of volunteers in corrections in the past, the advantages and problems associated with using volunteers in a correctional setting, correctional agency administrators' and staff members' attitudes toward them, and the motivations and satisfactions of the volunteers. The findings of a study of the characteristics and motivations of a national sample of volunteers in probation are reported.

A Delphi Assessment of the Effects of a Declining Economy on Crime and the Criminal Justice System.—The research discussed in Professor Kevin Wright's article utilized the Delphi method of forecasting in order to obtain an initial and expedient answer to the question of what effect economic adversity will have on the incidence of crime and on the criminal justice system. Certain types of crime are expected to increase; however, an uncontrolled outbreak of crime is not predicted. Specific economic factors are identified as the primary producers of fluctuations in the incidence of crime. Some elements of the criminal justice system are expected to be burdened by economic decline.

Presumptive Parole Dates: The Federal Approach.—The procedure adopted by the United States Parole Commission to avoid unnecessary indeterminacy in making its determinations relative to prison confinement, while at the same time allowing for consideration of significant

changes in circumstances, is the focus of this article by Drs. Barbara Stone-Meierhoefer and Peter Hoffman. The presumptive parole date procedure implemented by the Parole Commission is described, and its relationship to the Commission's system of explicit guidelines for parole decision-making is discussed.

Court—Prosecutor—Probation Officer: When Is Discretion Disparity in the Criminal Justice System?—There is not yet in America any clear, consistent, rational policy regarding whether to pursue a correctional philosophy of rehabilitation or one of retribution. Former emphasis on treatment is being replaced by emphasis on punishment and uniformity of sentence. Supervising Probation Officer Robert L. Thomas believes traditional definitions of discretion and disparity are being prostituted to cover up the belated realization that after-the-fact solutions to crime do not work. What is really needed, he insists, is more realistic alternatives to traditional dispositions and a clearer understanding of who should or should not go to prison.

Rekindling the Flame.—The syndrome of burn-out is a symptom of the crisis presently affecting the social service professions, asserts James O. Smith of the Pennsylvania Board of Probation and Parole. As such, the phenomenon presents both the danger of poorer quality services and, paradoxically, the opportunity for enhancement of services. Using as a general framework Maslow's hierarchy of human needs, this article maintains that through the medium of a comprehensive, in-service training program an organization can positively affect the "esteem needs" of its staff. The outcome of this relationship, as it is suggested, is higher quality service with less staff burnout.

All the articles appearing in this magazine are regarded as appropriate expressions of ideas worthy of thought but their publication is not to be taken as an endorsement by the editors or the Federal probation office of the views set forth. The editors may or may not agree with the articles appearing in the magazine, but believe them in any case to be deserving of consideration.

Can Corrections Be Rehabilitated?*

BY JOHN P. CONRAD**

SOME YEARS ago an English friend of mine called my attention to a quatrain that he had found inscribed in a cell in one of Her Majesty's Prisons. I shall recite it to you as a text for our proceedings this evening. Before I do so, however, I must explain that in the argot of British prisons, a screw is one of Her Majesty's Prison Officers; this definition may remove a possible misunderstanding of the poem I am about to offer you:

All screws are bastards;
Bastards born and bred,
Bastards born of bastards—
God strike the bastards dead!¹

We may admire the remorseless cadence of these lines, the economy of the diction, and the purity of the sentiment that is expressed. It conveys genuine feeling, the traditional aversion that blokes—as English prisoners refer to themselves—have felt for their keepers throughout generations of living together in the same prisons.

It is important to understand how this hatred came about—and hatred it was, on both sides. Until very recently, it was a disciplinary offense for a prison officer to speak to a prisoner except to issue an order. The screw was to engage in no conversation with the blokes, and blokes who approached screws were regarded with understandable suspicion by their mates. Such communications could have only one purpose: the exchange of information for favor. The only information a screw could be interested in would be the identity of some bloke who had violated a prison rule. Blokes who snitched on their mates could not be trusted and had a precarious future while in prison.

American cons have adopted precisely the same attitude toward the bulls, as they are usually designated. For example, I once had the experience of interviewing Frank W—, one of the most implacable and persistent murderers in the Califor-

nia prison system. At the time, Frank had been at Folsom Prison off and on for about 20 years. He was a man in his early forties, putting on a little paunch, and getting a little bald, but the juices of hatred seethed within him unabated, if in an unexpected direction. His victims had all been cons—he had never attacked a bull—and they had been stabbed by weapons that Frank himself had improvised out of bed-springs, spoons, and toothbrushes. I wanted to know how he justified his conduct. Everyone knew he was a killer, and no one was going to take a chance with his life by agreeing to testify against him. Although Frank was usually deep in The Hole, who knew when some inattentive bull might let him out?

I asked Frank quite directly about his attacks on his fellow cons. He was perfectly willing to explain. "I had to do it. They was rapping to the bulls." "What do you have against the bulls?" I asked, "I ain't got nothin' against the bulls. They got their job to do. But a con ain't supposed to rap with them."

The recollection of Frank's pure and undiluted hatred came back to me a few weeks ago when I had an opportunity to interview a group of maximum security convicts at the Penitentiary of New Mexico at Santa Fe. There were six of them. They had been brought down to the library from their Administrative Segregation cells in chains and handcuffs. They were accompanied by seven guards equipped with batons and mace, and attired in heavy denim coveralls rather than conventional uniforms. These elite guards are supposed to be the toughest and most fearless on the line; they are usually referred to as a "goon squad" and most maximum security prisons now have at least one such detail. All the prisoners I was to interview had been indicted for first degree murder because they had been identified as leading participants in the dreadful riot that took place 2 years ago. Whenever they left their cells they were placed in cuffs and chains and surrounded by the "goon squad," which kept them in sight throughout my discourse with them. I asked the guards to keep out of earshot; I thought that the

*Based on an address to the Annual Meeting of PORT of Olmsted County, Rochester, Minnesota, January 13, 1982.

**Mr. Conrad, formerly of the Criminal Justice Center, Sam Houston State University, Huntsville, Texas, and the American Justice Institute in Sacramento, California, is presently writing from his own study in Davis, California. He is author of the "News of the Future" column which appears in each issue of FEDERAL PROBATION.

¹Duncan Fairn. Review of J.E. Thomas, *The English Prison Officer Since 1850*, *British Journal of Criminology*, Vol. 13, p. 71 (January 1973).

discussion—which did not concern the riot—would be freer without their immediate presence. The guards willingly complied, and withdrew to a corner of the library where they watched rather casually while chatting quietly.

The group interview went well; they were obviously enjoying the opportunity to get out of their cells and talk to a stranger. I was startled at one point when one of the most articulate of the group, stumped for a name, called out: "Hey, Rudy! Come over here a minute!" Rudy was the chicano lieutenant in command of the goon squad. He obligingly came over, and our man interrogated him in rapid Spanish. When he got the information he wanted, Rudy retired discreetly to the other end of the room.

What has happened? In the old days, when communication was barred by rule and custom, screws and blokes became objects to each other. A screw might be a decent family man, working at unpleasant but secure employment, or, occasionally, he might be the sadistic ruffian that some outsiders unfairly suppose them all to be. No matter. They were all bastards, all depersonalized objects for whom sentiments of hatred were both obligatory and natural. And, conversely, the blokes were all moral lepers, worthless men who could never be trusted. Many of them were considered so dangerous that they would kill you as soon as they could get to you. But in England as in New Mexico, that old barrier has crumbled. Prisoners have become differentiated and so have the guards. At Sante Fe, Rudy was okay, but he had a fellow lieutenant whose name came up repeatedly in our discussion as an unmitigated bastard, a man who would do unreasonable things that no other lieutenant would consider doing. In New Mexico, some bulls are still bastards born and bred, but some are not.

I think also of a vignette related to me by a colleague who was doing research on the conflicts in the prison community in one of the Nation's most noisome prisons. He had engaged in a group discussion of general conditions with a few fairly tough convicts. One of them said: "You have to understand that things are not the way they used to be. For example, last week my wife was standing on the corner waiting for a bus to go home after visiting me. One of the bulls stopped his car at the bus-stop and offered to drive her home. How are you going to hate a guy like that?"

This change is not universal. There are still prisons that discourage bulls and cons from having any but the most formal contacts with each other. That such a change has taken place in so

many prisons says a good deal about the potentialities for decency in prison management. Confrontations between guards and convicts do not have to be bloody and tragic; indeed, there do not need to be any confrontations at all. They can be avoided, partly by intelligent and anticipatory management, and partly by allowing all concerned to know each other as individual human beings rather than as undifferentiated objects.

I firmly believe that this change in the quality of interactions between the keepers and the kept is one of the very few good things happening in prisons today. What more important lesson does anyone have to learn, if we are to continue as a civilized society, than to treat others as subjects, not objects; as individuals, not stereotypes? For the mugger roaming the streets in search of a score, you and I are not the wonderfully unique specimens of humanity that we know we are. We are no more than objects with cash probably in our pockets. It is a lot easier to rough up an object, and perhaps to kill him, than it is to administer the same kind of treatment to a person whose characteristics are known and respected. If in prison a mugger can learn that people are not all alike, that guards are not uniformed objects of hatred but men and women who can be understood and who may make an effort to understand in return, something useful can happen to some prisoners, as well as a process that contributes to the peace of the prison.

All that is in danger of extinction. I shall now turn to the gloomy phase of this discourse, hoping that if we understand the dangers we may yet avert them.

Corrections' Troubles

Throughout the Nation, corrections is in several kinds of trouble. Some of our troubles are not of our own making and beyond our control. Other troubles may be traced to the weight of tradition, to adjustments to urgencies in the recent past that have been too hastily resolved. There are few, if any linings of any color or description in the dark clouds I am about to describe, but I think, that if we look at them squarely, we may escape at least some of the storms that seem to be ahead. Dropping my meteorological metaphor, I think that solutions that are long overdue may be forced on us by the weight of adversity.

The most obvious trouble is budgetary, and I will begin with that. If there are any state governments that have no money problems this year, or for as far ahead as a fiscal expert can see, I haven't heard of them. Even in affluent Texas, where I

have been living for the last several months, the word is out from the state capital that more will have to be done with less in every department of government. For some state services—highways and public schools for example—this admonition is new. It is an old story to corrections. No legislator wins votes by supporting new appropriations for corrections, and, as a result, correctional administrators learn to operate on lean rations. In most states, the fat is routinely stripped from budget proposals before they get to consideration by an appropriations committee. Budget reductions for any correctional activity will ordinarily cut into muscle. That sets in motion a vicious spiral. One guard must watch where there were two before. The introduction of contraband, the operations of prisoner rackets, and violence among prisoners become ever more difficult to prevent. No longer can the overworked guard or his harried superiors do the necessary anticipatory management that prevents trouble. No longer do guards and prisoners have that freedom of contact that builds relationships of trust and some needed channels of communication. The kind of community feeling that we glimpse in a few prisons can be expected to wither in the cold blast of cost-benefit analysis.

All this is happening at a time when prison populations are increasing as hardly ever before. During the first 6 months of 1981, the prison population of Minnesota increased at an annual rate of 6.2 percent and if that seems to be a serious problem to you, consider that the national increase during the same period was at an annual rate that was exactly twice the percentage in Minnesota—12.4 percent. There were only five states that experienced a decline in prison population during the first 6 months of last year, and there were several that had increases of more than 20 percent at an annual rate. In our Federal and state prisons we confined 343,695 people as of the last midyear count. That compares with 300,024 in midyear 1977; an increase of 43,671 or 14.6 percent. Prisons were crowded in 1977. Not many new prisons have been built since then. But we are locking up convicts at a faster clip than ever.

The effects of crowding defy statistical analysis, but it also defies common sense to think of any benefits. All of us know that people get lost in crowds, that familiar faces are hard to distinguish in large groups, and that it is easier to hide in a crowd if that is what one needs to do. The contagion of mass emotions and hysteria spreads more rapidly the larger the mass. In a crowd men do things that as individuals they would neither

dare to do nor wish to do as individuals. In a prison, a guard learns to watch for the bad dude, but the bad dude learns ways to use the crowd around him to intimidate the bulls. We have had crowded prisons in this country for many decades. We have never learned to manage them well.

The third cloud of gloom is violence. Some of it is racial—blacks, native Americans and Hispanics taking it out on each other and on whites who too often find themselves in a minority status. Some violence is simply predatory, some of it is the importation of urban ethnic gangs into the prison yard, and some of it is the enforcement of the ancient convict's code, along the same lines as my acquaintance Frank W--- at Folsom. The more violence there is, the more difficult it is to control, and the easier it is for the authorities to claim that in prison violence is endemic and that there is really little that can be done about it. We are told that of course there are knives circulating—prisoners can outwit them so easily, the authorities readily admit. When the number of guards on duty declines, this easy resignation to the inevitability of the knife and the lead pipe becomes even more plausible, and wardens and their subordinates learn to turn a blind eye to those aspects of prison life that should command the first priority on their attention.

What happens to decent relationships between staff and prisoners as this decline of control takes place? Guards learn to be fearful and to think of the convict as always potentially dangerous. Their superiors learn to devote their attention to preparing for the worst, believing that the worst is sure to happen.

And prisoners learn to expect that in this jungle in which they live, terrible things can happen and the guards will be powerless to protect them. They do what they think they must. Some will arm themselves with knives. Some will go into protective custody where, at the cost of long months and years in solitary confinement they can at least expect to survive the duration of their terms.

More gloom to come. As the preposterous result of the misunderstood conclusion of a poorly organized synthesis of some of the shoddiest evaluation research ever done, it has become an item of common belief, both among the general public and among many correctional people who should know better, that as to correctional rehabilitation, nothing works. That message has shaken the confidence of everyone concerned with correctional programs. It is fair to say that what little momentum had been attained in the development of programs has been mostly lost. After all, it

is contended, if nothing works, why try? The answer to that simple question is that nothing is tried, that programs become static if they do not stagnate, and they are all in jeopardy from any policymaker who is obsessed with cost-effectiveness and bottom lines. The obvious result of this obsession is the prison of total idleness, from which programs have been eliminated because their effectiveness cannot be proved. To my knowledge, nobody has yet made a study of the cost-effectiveness of idleness as a program for the reform or control of prisoners.

Lack of educational and vocational training programs for prisoners would not be such a grievous loss if there were a full scale industrial program to occupy them. For a country so loudly devoted to the work ethic as the United States, we have been remarkably inattentive to the need for its inculcation among the criminal elements. The Yankee ingenuity that has gone into prison architecture, administrative diagrams and flow charts, and the application of high technology to the maintenance of security has not been channeled into practical support for industry. In most American prisons there is no noticeable commitment to the ancient persuasion that prisoners should be subjected to a regime of hard labor. In most prisons, a prisoner is lucky to have any labor at all to do. What is the message that the idle prisoner receives as he sits in a dayroom watching daytime soap operas, or lies on his bunk reading paperbacks, or dozes in front of a machine during an extended coffee break? What is the message the guard receives, or the citizen touring the prison? I think the consensus of all unthinking observers is that these convicts are shiftless, lazy good-for-nothings who deserve nothing better from the state than the wretched conditions in which they live. There are solutions to the prison industry problem and it is pleasing to note that Minnesota is a state in which some of these solutions can be seen. Most prisoners here put in a fair day of work, and some of that work is done in conditions of employment that resemble those that can be found in industry in the free enterprise system. Minnesota is in a minority of states that enjoy leadership that is sensitive to the work ethic as a necessary element in rational prison management.

Those are the specifics of present gloomy trends. I have not mentioned all the prevailing miseries: the low standards of recruitment for guards, their poor pay, their meager training, their inadequate supervision, and their misguided unions. Nor have I dwelt on the lack of any consensus among judges or legislators or correctional leaders themselves on

the best direction for correctional policy—with the result that there are thousands of people going to prison every year who should be retained in the community on programs that would benefit them as well as the community they have harmed. I have so far omitted mention of the determination of lawmakers to display their toughness on crime by hiking mandatory sentences to inflexible but impractical extremes. I have not bewailed the demise of the Law Enforcement Assistance Administration which, for all its faults, did much to improve corrections across the board. Everywhere one looks there is gloom to be found and in some directions the gloom can be expected to deepen.

But I must say something about the changes that seem to impend in the larger world in which corrections is embedded. The trend toward individualization in penal affairs was the product of the wonderful climate of optimism that prevailed the post-World War II era from the late forties until our embroilment in Vietnam. Those who lived through that period, as I did, remember it is a time of extravagant self-confidence. We had succeeded in a great national effort, we had won a war against two powerful and stubborn enemies, and everything seemed possible. The economy was growing, the country was indisputably the most powerful in the world in every respect, and problems had only to be defined to be solved. So it seemed.

Now we find ourselves in a condition that seems the reverse of our situation in those wonderful years. Everything we do, everything we ever thought about ourselves is in question. The economy is not growing, and some say that it never can be expected to grow at the rate it once did. Opinion polls extract the perception among the fathers and mothers of today's children that their sons and daughters will not fare as well in life as they have done. And many of these contemporary mothers and fathers perceive that they have not done as well as their parents.

In a zero-growth economy, it is inevitable that the national ethic must change. The altruism that comes easily when each of us sees that his share in the economy is growing will give way to a determination to keep what we have in a shrinking economy. Measures to redirect criminals or to reintegrate them in a society that had rejected them—and which the criminals themselves had rejected—no longer have the appeal that they once had. To keep a man in a prison cell that cost \$75,000 or more at an annual cost of \$15,000 or more might have seemed absentminded generosity in days gone by, but of no great moment if that was

what it took to keep that man off the streets. Now it seems like governmental waste too prodigal to tolerate. The gloom that gathers over corrections has its own special features that I have described earlier. It is related to the general gloom that spreads through our society today. I am neither an economist nor an all-purpose pundit; I will refrain from inflicting on you my opinions about the larger social trends. But I think that positive things can be done to rehabilitate corrections. I want to turn now to some ideas for improvement. The situation is indeed terrible, and we must not allow it to get worse. Our Yankee ingenuity must be applied to the re-creation of optimism. That should not be an impossible task as the citizens of Rochester have good reason to know from their experience with PORT.

What ARE the Purposes of Criminal Justice?

We must first clear up a muddle. It begins with fuzzy thinking about the purposes of criminal justice and misapprehensions of its capabilities. It leads on to an irrational system in which some offenders, not more than 20 percent of the most serious criminals in most states, wind up serving long sentences in these awful prisons we maintain, whereas most of the rest find themselves punished by a stretch on nominal probation, a suspended sentence, or perhaps a few weeks in a county jail. For a man inclined to the commission of crimes, the odds that he can get away with it are pretty good, even if he is unfortunate enough to be arrested.

I maintain that crimes must have consequences and the criminal justice system exists to administer these consequences. In any society, whether the most oppressive or the most tolerant, actions must have consequences. Merit and effort must be rewarded or we will have less of either; wrongdoing must be punished, partly to maintain a social balance, partly to assure that there will be less wrongdoing. At this point it's hard to be as clear as I would like to be. Some of my criminological colleagues are going to point out that I am talking about deterrence, and no one has ever proved that punishing criminals has much effect, if any, on the number of crimes committed. We will never know for sure the truth of that issue. What is indisputable is the public consensus that wrongdoers cannot be allowed to go scot-free; they must not get away with their crimes. When public opinion polls regularly report that between 80 and 90 percent of our citizens think the courts are too lenient, the only possible conclusion is that the public thinks that whatever else the courts are do-

ing, they are not punishing felons with sufficient severity. Some critics of the system deplore this attitude toward criminals as benighted vengeance. They argue that instead of concentrating on doing harm in retaliation, we should create conditions that will make a life of crime less likely and less attractive. So we should. That will be a long campaign toward a goal of social reform for which we have no program. Until we have reached it, we still need a system in which the consequences of crime are fairly, surely and humanely administered. That is a practical goal, one which seems to be in plain sight in Minnesota, if not everywhere in this country.

If we have learned anything at all from our generations of experiments with punishment, we ought to know that it is a two-edged sword. It may be satisfying to put a malefactor behind bars and then to forget him, but we lose heavily if he emerges as a social cripple. If his experience in prison is brutalizing, as happens too often in this country, he will be sager to get even with a society that has mistreated him or he will be so demoralized that a normal productive life is impossible. Either way, he is an inevitable public charge, most likely occupying one of those expensive cells again. Our objective must be to administer punishment in such a way that the offender can be reconciled to the society that has punished him. That objective is difficult, but not impossible, in prison. It is more easily reached in the community. For many years, advocates of community-based corrections have been urging that course with more success than they deserve.

That is a startling statement to make here at a celebration of the PORT movement, and I must explain it. Most community correctional programs consist of a stretch on probation during which nothing happens or will happen if the probationer minds his own business and does not attract the attention of the police. The probation officer is far too busy dealing with probationers who have become too visible; he cannot attend to the problems of those who do mind their own business, no matter what business it is that they are minding.

The public and the courts cannot have much confidence in nominal programs and they should not. The result is that a lot of criminals who are not violent are sent to prison because society will not tolerate the trouble they cause, and the courts are pretty sure that more trouble will be coming if they are merely placed in probation.

The great virtue of a program like PORT is that something happens to an offender. A sanction is imposed, and it cannot be seen as a pleasant ex-

perience except that it could be much worse—as for example a term of years at Stillwater. The secondary virtue is that when this sanction is imposed, the offender is encouraged to make his peace with the community, and, to the extent possible, given the means to make reconciliation a realistic prospect. That there are still only a handful of organizations like PORT throughout the country after all these years says a great deal about Rochester on the one hand, and about the difficulty of the task and its complexity on the other.

A Bureau of Offender Supervision

I want to propose a simpler solution to this problem of creating a realistic system of sanctions. It can be put into place in cities less fortunate than Rochester; under some circumstances, it might even be useful here. Let us set up a Bureau of Offender Supervision, to be administered by the courts or possibly by the police. All offenders not sent to prison would be required to make reports—daily, weekly, or monthly—as the situation seems to require—in person to an officer of the court or of the police. Let us limit the responsibility of this Bureau of Offender Supervision to receiving reports, to the investigation of their veracity, and to filing reports to the court when there have been violations of the law or of the terms of supervision. And let us leave to a separate organization the provision of services and the counseling that people in serious trouble will always need. Sometimes an organization like PORT will be in the community and can be built into such a helping system. And sometimes the community will have to rely on private social and health agencies or create a public agency to provide these same services.

What I am urging here is the continued development of the PORT idea from which so many of us have drawn so much encouragement in years past. If my general prescription can be filled in detail, and a lot of details will be needed, thousands of men can be spared the miserable and destructive experience of incarceration in an American prison and led into paths toward constructive citizenship. Every time they make their report to the Bureau of

Offender Supervision they will be reminded of the unpleasant consequence of their wrongdoing. If they violate the law or fail to report as required, they will be arrested and sent to jail. But from the time of sentencing on, they will know that the resources of the community are freely available to them for the help they have to get if they are to resume their citizenship.

What would a plan of this kind accomplish? Let me quote for you from an address by William Temple, who was Archbishop of Canterbury for a few years after World War II:

To forgive may be right; to condone... is always wrong. The first duty of the state is to dissociate itself from the act of its own member; to do this it must act, not only upon, but against this member. Just because he is a member his act implicates the community unless the community repudiates it....

But this is also the first duty of the state toward the criminal himself. He needs, as we all need, sympathy; he needs, as a sick man needs, diagnosis of his disorder and appropriate remedial treatment; but above all he needs, as a preliminary to any good effect of these, the reassertion both of the moral law, which he has by implication denied, and of his own personal responsibility towards it.

But he never is only criminal and nothing else. And while the community is bound for his sake as well as its own to treat him as a criminal if he is proved to be one, it is also under an equal obligation to treat him as a human being whose lapse into crime is no more than an incident, even though, at the moment, it be the chief incident in question...²

In these eloquent words can be found the true basis for programs like PORT or proposals like mine for the creation of yet another new bureau. The assertion of the moral law, the affirmation of the law of the land, must take place in a clear and unambiguous repudiation of the criminal act. But the man who committed that act is always more than a criminal. If we treat him as a citizen rather than as undifferentiated object of hatred, he may learn that his lapse is not an insurmountable obstacle to reconciliation. If I understand PORT and the principles that justify its existence, you have been putting into practice Archbishop Temple's exhortation. Retribution—the repudiation of the criminal act—must precede reform of the criminal. Unless we have both we can have neither. Observance of this simple principle can lead to the rehabilitation of corrections. Its neglect will lead only to the continued and aimless bloating of our prison population to hundreds of thousands more men and women during the troubled years ahead.

²William Temple, Archbishop of Canterbury. *The Ethics of Penal Action*. The Clarke Hall Lecture, delivered on 19 March 1934, pp. 30-32.

END