

NEW HAMPSHIRE CORRECTIONAL STAFF TRAINING PROJECT

TRAINING MANUAL OF 18 SESSIONS

PRESENTED TO

NEW HAMPSHIRE CORRECTIONAL PERSONNEL

SEPTEMBER 11, 1968 to JANUARY 20, 1969

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F O R E W O R D

Publication of this training manual was made possible by funds from the Office of Law Enforcement Assistance, Department of Justice, Washington, D. C. New Hampshire correctional administrators, with the assistance of members of the staff at the University of New Hampshire, set up an eighteen-session training program for all state correctional personnel.

Speakers came from all areas of the Eastern United States to present programs of what has gone on in the correctional field, what is being done at present, and what will be done in the future. Personnel were exposed to the wide knowledge and varied experience of many of the outstanding experts in the correctional field.

All of the lectures were taped and then transcribed with no changes in the presentation so that all correctional personnel will have the advantage of the valuable material presented during this project. Much of the material contained in this manual could be used in training programs in the various departments and institutions in the future.

The tapes taken of all the sessions are also available for use in future training programs. Section II of this manual explains the procedure to be used for borrowing these tapes.

JOHN W. GEARY
Project Director

I N T R O D U C T I O N

Members of the Planning Group responsible for setting up the New Hampshire Correctional Staff Training Program are as follows:

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Members of this group spent many hours setting up the program contained in this manual in hopes that the material can be used by correctional personnel in New Hampshire and other areas to better understand what is going on in corrections, what will be done in the future, and also to help all personnel to perform their duties in a satisfactory manner.

Material contained in this manual can also be used to train future correctional personnel.

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from September 11, 1968 to January 20, 1969

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S E S S I O N I

Wednesday, September 11, 1968
7 to 9 p.m.

Representative Hall
Concord, New Hampshire

Meeting Chairman -- Justice William A. Grimes

Honorable William Keller - Superior Court Judge
Honorable Alfred Chretien - District Court Judge
Lt. Paul O'Leary - State Police Officer

The Court, Criminal Code, and Law Enforcement Agencies

Types and functions of courts. Jurisdiction of various courts. The problem of sentencing. Criteria. How does a judge arrive at the sentence. New Supreme Court rulings. The effect of the Gault case on juvenile cases.

Justice Grimes -- The purpose of this first session is to acquaint you correctional officers with court structure in New Hampshire and the methods by which you get these people into your institutions -- whether on probation or in one of the county houses of correction, the Industrial School, or the Prison. How do they get to you?

I also want to emphasize the purpose of this entire course of fundamental service is to get you people so that you are better able to turn these people loose into the community safer than they were in the community before. We are just wasting our time if a judge commits one of these individuals to one of your institutions and you keep him there a while and then turn him loose and he is no better than when he went in. It is particularly bad if he is worse than he was when he went in.

We have to keep in mind that at least 95% of the people committed to these institutions are returned to the community; and unless we can do something with them while we have our hands on them so that we can turn them loose better than they were when they came in, all we did was put them in cold storage. We didn't accomplish anything toward making them safer when they go to live in the community.

The first contact a person has with authority if he commits a crime is with either the State Police, the county sheriff, or the local police. You might say that this is the front gate. This is where they enter the system if they enter it at all.

The fear of getting caught is the greatest deterrent to crime, even more so, in my opinion, than the fear of getting convicted. The more chances there are of getting caught, the more a person is deterred from committing the crime. The police officer serves this very important function in our society.

Lt. Paul O'Leary from the State Police who is in charge of the State Police Training Program -- Judge Grimes wanted me to explain the police role to you. My immediate reply was that I have been in the business fifteen years; and I am not sure that I understand the police role yet myself. It is a matter that has been widely discussed by people who now feel that the police may have many roles. Their main job was conserving the peace. It didn't take a great deal of training, but it did take a great deal of muscle. We have gone from using our muscles to using our minds.

We understand that to prevent crime a great deal of discretion is used by the police officer today. This discretion may be hampered or influenced by many things. It is influenced by the courts. It is influenced by the society around us in which they work. It is influenced by the working conditions that the policemen work under. It is influenced by many things. The policemen are looked upon today as referees of social feelings. His work is influenced by practical matters.

For instance, in starting at the bottom of the system of criminal justice he is starting with the people who are responsible for you people being here; because if we didn't start this thing, there would be no place for you people. People blame everything, generally, on the police so you can blame your presence here today on us. It is a fact that we assist, but these practical matters are based on the legal strength of the willingness of the victims to press charges.

We cannot hope to arrest people for every crime that takes place. It is evident that it is the discretion that is going to be the most important thing in this service of the policeman. Any misuse of this discretion is going to affect not just an individual but the entire community. Some crimes are so irrational and unpredictable, explosive and resistant to analysis and explanation that they cannot possibly be prevented any more than a tidal wave or hurricane. Yet the role of the police is to prevent crimes.

I am not sure just how we are going to do this. I am not sure whether I am out there to struggle with the community at large. I am not sure how to enforce the role. I am not sure whether I am to go out and start the criminal justice system. I am not so sure who I should arrest. I am not so sure what I should arrest them for. I have no guidelines. The law has not given me any mandate, no directive. I am not told how to enforce the law. I am only told what the law is. I have no part in making that law. I am certainly sure that everyone here knows that the law that is enacted here in this chamber is a little different than the law I know and see out on the street. But I have no part in it. My job is to enforce it. My job is to first try to prevent it.

Justice Grimes said that the greatest deterrent to crime is the feeling of being detected. The second is the fear of swift apprehension. The police think of the conviction and the punishment; and I think this influences him a great deal as he starts out in the criminal justice system.

We are told in the basic police school that our job stops at the court house steps. Our job is to bring them before the court and present the available evidence, but you can't help get the feeling that you are operating in somewhat of a challenging area. You are running into competition -- it is the criminal and the police. And if we win, we want something to happen. That doesn't always happen because we have no way of influencing what will happen.

This is how the policeman's philosophy perhaps has been distorted over the years. We look at rehabilitation as something that doesn't happen. Maybe because the people we deal with consistently come back to us. It is a little bit depressing to look at the uniform crime reports that have just been published by the Department of Justice. They tell us that 60% of the offenders repeat within four years after the initial apprehension and conviction. So we are beginning to wonder is there any rehabilitation there? I do know they are the same people who are dealt with time and time again. The names are familiar to you people, and I don't know as the system of justice can rehabilitate them. At the same time I have seen people who in the first instance something inside them mentally stops working that makes them commit some heinous crime that they will probably never repeat again. But I am not so sure of the criminal element.

So to say that I don't know what my role is is to say that I think the police role remains to this day undefined, but it does start the system of criminal justice. It gets it off the ground. It starts it to the court.

A policeman has a great deal of discretion and this discretion is influenced by a great many things. Is he going to make an arrest and what are the implications of the arrest -- the political, the social, the personal? He doesn't have a great deal of time to utilize this discretion. Time is something that he doesn't have a great deal of. Yet his conduct in that moment of determining what discretion will be is later reviewed in the courts when a great deal of time is spent in analyzing whether he made the proper judgment at that time.

So the role of the policeman today, although they will tell us that this is the year of the policeman, is fuzzy. Perhaps he will get some guidelines that are definite; perhaps he will get something beyond just the law; perhaps he will take a part more actively in the system of criminal justice and will know where he is going.

The best I can say is that we get it started by our communication with the people that you later deal with.

The district court cannot sentence a person to over one year. It has to be one year or less. He can commit the individual to the jail or the house of correction only; and, of course, he can always place him on probation. Juveniles who are found guilty can be sentenced to the Industrial School or placed on Probation.

Presiding over the largest such court in the State, which is located in Manchester, is Judge Alfred Chretien; and he has been kind enough to come here to tell us a few things about his court.

Judge Chretien -- Ladies and Gentlemen: It is a pleasure to be associated with you. I have certainly been associated with quite a number of you in the past, and I was always very glad to make your acquaintance.

Now you have heard Judge Grimes tell you about the functions of the district or municipal court judge. Let me tell you that despite the fact that this is a court of limited jurisdiction, the district or municipal court, it is still a very important court because of the large number of people that are

brought before it. We handle a great variety of cases: the traffic cases; we have all the drunks; we have larceny up to \$100 and most of the thieves that are arrested do not steal more than \$100; the non-support cases; we have the assault cases; we have many other types of violations of the law such as disorderly conduct, etc.

As to the conviction of offenders to either the jail or the House of Correction, we certainly don't commit anywhere near as many as the Superior Court in the same jurisdiction does except in the area of drunkenness or alcoholism. This is something that even as of now seems to be necessary occasionally.

We do commit to the House of Correction an individual because he has been convicted of being drunk in a public place or in his home disturbing his family or disturbing the peace outside although it is a private place. Most alcoholics do not want to improve themselves; they are satisfied as to their way of life. In the matter of handling the alcoholic we send persons to the House of Correction most frequently. Otherwise not too many are sent to either jail or the House of Correction.

Now what are the aspects that have to be taken into consideration by a judge as he approaches the matter of sentencing an individual after the individual has been found guilty? Well, first of all there is definitely the matter of the offense. What is the type of the offense has been committed? The more serious the offense is the more seriously the judge should approach the matter of sentencing. Then there is the matter of the offender. What is to be done with the offender? Will merely a fine be sufficient to correct this individual, to impress upon him that he should not repeat his offense. Of course, in the matter of traffic cases, most frequently, nearly all of the time, it is a matter of the imposition of fines or suspension of the license. Incidentally, our court is not sufficiently able to exercise a role in the matter of suspending licenses. We are limited to a seven-day suspension for any type of violation of the law that is not used too often.

Then there are many other types of cases such as what do we do with an individual who does not support his family properly? If the individual has run away from the State and has not been supporting his family for a whole year, that is a more serious case than if there was some controversy between the man and his wife and the wife told her husband to leave and he does leave. He is very angry and for a few weeks he doesn't give enough to the support of the family. This is one type of case.

We have another case where an individual has had a few drinks and he gets into another argument with his wife and beats her up or punches her in the face. Then she has him arrested and he is brought before the court. How is this case going to be approached by the judge? What kind of a sentence should be imposed?

These are situations, as I said, where you have to consider many factors. Shall we just think in terms of punishing this individual? Or shall we think in terms of trying to correct his bad habits and to rehabilitate him. Now supposing there is repetition on the part of this same man; supposing he doesn't support his family three months later; supposing he repeats again after three or six other months have gone by; then what should be done? Will his

being on probation be adequate to correct this individual or should he be punished? Should he be made to serve a period of time and at the same time suspend a part of it and put him on a period of probation? Perhaps having to serve a period of time either in the jail or the House of Correction may teach him a lesson. It may help him and may help to correct him. He may realize then that he has done something serious and that he should make an attempt to do better in the future. This again has to be taken into consideration depending on the repetition of the same offense.

Then come the larceny cases. There are some that steal from a store a small article. Usually a small fine will be enough. The main factor, I have discovered, is getting caught. I have heard parents tell me, when it was a 15- or 16-year-old child, "I'm glad he got caught". There are many many circumstances that have to be taken into consideration as to correction and as to rehabilitation.

Some time ago I was the chairman on a committee on sentencing procedures and I prepared a statement of certain principles of sentencing. I would like to read some of the principles that I arrived at at the time.

A just sentence comprises consideration of many factors such as the matter of the offense. The circumstances extenuating or aggravating the offense; the prior criminal record, if any, of the offender; his record as to employment; his background with reference to home life; sobriety and social adjustment; his emotional and mental condition; the prospect for his rehabilitation and the possibility of his return to a normal life in the community; the possibility of his treatment and training; the possibility that his sentence may serve as a deterrent of the criminal behavior according to the community needs, if any, for such a deterrent.

Punishment in the form of a fine or confinement for a conviction or a fine or confinement with a period of probation may be the appropriate means of correction and deterrent. Repeated short sentences imposed for repeated misdemeanors or petty offenses are ineffective both as a means of correction and as a punitive deterrent. These sentences are often a contributing factor in the care of the petty recidivist.

An integrated system of control by means of special institutional facilities and community supervision is essential to the solution of this problem. A punitive sentence for the purpose of deterring should properly be commensurate with the seriousness of the offense and the degree of the guilt of the offender.

Inequality of sentences for the same or similar crimes is always experienced as an injustice by both the offender and society. Cite this as an example of the inequality of justice: In a Federal Penitentiary one individual for robbery received a five-year sentence in one state; and in the case of another individual, who had been arrested for robbery in another state, although the circumstances were very similar, received a sentence of fifteen years. Both of them were sent to the same institution. How do you suppose the man who received fifteen years would feel as to the justice of the courts? So the inequality of sentences has a great meaning.

Of course, this means more uniformity is being desired. This is applicable in all courts, even in our so called minor courts. Recommendations have been made to reach more uniformity than we have now. Greater uniformity is an

extremely important in the administration of justice. The task of evaluating the individual offender and planning the most appropriate treatment program for him must draw on all the available knowledge and professional skill represented by sociology, psychology, psychiatry, social case work, and related discipline. To perform such a task properly the sentencing judge needs an adequate and well qualified probation department to make an informative pre-sentencing investigation.

Public protection allows for the maximum use of probation in respect to offenders who are not dangerous or confirmed criminals and who manifest a capacity for the possibility of rehabilitation as useful citizens. Public protection, however, requires appropriate periods of incarceration for dangerous or the habitual criminal who is not reasonably receptive to rehabilitation as a useful citizen.

In the district or municipal courts we meet these circumstances especially where we are dealing with a repeater or recidivist either to non-support or disorderly conduct, wanton damage to property, etc. In those cases we have discovered that just the imposition of a small fine is not sufficient. We have to use more severe measures. The moral feelings of the offender at the time of sentencing are repenting, promising to make amends, and expressing the desire to correct himself and not to repeat the violation. There are all these factors to take into consideration.

The weakness and willpower of the offender or his partially defective understanding of the difference between right and wrong at the time of the commission of the offense and his willingness when he appears in court to accept psychiatric or psychological treatment looking toward rehabilitation would always be considered. Under certain circumstances it is appropriate at the time of sentencing for the judge to explain to the offender that he cannot always use as the excuse for his offense the faults of his wife, who is always arguing with him about this or about that. Or he should make this individual understand that he cannot always blame his parents or companions for everything that happens to him. He must assume personal responsibility--both moral and legal behavior if he wants to rehabilitate himself and become a useful citizen.

Justice Grimes -- At the beginning of each term of the Superior Court in the various counties, the jury is selected. That body consists of not more than twenty-three nor less than twelve persons. They hear the evidence which the State has against the individual and determine whether there is probable cause to send him to trial. If any twelve of those people decide that the evidence is sufficient to send the person to trial, then the foreman of the jury signs a paper which is called an indictment. That is returned to the Superior Court, and the individual is then put on trial, unless he decides to plead guilty.

If he decides on a trial, he is entitled to a trial by jury; or if he wishes to elect to do so, he can waive his right to trial by jury and have his guilt or innocence determined by a single judge of that court.

A juvenile may also be tried in this court on an appeal from a lower court. He may be tried as an adult or as a juvenile at the discretion of the court and the seriousness of the crime committed. The sentencing power

of this court is greater than that of the other courts, because it is the only court that deals with the sentencing of felons. A superior court judge can commit an individual who has committed a misdemeanor to either the jail or a house of correction. He can also commit a person who has committed a felony to a jail or a house of correction if he does not decide to send him to the State Prison. Of course, he can also place the individual on probation. The superior court judge is the only person who is authorized to sentence an individual to the State Prison. The sentence to the State Prison must have a maximum and a minimum date.

Now the Honorable William Keller will tell us something about the sentencing in his court.

Judge Keller -- I would like to mention only a few of the things I consider the more important aspects as to sentencing in felony cases. It is generally accepted that the primary purpose of sentencing is to protect the public and this you have done either through deterrents or through rehabilitation. Consequently, the question arises in a judge's mind as to whether deterrents or rehabilitation is the more effective. There is no question, of course, if a man is sent to Prison. While he is in Prison, he is going to be deterred from committing further crimes and so the public is going to get 100% protection. But some 95% or more of the prisoners are eventually released. Sooner or later some of the protection to the public terminates. Now many experts feel that sentencing has a limited effect in deterring the particular individual from further commission of crime and from deterring other people from commission of crime. On the other hand, if a person can be rehabilitated, this is 100% protection to society and that person becomes a useful citizen.

There is no question but what there are some people who are so addicted to crime that under any present methods of services that we have available it would be impossible to rehabilitate them. On the other hand, there are many more where the chances of rehabilitation are very good. Consequently, it is felt by many to be in the best interest of society to undertake to change a convicted prisoner or offender to a law-abiding citizen, either while they are in some institution or while they are on probation or a combination of both. The judge who is interested in rehabilitation may well be faced with the problem as to the best method of accomplishing the rehabilitation. His disposition of the case will, of course, depend upon what services the particular offender needs, as well as how and where the services can be obtained, if they can be obtained. I would like to discuss this factor as it pertains to certain cases.

Today a judge frequently has before him in felony cases offenders who are in need of psychological, and psychiatric attention or services; and I would like to read to you in that connection a report that was received from the New Hampshire Hospital in one of these cases. The report reads as follows:

"With reference to the above-named patient who was admitted to this Hospital on December 9, 1966, by order of the Hillsborough County Superior Court, I would like to inform you that his evaluation has now been completed. The evaluation consisted of psychiatric interviews, psychological testing, electroencephalogram, as well as routine studies. It is our conclusion that this patient shows a severe personality disorder classified as schizophrate personality and characterized by suspiciousness, a sense of isolation, mistrustfulness, incongruity of feelings of life, the feeling of inferiority, a poor socialization and resentfulness of advice and of supervision of correction. However, there is

no evidence of any psychosis or insanity that would impair his criminal responsibility. He is capable of understanding the legal proceedings against him as well as to advise council on preparing his own defense. Thus his return to court to stand trial is recommended, but he should be maintained on mild tranquilizing drugs for a definite period of time. On release from jail, he should be advised to seek psychiatric treatment on an out-patient basis."

Of course, the question arises as to what does the judge have available to try and solve a case like that. If you noted, the report says that he has no psychosis so he cannot be committed to the State Hospital. So what can be done with him? The State Prison, as a great part of the audience knows, has available psychological services which are reasonably adequate together with supportive therapy. They also make use of psychiatrists from the State Hospital to a certain extent. They make use of group programs, in work, recreation, education, and religion.

On the other hand, most county farms have few, if any, of these services available. There are some of the county farms which are an exception to this and which are doing considerable in trying to obtain some of these services. Consequently, when an individual is to be confined in such a case as this, it may well be that because of the services available at the State Prison, that is the better place to send him than the county farm; although without this particular factor, it might well be that the county farm is the place to send him.

Another possibility available to the sentencing judge, of course, is to sentence such an individual as this to the county farm for a period of time, suspend part of the sentence, and put the offender on probation or to put him on probation without any confinement. The judge who is contemplating doing that, however, is going to be faced with the limited services which are available in such a case to somebody who is placed on probation. It is true that the New Hampshire Hospital has an out-patient clinic; but these out-patient clinics, in cases such as I am referring to, could only give from ten to fifteen minutes once or twice a month to help patients and that is not even a drop in the bucket. Furthermore, even though we do have certain community clinics which have some of these services, these community clinics are not anxious to take these cases. Some of those will if they are specifically asked and will give what help they can. Occasionally we run into a situation where the parents of the offender will say that they will furnish psychiatric assistance and pay for it. Of course, that is always quite welcome but does not happen too often. So although it is not impossible to obtain the services for the one who is on probation, it is frequently difficult and sometimes the services obtained are really not adequate for the particular case.

Another type of criminal with a specific problem is the alcoholic who is already mentioned here tonight. We frequently find in felon cases that this is linked up with the commission of the crime and in some cases, it is found that the offender is an alcoholic. In the case like this, I think that the judge can, if he puts such a person on probation, make it an order that the person join Alcoholics Anonymous. I have done this on occasion, and I had it reported to me that this has worked out quite well. Furthermore, as I understand it, there are now in the State on a full-time basis some clinics on alcoholism; and these clinics are perfectly willing and happy to take criminal offenders and do what they can with them. It is true that we have had clinics like them

the past, but it is just this year that we have them on a full-time basis. On top of that, as you know, they dedicated a Halfway House in Manchester which was established this year.

Another problem with which the judges are often faced is the deciding what is the best pattern of rehabilitation and whether or not the person should be confined or whether he should be put on probation. That is the choice which the judge has to make in each particular case. It may well be that the crime is so serious or the defendant's record is so bad that it is clearly a question of confinement. On the other hand, there are many cases where there is a genuine problem of whether it should be confinement or rehabilitation.

As you know, today there is a group who think that whenever a person commits a felony that he should be confined for at least some period of time irrespective of other facets. There are some who believe probation is used too much today. On the other hand, there are those who consider that probation is preferable to confinement in many cases.

The Advisory Committee on sentencing and review of the American Bar Association published a report last December. It said, "the Advisory Committee believes that the starting point for each sentence should be probation or some other sentence not involved in confinement. The extent to which confinement or commitment is employed in a given case should be determined by specific reasons which seem to warrant that disposition. The Advisory Committee is thus convinced that sentences which do not involve imprisonment are more likely to be effective in the vast majority of cases and that such sentences represent a great deal less in public expense."

Each judge will take these opinions and any other opinions he has at hand into consideration in making up his own mind as to the relative weight to be given to probation or confinement.

Most sentencing in felony cases is of offenders who come into court and plead guilty and in most of those cases this is what happens - the judge will go into the courtroom without any prior knowledge of the case. The defendant will enter his plea of guilty. The court and the lawyers will read the probation report. The county attorney or an attorney from the Attorney General's office will make a recommendation. The defendant's lawyer will make an argument and recommendation and then the court will impose the sentence.

Of course, in deciding what sentence to impose, there are numerous factors relating to the defendant that are taken into consideration, in addition to those that I have mentioned. These factors are normally obtained for the judge from the probation officer. The probation officers act in an impartial manner making a thorough and detailed investigation; they study the case and make a considered recommendation of what disposition they think should be made. So the reports are a valuable aid to the sentencing judge. Under the rules of the court, the probation report is not to be examined by the court or the contents disclosed to anyone until the defendant has pled guilty or nolo or until he has been found guilty. Then on such a plea or finding, the report is opened and the county attorney and the defendant's lawyer are given an opportunity to read it and they are also given an opportunity to rebutt anything that doesn't agree with the report. If it should happen that the defendant does not have a lawyer, then he himself is given an opportunity to read the report. If there is anything in

it that he should not read, then the court can suppress that and inform the defendant why it is being suppressed and disregard it in passing sentence.

Of course, the probation report is in fact a short biographical sketch of the defendant going through his entire life. Ordinarily one item which a probation report contains is the criminal record of the defendant; and in my opinion, the criminal record is one of the more important factors to take into consideration in sentencing because it shows what kind of a person he is and whether or not it is going to be possible to bring about his rehabilitation.

It sometimes happens that a defendant will dispute his criminal record as contained in the probation report; and if he does that, they would ordinarily disregard what he disputes unless the State does have records to support what was set forth in the probation report.

These are just a few of the factors that are involved. There are many, many factors involved in sentencing; and as I say, I have limited my presentation to felony cases. I should mention that we do make use of the Industrial School and am well acquainted with the services which they have available there.

SESSION I I

Wednesday, September 18, 1968
7 to 9 p.m.

State Industrial School
Manchester, New Hampshire

Meeting Chairman -- Dr. Michael Morello

Speaker -- Warden Harold V. Langlois, Adult Correctional Institutions,
Howard, Rhode Island

The Past and Future of Corrections

Origin, history, and development of correctional institutions and programs-- probation and parole in the United States, including county jails and juvenile institutions. (Should include agencies, persons, and purposes, and recent changes such as reception centers, diagnostic centers, and therapeutic community.) Stress changing role in corrections from security to treatment to counseling to blending of roles. What's ahead for the Correctional Worker? Professionalization.

Warden Harold V. Langlois -- Recently we have witnessed across these United States rebellion, discord, and protests by various small segments of our society of a kind and of such a nature as to make us ponder seriously the tone and direction our country points. Watts and Syracuse - Chicago and Miami - Columbus and Detroit - yea, Boston and Hartford, Newark and New York - the list is long, the heartaches longer and the end is not yet in sight.

What has happened to the domestic tranquility we enjoyed for so long? What has happened to the respect for tradition and established principle that the American people have been hallmarked for lo these many years? What has come to pass to cause the frustration of social justice to the point that established law and order and the mass news media have been at each others' throats hurling brick bats back and forth to the indignity of each? Chicago - why, and I ask you most profoundly, why do we have a third national party this year whose candidate will draw several million votes and probably cause the selection of a president of these United States to be made in our House of Representatives? Surely, these are times and these are matters of grave concern to every American citizen in every American town, city, and state the length and breadth of the nation.

I submit to you for your consideration the very core of our democratic process is under scrutiny like never before. I tell you world wide our allies are confused, apprehensive, and downright concerned about their allegiance to our posture and where they think they may be left in the scheme of things internationally if we continue the course we seem to be pursuing.

We have seen the "Bill of Rights" section covering "the right to bear 'arms'" come under a torrent of attack. Supporting and sustaining such attack have been the massive and catastrophic events of the Medger Evers, the John Kennedy, the Martin Luther King, and the Robert Kennedy.

We have seen the "right to peaceful assembly" similarly be scrutinized, strained and weighed. We have heard bitter castigation of the hippies, the

yippies, and the freedom marchers all give testimony that within this country many protest and yet many, many others smolder, mutter, and clench their teeth in silent and bitter resentment, confusion, and downright fear over the course and route we seem to be moving. Frankly, I do believe we have deep and serious trouble within our borders which will take generations to heal. The constitutional guarantee of "free speech" has by the standards of many been prostituted, misused, and abused to the point of the fundamental purpose of the guarantee almost being turned against the best interests of the United States. While traveling across these United States by automobile, one becomes started to see rising out of the land huge billboards reading: "Impeach Earl Warren"; like it or not he is the Chief Justice of the United States Supreme Court! Yes, fellow Americans, we have trouble! The core of democracy is being examined as never before. The process of minority expression and the blending of the world's greatest melting pot are heaving and sighing with the strain and pain of broken heads, broken hearts - with burning embers and brown bodies - with bitter speeches and broken promises - yes, with a spirit of national disunity such as we have never seen before.

Perhaps you wonder why and how this relates to the subject of corrections in these United States. Perhaps you ask what have these remarks and observations got to do with education and training for the discipline of correctional practice. My friends, the problems of corrections and the status quo of correctional practice are rooted in the community at large. They are within the training schools, they are within the prison and jails, they are found in the points of view of your probationers, just as they exist in the minds and emotions of your neighbors across the street, the man who pumps your gas, the grocer, the shoe salesman. You had better be aware of this - you had better face up to it - you had better cope with the reality of what is going on or you will have lost the day and never realized what you experienced.

Twenty years ago, generally speaking, prisons had an attitude of servility and conformance that was marked by regimented discipline, by mass movement, by uniform dress and by common treatment for all. Twenty years ago the attitude of guards, lieutenants, captain, and wardens toward prisons was one of superior but comfortable feeling, firm but kind benevolence tempered with the heavy hand of discipline if belligerency - smoldering underneath - broke to the surface.

Twenty years ago society, frankly, was not very much interested in what went on inside a penal institution. In fact, what interest, if at all, stemmed from the sense of curiosity, thrill-seeking or in some instances morbidity of the self-seeking personal gratification.

Twenty years ago we were a country with a penal code - with a penal practice - with a penal philosophy.

The advent of the great American dream - of education for all - of giving my sons and daughters more education than I had - has brought us to the threshold of where we are today. Like it or not the news media, television, automobiles, air travel, and a list of other influences has caused a cultural upheaval not understood by many and certainly not accepted by all. Our young people who demonstrate, who question, who protest at first blush we coddle - then trouble and, finally, reject them with a varying degree of hostility and a graduated level of preventive response. Upon analysis of our national attitude - responsive

that is - I sincerely believe we are thoroughly confused, thoroughly fearful and annoyed beyond reason. What we are really thinking, really saying and really doing is to offer them a trust - establish a trust - and when the dynamics of response come tumbling over and upon us, we act and react in tradition. We respond with stiffly worded expressions of recognition. We react with gingerly-offered hand clasps of token acceptance yet accompanied by an underlying fear of a new experience. It is a terrible, terrible fear of what will happen if we are identified with the new movement should it fail. In short, we are progress prone but production petrified. To put it bluntly, through education of our young, through sensitive adherence to the basic principles of our democratic way of life, through abiding and deep respect for law and order by the majority, everywhere, through an attitudinal disposition of honor, respect, tolerance, and understanding, we have arrived at a point of confusion, diffusion, diffidence, hostility, fear, frustration and, generally, mass confusion.

This, in my opinion, is true both in our free community and in our imprisoned society. I will dwell for the remainder of this presentation with that segment of people stigmatized - for they are surely that - by arrest, conviction and sentence to our various probation, parole, and institutional facilities throughout these United States.

Previously we locked all prisoners in following the day's work and the evening meal (which, by the way, was usually in mid-late afternoon); they remained so confined until breakfast the following morning. Today they are locked in for a count and thereafter let out to watch television, go to school, attend a meeting of a newspaper staff, go to a meeting of a club they have joined, attend a drug therapy meeting or attend any one of a myriad of activities.

These kinds of activities have been conceptually evolved in the thought of meeting individual differences and assisting in the rehabilitative scheme of things. All too quickly have we in administrative and keeper positions permitted ourselves to jump to conclusions such as "well there, I've done this for them so they should be satisfied", or "we've given them just about everything - where does this all end?", or "how much can you do for prisoners - we're molly-coddling them now." I say to you this is a shallow deduction in logic and a short-sighted investment in treatment. The prisoner will experience temporary emotional relief by escaping the boredom of the cell during the early evening hours. He will luxuriate in watching T.V. or satisfy temporarily invest of himself in school work, but soon - very soon - we see discontent, discouragement, and insecurity manifest itself in many ways, talking back to the officer, destroying a library book without apparent reason, quitting school work in a silent almost unnoticed manner, getting into a quarrel with a fellow staff member of the institutional newspaper and walking out to stay - yes, and deriding the paper to other inmates in the compound. You know what I mean. If you cannot conquer - destroy. When these things happen, and they do and will, we react unfortunately all too often from a moralistic platform - "if they don't behave, the hell with them!"; "they don't appreciate what we are doing for them!"; "well, what do you expect, they're no good anyway!"

Do we stop to think we have created a treatment climate - we have brought into existence the theme of recognition of individual differences - we have said let us treat - yet with this when the dynamics of human action and reaction inevitably takes place, we put up the wall of fear and drop down the gate of negativism. We turn our backs to a needed human confrontation of inadequate seeking adequacy, of inferiority toying to seek security. We cannot be timid or self-effacing about treatment; either we treat all the way or forget about it. Make a decision, if you offer treatment, be prepared and expect to go the whole way with what is involved in treatment. Window dressing will not work. The prisoners will know it, your employees will know it, and you will know it. Everyone lives the lie and the lie cannot long endure.

Now to accomplish or at least start on the treatment road, we must be conditioned for the trip. We need the tools of the journey. We need experience. We need communication! Why do we need these commodities? Because we are now in the business of human therapy, of administering to the needs of others. We need to understand. We need to feel. We need to recognize frailty and strengths! How do we acquire these attributes? We study, we think, we talk with each other, we listen, we share experiences. Above all we do not remain apart from others. We do not lock ourselves within our own fears and frustrations. We communicate. The open mind is a healthy mind; the doer is a prover; the giver is a getter! Correctional practice demands personal involvement in the scheme of things and dictates acceptance of responsibility by one and all. If this is done, the climate will truly be one for correction and truly point to the dignity of man!

Most, if not all, of the previously described actions and reactions of prisoners are well known to those in the business of character building assistance. The reaction of the paid help interestingly enough is enigmata, anachronistic and almost archaic! We are so quick to moralize the actions of our charges! We are so ready to judge the responses of our prisoners to the programs we have designed for them! We are so compulsive to see good results to what we think is right that we are first, hurt - second, confused - and third, frightened when we see our best developed plans for rehabilitation for prisoners accepted then rejected, accepted then prisoner improved upon (and this hurts our vanity) and accepted and after considerable experience have prisoner reaction such as to make management originally conceived concepts seem childish. This is submitted to you workers in the limbo of the humanities is almost too much to take; almost more than your humble egos can swallow. In fact understanding of the dynamitist work in these situations takes the patience of Job, the tolerance of John and the perseverance of Peter. Underriding and constant throughout the emotional and intellectual experiences of change within programming is ever present the danger of human frailty. Those of us in corrections for the most part are sensitive people with a character propensity to gentleness, to have a need to help others, to desire tranquility, to love. Under the former system we could offer our positive attributes. If accepted (and there are always some waiting to receive), we and they were satisfied. If rejected, we could pull our offerings back in a social system designed with built-in safeguards to insulate ourselves from hurt and social embarrassment. Remember the institution was built away from the city; it was built with a wall around it; it was constructed and operated as a thing apart from the rest of us. Today this has all changed or is changing so fast that one must take a quick breath if one is to be psychologically up

to the response and action needed to work in, interpret, administer or analyze the correctional service of the now.

The sincere offer of help today is frequently received by the prisoner who reacts by calling out "what's in it for you?"; "what's your angle?"; "why should I say yes I want help? if I do and if you help me and if I am helped and if I change, you will look good and your position will improve why should I help you?"

Yes, my fellow workers, the climate we work in has become complex, profound and more difficult than ever before. What do we do? Why we even find prisoners talking about the quality of the paid prison employees. Many, many times I have heard it said, "He's O.K., but his wife is bugging him." "He's stupid, he's scared, he tries to run a bluff", or "He's a real fine man, he never lies - if he says he will do it, be assured he will." I do believe we in the field of corrections have overlooked the significance of interpersonal relationship. I submit to you we have done this not because of indifference but because of ignorance. Today's probation officer, today's parole officer must visit the institution and get to know "prison psychology". Today's probation and parole officer must visit this industrial school complex and know the points of view of its inhabitants both committed and employed. You see when you are working with your people, they act and react to a free society with its pressures and demands from their background and total life's experiences. If these have been industrial school oriented and prison spawned, how in God's World can you relate unless you understand?

Today's "guard" and this work while accepted by society as having an honorable significance due to its cultural inheritance, must not only change its title but the total concept and way of conduct of the office must be altered. The man working in the visiting room today is not a "guard". What is he guarding against? The employee teaching men how to perform certain kinds of work in a shop is not guarding. What would he be guarding against? Think about this. Think about the concept underlying and intertwined within our social system of corrections. This employee is a man with an intellect, with emotions, with a cultural inheritance, with attitudes, with aspirations, with fears, and, yes, with prejudices. He is no different than you and I. Yet in the past we have soft pedalled his influence within the prison system. We have let the clang of gates and the watch tower concept influence an opiated society calculated at best to produce smothered existence. Yes, smothered because we were physically controlling hostility, hatred, deviancy and insanity by the wall, the iron bar, the isolation cell and the watch tower. The correctional officer of today must be prepared and equipped like never before. He must be oriented in the humanities. His presence here tonight attests to the realization of this need. Psychology, an understanding of the whys of human behavior, educational techniques - a methodology of how to influence a man's thinking, how to subtly assist him in shifting attitudes, how to help infuse inspiration and a desire to help himself and how to set a good example, these are some of the qualities needed in a good correctional worker today. This is true at the truant officer level, the training school, the prison, the parole and the probation officer and all other positions in the correctional category. Let us stand up and be a profession.

We are not policemen; we are not social workers; we are correctional practitioners. Gradually, but as night follows the day, the institutional island is being bridged to the main stream of the community. Again, if we are to treat in attempting to help develop normal humans or reasonably well adjusted people, we must set up normal values and have normal standards. This means using normal humans in normal environments. Work release and educational release programs provide this normalcy because the prisoners involved in these activities go forth to the community each day and associate with normal people in a normal way doing normal things and getting normal rewards. Such is not the case, however, for the prisoner who is under close confinement. We must bring society and its normal influences to him. We do this by community involvement. This is not easy and presents a tremendous challenge to all in the correctional system. In doing we open the institution up for the first time to public inspection. The general public gets a look at what we are doing and how we are doing it. We must take stock and run a program that can stand being looked at - this is not always easy! In opening the doors, we must expect and inevitably will get the "do-gooder", the "soul saver", and the "gossip". We will experience the annoyance of the question asker and experience the patience of the Lord in relating to the good woman who has many helpful suggestions on how to run the institution, any one of which if adopted would cause riot and bloodshed or shoot the annual budget up \$300,000. You can expect to have some inmates use and attempt to use the volunteers as a pressure instrument or pressure group for them against management. You can look for some prisoners trying to, and in some instances succeed, in duping the civilian or layworkers. Yes, these are but a few of the headaches or problems found in citizen participation and community involvement. I have gone through this change in our own state. I have had all and more of the problems I have just enumerated. I say this, the experiences have been frustrating, the headaches have been great, but everyone of them has been worthwhile.

Today we have sixteen men actively engaged in our work release program, two of whom go to school five days a week in the community.

We have a program of drug therapy patterned after Day Top in New York City functioning within our Maximum Custody Institution. A former drug addict, a staff member of Marathon House in Rhode Island, comes to the Institution twice a week and works with the addicts who are trying to help themselves. In fact we have gone further, a former member of our institutional drug addict therapy group passed up parole board appearances twice in the last year and a half and left the institution upon expiration of his full sentence. He returns three times a week - Monday, Wednesday, and Friday from 1 to 3:30 p.m. - every week on a voluntary basis and works with the addict group in therapy. We even let him bring in his own tape recorder and record the session, and we do not edit the tape nor do we intend to!

A woman volunteer in her middle forties visits the Maximum Custody Institution three times a week, all afternoon on each occasion. She is escorted by a correctional officer to the Inmates' Activities Building located in the interior of the Maximum Custody building where she is left on her own. She meets with fifteen to twenty prisoners who are members of the institutional staff. Together they review material for publication and put the paper together. They exchange points of view, argue, discuss, agree, and generally ameliorate attitudes.

Tomorrow night is our second annual "Little Joe" banquet. One hundred and sixty people - some fifty inmates included - and the remainder their families and friends will get together at a dinner within our Maximum Custody auditorium. The prisoners will co-mingle with their families and friends and sit with them at tables throughout the room. This is our A.A. group. Present will be two judges of our Superior Court, who while not members, have a keen interest in volunteer activities of this kind. Interestingly enough, last year the speaking program turned out to be much, much too long. We found that the inmate speakers were very good and the A.A. community volunteers felt the inmates has stolen the show they spoke loud and long.

Our Junior Chamber of Commerce Chapter competed this past August in the Annual State Contest for the various prizes given for service and work performed. We won four first-place awards, three second-place and one third-place prizes for various community activities. This was judged by J.C.'s from New Hampshire and Vermont, by the way.

We sent our newly-elected J.C. President to the meeting in the company of a lieutenant in civilian clothes. This is a Maximum Custody J.C. chapter; the inmate is a Maximum Custody prisoner. We loaned him a camera to record the event. He took colored slides and after they were developed showed them to fellow J.C.'s. Incidentally, this same chapter raised in hard cash \$3,500 this past year and presented it to our Governor as partial payment for modernizing our visiting room. In return the Governor appropriated \$20,000 in State funds to complete the project.

For the past two years, we have had twenty students - juniors and seniors - come to the Prison or Maximum Custody unit twice a week from September through June for two three-hour sessions each week. They are volunteer workers who are members of the Brown University youth guidance group. They tutor inmates in subjects above a high school level. These are mathematics, French, Spanish, history, sociology, and others. Out of this program has grown a computer training project which is starting next week. One of the student's fathers is a high-placed executive in I.B.M. and through his efforts they are providing the material, instruction, and total programming for the project. Some thirty-four inmates passed the original screening eligibility standards and ready to go.

These are some of the volunteer activities of an ongoing nature. There are several others which time will not permit for description. I illustrate to you and submit for your consideration, we are community oriented, recognize and practice what we preach, but desperately are in need of more education and varied kinds of positions for some of our correctional officer personnel to reach for. Incentives such as specialized counselling positions and teaching situations, especially for a manual training nature, can well be considered goals for some of our capable correctional officers to aspire. We need to create inmate and employee relationships, such as roundtable discussions.

Perhaps I have sounded radical or highly theoretical to you tonight. I only ask that upon your reflections you consider I have come to these beliefs after nine years experience as an FBI agent and almost eighteen years as a warden or director of corrections. I have experienced riots, fires, cuttings, sit-downs, stand-ups, and stay-ins. I have had men on a roof who

would not come down and have gone through hunger strikes. I repeat to each and every one of you the directions of corrections must be toward the recognition of the dignity in all men and a dedication to the principle of helping others to help themselves.

S E S S I O N I I I A

September 25, 1968
7 to 9 p.m.

New Hampshire State Prison
Concord, New Hampshire

Meeting Chairman -- Warden Parker L. Hancock

Speakers -- Charles McKendrick, Warden, Walkill Prison, New York
Bruce Grant, Chief of Classification and Parole, Federal
Correctional Institution, Danbury, Connecticut

The Treatment Process - Intake, Orientation, Classification

Intake and orientation - discussion of procedures and purposes. Classification purpose, organization, content, procedure, and criteria of assignment of placement.

It gives me great pleasure to introduce Warden Charles McKendrick of Walkill Prison, Walkill, New York. Ladies and gentlemen, Warden Charles McKendrick.

Good evening ladies and gentlemen. The topic I am to present tonight is based on the admission and orientation of the offender.

The object of this lecture is to point out to the admitting officer the proper procedure in receiving a new inmate, and to alert the officer to the fact that the new inmate forms first impressions of both the officer and the institution by the attitude and methods used at this time.

To start we will go back to the arrest of the inmate. Here he goes through the police procedures of being charged with a certain crime, goes to the local police court and usually because he cannot post the bail is sent to the county jail to await trial in court. In many cases he is held for the next term of court which could be six months or more. He goes through a jury trial being transported to and from the county jail as necessary. He is found guilty and is given a prison sentence. The sheriff or his deputy then transfer him to the State Prison.

This is where you receive the prisoner. He is nervous, worn out from waiting, and is at his lowest level mentally and physically. At this time he makes decisions which can reflect on his future attitude at your institution. This is correctly defined in the Correction Officers Training Guide, and I quote, "One of the most important phases of correction work is the procedure of receiving the new prisoner. The first hours of confinement and the handling of the new prisoner many times sets the pattern of his prison life and behavior after being released."

First you make sure of the identity of the officers delivering the prisoner. After seeing these officers repeatedly, you will get to know them by sight. Careful examination of the commitment papers can save unnecessary travel and clerical work. The prisoner must be committed by proper legal authority. This must be indicated by and signed and sealed document showing:

1. The court - Supreme, etc.
2. Name of presiding judge
3. Indictment number
4. Name of defendant
5. Name of counsel of defendant present
6. Crime of Indictment
7. Crime of conviction and date of conviction
8. Plea or conviction
9. Length of sentence
10. Place of imprisonment
11. If more than one sentence, how sentences are to run: consecutive, or concurrent
12. Signature of clerk of court or judge
13. Seal of court
14. Marital status, occupation, etc.

Many of the older institutions, because of their physical structure, lack proper areas for the receiving of new inmates. Newer institutions and those having been remodeled are providing an area to be used strictly for the receiving and orientation of the new inmate.

Next step is to shake down the prisoner for weapons and articles of contraband. All articles shall be taken from the inmate, with a list being made of everything taken from him. The receiving officer should never take the word of another, and either he or a responsible officer designated by him should make the search. The failure to do this has been known to cause bloodshed and other incidents that cannot be explained satisfactorily to anyone.

The next step is the strip-search and bathing of the prisoner. He takes off all his clothes, removing dentures or orthopedic devices for examination. A nurse or doctor present is very helpful but not always practical - note all cuts, bruises, scars, needle marks, injuries, etc.

Any artificial limbs that are necessary to the mobility of the inmate are thoroughly inspected before the prisoner is allowed to have them. Prison clothing shall be issued at this time and special care should be taken to see that the clothes fit him properly. Everyone has pride in being properly clothed and many times ill-fitting clothing is soon damaged and/or destroyed.

All of the prisoner's clothing, money, and other articles shall be checked in his presence and made out in triplicate, being signed by the receiving officer and the prisoner. One copy goes to the prisoner, one in his file, and one in the Office. If clothes are to be sent home, his home address is also placed on the clothing list. Any claims of loss of clothing or other articles can be easily answered this way.

The inmate is now given a haircut, if received during day time; if not, this is taken care of first thing the next day. He also receives necessary bedding, such as sheets, blankets, towel, soap, glass, etc.

While the inmate is dressing, the officer gives him a quick rundown of the cell block rules. These should be carefully explained and the officer should repeat them if necessary.

He is now assigned a cell in the quarantine section and turned over to the cell block officer who escorts him to his cell and makes a name tag for his door for identification. The normal stay for an inmate in quarantine in New Hampshire State Prison is two weeks. Copies of the rules and regulations are given to the prisoner and he is also called up by a lieutenant as soon as possible and all rules

regulations are carefully explained to him in detail. As soon as possible after admission the prisoner is fingerprinted and photographed to assure positive identification in case of escape. Any tattoos, scars, etc., are also listed at this time.

We speak of orientation of prisoners: Why do we need orientation? This is why!

Most inmates enter the institution with fears, resentments, misconceptions, and frustrations. They picture the institution as a place of punishment. They probably have been in jail in idleness for several weeks or months. Many feel they have been treated unfairly by police, prosecuting attorneys, and the courts, and expect persecution by institution officials. They face months and years of confinement and fear what may happen to them while confined; they fear the prospect of broken ties with family and friends, and fear the problems they will face upon eventual return to the community. Obviously, prisoners who are preoccupied with such anxieties are not in the frame of mind to enter upon a program of self-improvement.

Before the establishment of orientation programs, new inmates received their orientation from other inmates, and usually from the more anti-social and institutionally sophisticated and disgruntled ones. This process emphasized how to get "soft" jobs, how to connive without getting caught, escape plots, and disparaged any participation in the constructive activities of the institution. This type of orientation set up a barrier between the personnel and rehabilitation influences on one side and the inmate population on the other.

The first orientation programs were limited to an explanation of rules and regulations. Later, a description of the facilities of the institution available to the inmates, such as the educational and vocational programs, was added. Still later, it was recognized that the period following commitment presented a most critical time from the standpoint of institutional adjustment and also a most opportune time for the institution of treatment.

Today, interviews are arranged with the caseworker, psychiatrist, chaplain, or others on the staff. Group sessions are held in which new inmates are encouraged to discuss their problems under the leadership and guidance of trained, understanding staff members. Through this technique the prisoners find that others face the same problems as they do, which in itself brings relief. There is provided a setting in which the discussion of their problems becomes easier. They begin to seek solutions to their problems and their tenseness, rigidity, and general opposition to the institution, its personnel, and programs begins to disappear. This phase of the program, then, has much to offer the offender by placing him in a frame of mind to accept a constructive program and to cooperate in carrying it through.

In addition to the interviews, examinations, and group discussions, the orientation program provides regular recreation and exercise periods, religious services, reading material, and work for short periods on special assignments. Experience has proven that good orientation establishes positive attitudes toward a positive institutional program.

Chief of Classification and Parole - Mr. Bruce Grant:

I believe we need to start by discussing what classification is and what goals we hope to achieve by the process. A few short years ago, classification was crude and used primarily to meet the needs of an institution. A man was classified on the basis of his prior record and the severity of his offense. This determined what type of an institution he would be placed in and the degree of custody and control he required. Work was based on prior experience and the needs for institutional operations.

Classification has had to become more sophisticated as a direct result of our growing recognition that prisoners are people, and as such they have particular treatment needs. Very few of us believe in this day and age that you can develop one regime of treatment for all offenders or even for large groups of offenders. We believe each individual must have a treatment program prepared to meet his own needs and this calls for more complex and highly individualized classification.

We see classification as the procedure of making diagnostic findings and planning treatment programs for individuals. Perhaps our committees should be renamed Diagnostic Program Planning and Evaluation Committees to designate more correctly their functions.

To illustrate what I am talking about, let me use a greatly over-simplified illustration. Suppose we have a man being classified. We have complete reports concerning his developmental history, his health, his educational achievement, his present psychological condition and so forth. From these reports, the committee is convinced that he becomes involved with law-enforcement agencies because he has never learned to earn a living. In this greatly over-simplified case, we have now made a diagnosis. The next step is to develop a program. In this case, the program would probably be vocational training, counseling aimed at his attitude toward work and the development of good work habits. Using our counseling and testing resources, we would decide on a vocational program and make some evaluation of the time we believed it would require to bring the man to the point that he could compete in the labor market. It would follow that once this man has learned sufficient vocational skills, had developed a constructive attitude toward work and had developed good work habits, he would be referred to the parole board with a recommendation that he be given a trial in the community.

When we first tried this system, we had committees composed of all the so-called top staff and they usually averaged about 12 to 14 people. After a few years, we found this large committee to be very unwieldy and inefficient. At that time, we reduced the size of the committee to about five. This was a more efficient and more workable committee, but we found in many instances the time we were able to allot to each individual was less than we believed desirable. In recent years, most of the federal institutions have gone to what we term a "treatment team" approach to classification. Under this system, rather than having one classification committee, we have several treatment teams. The number of teams depends primarily on the size of the institution. The teams are usually comprised of an associate warden or department head as a team chairman. The other members are a social caseworker, a representative of the education department and one line staff member, usually but not always from

the custodial staff, who acts as a liaison man with other line staff involved in the treatment of the particular individual.

This system allows us to spend more time with each individual in going through this process of diagnosis, treatment planning, the evaluation. By dealing with only a portion of the inmate population, the committee is in a much better position to become more familiar with the inmates attached to their particular team. We believe it also has value in placing the primary responsibility for training programs in the hands of people who are directly involved in these programs. As an added bonus, we have found this approach to be extremely valuable in staff training, particularly line staff and first-level professional people who have responded with great enthusiasm. While each treatment team feels free to call on professional assistance or assistance from the "top staff", we do not believe, and experience would not indicate, that only the "top staff" is able to make these kinds of decisions. As with any system, it is only as good as the people operating the system. In particular the caseworker must be a leader and function as the "quarter back" for the committee.

At this point, I would like to mention something we call the ISM approach. The first letters of three treatment categories Intensive, Selective, and Minimal are ISM; and we use this name for this approach. The ISM approach. In this approach, we break down all persons into one of three categories of treatment. We are realistic enough to know that everyone is not treatable. Therefore, a committee or team that sees a man as untreatable and not likely to benefit from treatment programs designates him as Minimal Treatment. This means he is not assigned to educational, vocational, counseling, or other programs. Whenever he evidences an interest in a program and placing him in the program would not prohibit a treatment case from being in the program, he is allowed to participate. However, if he wants into a school program, for example, but we have only a certain number of spaces and they are filled with treatment cases, he would not be assigned to the school program. This classification of inmates is used to staff industries or other necessary institutional maintenance operations.

If a man is found to need treatment in only one or two areas, such as the hypothetical case in the work area, he is designated as a Selective Treatment Case. He is given preference for assignments in his area of need but not in other areas. If for example a man is seen as a selective treatment case because he needs medical attention only, he would be used for institutional maintenance or industries within his physical limitations. A case of plastic surgery would be a good example. In brief, we see one or two problems which we believe led to delinquency and we work intensively with only these problems.

Men who seem to require a complete social reconstruction are designated as Intensive treatment cases. This means that all resources of the institution are brought to bear on him. In these cases the entire emphasis of his institutional program is on his treatment needs. His entire time, insofar as possible, is devoted to structured programs. He is given preference in these programs with other minimal or selective treatment cases assigned to institutional operations. He may spend most or all of his time in educational classes, vocational training, group therapy, etc. Of course, the groupings are not static. A man may move from one classification to another as we learn more about him, his problems and his motivation to use our resources.

This approach has several advantages. It allows us to use our limited resources in the most productive manner. We do not end up using expensive resources on persons who do not really need them or use them, as treatment resources to meet our mission of correcting the offender. It makes work assignments easier by identifying those who can be used in institutional operations and also those who need special assignments. It helps us to plan the type, number, and sizes of programs we need. It tells staff members who needs and should get their attention.

Another technique we use is that of pre-classification screening. One staff member, usually a senior caseworker with proven skill, screens all cases within forty-eight hours of their commitment. On the basis of what information is available (usually F.B.I. report, commitment, and pre-sentence report), he makes several basic decisions. He may refer the individual for transfer if he is obviously not suited for the institution he is in. He determines what types of reports are needed for classification. For example, he might find a man has a college education and decide that educational testing and evaluation is unnecessary. On a high school graduate, he might request only an abbreviated report. On a drop-out in the ninth grade, he might ask for a very detailed report.

In brief, he makes decisions regarding the reports and information needed to do a good job of classification. He also sets the date of classification; dependent upon the time required to get the information needed. For example, the lawyer who at age 54 first comes to prison because he was convicted of frauds on his income tax is not in need of intensive study or treatment in most cases. He would have only brief, if any, reports prepared in most areas and would be removed from the orientation program and put to work as soon as possible. Doing a complete work-up of this individual would not be the best use of these resources.

To summarize, classification certainly must include the routine things such as institution, custody, housing, job assignment, etc. However, if we are to operate treatment facilities the classification process must include as its most important function the diagnosis, treatment planning, supervision of treatment programs, and ultimate evaluation of the success or failure of the treatment provided. It must be an ongoing process flexible enough to evaluate and change individual treatment programs at any point in the treatment process when such changes are needed.

This then is the challenge, to acquire the expertise and experience to be able to make an accurate diagnosis and to plan realistic treatment programs which can be evaluated on the basis of empirical evidence.

S E S S I O N I I I B

September 25, 1968
2 to 4 & 6 to 8 p.m.

Highway Hotel
Concord, New Hampshire

Meeting Chairman -- Director John A. King, New Hampshire Probation Department

Speaker -- Frank Waterson, Chief Probation Officer, Albany, New York

Probation Reports

What to include. How to compile Information Forms.

Chief Probation Officer Frank Waterson -- Years ago we had this type of program to get probation officers together. Some eighteen or twenty years ago these sessions used to be half excursion and half interest training. But we used to come back and say to ourselves the real value of any of those conferences, institutes, schools, or what have you is meeting the other officers, talking with them; discussing their work problems; and settling our practical problems. We may be stimulated by something we heard, but then we return home and do everything the same way we did it before. We solved these problems in the theoretical. We didn't solve them in the concrete. Invariably we would say they can't work here. They can't work in my court situation. They can't work in this district. They can't work with my judge. They can't work with my chief probation officer. This is just not so. It just isn't so over the long pull.

I know you have heard before that no changes can ever be made. You have heard before that this is a distinct little domain in which we can't change any practices that we have ever been through. We have to keep them that way. It just isn't so. We see training sessions start like this. Ideas congealed, new thoughts come back, and things can be changed. Some type of direction, some type of thought, some type of direction from above that can be changed. We have learned to come to grasps with reality situations within the courts over the years. And let's face it, things are beginning to break in our field.

Probation, Parole, Correction, the thing is getting ready to move and it can be found. Some changes can be made. Some improvements can be made and are being made in these directions. They start out in training sessions such as this.

Everything is not necessarily in the abstract. Some of them are concrete problems and the solutions can be put into effect maybe only through piecemeal, maybe somethings we ourselves believe in but they can be put into effect. They are not all abstracts.

When we talk about things here, we sometimes talk in the abstract and do not get right down to facts and figures and the effects. We are forever going to change some of the ways which we get into. If I am going to change some routine which I think is best in my office and some inspector comes in, immediately I am on the defensive because I know that this worked for me for years. It was good enough when I came there fifteen years ago, and I like it the way it is. We don't like to change. Some changes we would like to see, but they can't because of some other reason. Many problems can be solved and can be solved in the concrete. And not necessarily just here at a conference. Sometimes you bring

it back and talk about it among yourselves and with a little money and a little help and a little something else the thing can work out both for our benefit and to the benefit of the people that we are to serve and do a good job for.

When we start talking about the pre-sentence investigation, we know pre-sentence investigations vary somewhat from district to district from county to county from state to state in different areas of the country; but fortunately, a pre-sentence report is a pre-sentence report. When you are sitting here and we are breaking in probation officers, most of you are probation officers (maybe one or two parole officers), and when you hear that somebody is going to talk about the pre-sentence report, I see some guys smile. Now when we analysis it, we went to school, had some field work in school, and probably we might have written three sentences. In the field workers' school we studied something about them on the undergraduate or graduate level. People go to social workers' school and they write more pre-sentence reports and get more practical experience. Then after two or three or up to ten and twenty years experience in the field they come to one of these meetings and the question comes out, "what else is new?" Then you start describing the duties of a probation officer.

We have all read and seen it in various articles how some minister, or priest, or do-gooder describes the duties of a probation officer in layman's terms or else he uses some high-sounding, high-meaning term on the duties that he is part psychiatrist, part psychologist, part social worker. You name it and he is part of that. I think a lot of those things are true. However, when you analyze it and when you get right down to the basic facts, the probation officer does, fortunately, just two things: he writes pre-sentence investigation reports, and he supervises probationers.

If you talk about officers to a fellow on the street, he immediately thinks of a probation officer and what does he do. He feels he goes around checking on people on probation and parole. And he is right. Their activities are to supervise people who are under supervision and help them to rehabilitate themselves. If we are honest with ourselves, we all know we have some of those built-in limitations in some of the situations in which we work.

Now I work in the Federal System. That sounds like it is all peaches and cream. As Mr. Knight described it before--that everything is fine. That you always have enough time to do everything. That everything falls right into place. That is just not so. In the Federal System, particularly, I know we are handicapped in some ways. We have built-in limitations not only in heavy case loads which we all like to talk about but because of the large classification area that we have to cover. There is no consolidation of probationers or parolees at one particular point. There is no section, village, county, or anything else that you can walk down the block and see ten or fifteen people and have such close contact as that. That is a disability also because we supervise probationers and parolees, and we make presentence investigation reports just like you do.

What happens in many of the cases we have, pressure dates that pre-sentence investigations due. We all know that so what really happens, we say there is little possibility that we can get that presentence investigation done on the date it is due and something suffers. The cause are long-range plans for supervision of somebody under probation. We had a long-range plan to solve.

Something has to give and that is it. I think that is the way it is in many, many offices. Sometimes it has to be that way. There is only so much time, there is only so much personnel, and we find that in our system during the year something has to give. We don't like it that way but often times it is the supervision. Therefore, because that is the case, we feel that our real strength is in probation reports--pre-sentence investigations--in writing them. You can't say the reason I can't adequately supervise is that I am writing pre-sentence reports, and the reason I can't adequately write pre-sentence reports is that I am supervising. Something has to give. I think, generally speaking, we have to accommodate the court and the judges.

Now for some thirty or forty years, the Federal System has been operating the Federal courts and probation. In fact, in the late 30's or middle 30's they came out with a mimeographed couple of sheets; and a few years later, they put out a book like this as the pre-sentence investigation report.

Mr. King showed me before the meeting the reports that are being done here in New Hampshire. I looked at them and thought I was reading our reports. Fortunately, they are the same. For thirty or forty years, and I can remember eighteen of them, we have been having a conference in Washington, at our training school in Chicago, at institutes like this one to meet with the other officers. Programs sometimes go for two or three days; but invariably, there was always something to do with the pre-sentence investigation.

Things move on. If it is a machine, it should be changed. But in this book back here in the 1930's, it was published and later revised in 1933. It was revised about three or four years ago. Better facilities and more money allowed them to publish a better book. But the start gave the purpose of the pre-sentence report. We all know the purpose of the pre-sentence report. No matter how you phrase it or anything. We have used the book all this time and will probably follow it next year and the year after that.

The book says that the purpose of the primary report is "serious writing on the personal life of the defendant to offer incite into his personality needs and discover those factors underlying the offense and to aid the court in deciding whether probation or some other kind of treatment is the best for the defendant and so-called society."

We also had a secondary purpose that was set forth in this book and the one that followed some thirty years later. Actually, the only changes in these books that have been made are in the titles. The rest is the same. I think we can honestly say that the pre-sentence format that we have used for over thirty years and apparently the pre-sentence format that you are using now is almost immune to change as far as the foreseeable future is concerned. Now obviously a lot of progress has been made in pre-sentence report writing over the last thirty years. Obviously, the changing or the improving in pre-sentence report writing had to take place. They took place not in the format but in the content, in the professional matter of the report.

You know yourself that if you look at the reports that you are doing today and you look at the reports that were written fifteen or twenty years ago by your predecessors, in most of the cases we find that they are the same format but they are now making them more meaningful. This is based

on our own increased knowledge, the additional education we may have picked up, the additional reading, and the additional training and improved judgment.

You know how you did on your first report if you remember what it looked like. I can remember, not too long ago, I took 225 consecutive pre-sentence reports prepared in my office. Girls pulled them out and stacked them up. For a long period of time, I sat and scanned them. They were ones that had been written over the years, and picking them up brought back memories. For you fellows that have been in a long time, you look back and see the name and you remember the character that you did the pre-sentence for. Some are humorous; some are tragedy; some are just nothing; some you can't recall; a few sensational cases you can recall. What did strike me, of course, was the similarity of the reports. The same hackneyed expressions. Maybe these reports did present a reasonably good picture of the defendant. Maybe there are only mechanical changes. But then again, maybe not.

So we went to the judges -- the judges in the district who are getting these pre-sentence reports. I asked them if they were satisfied with the pre-sentence investigation reports that they were getting. I got back the answer that I was hoping for, suspected, and wanted. The judges said they were fine; they were good just the way they are; don't change a thing. Now obviously judges have orderly minds and have disciplined them to reading research so they like to be able to find things in the same place all the time.

When pressed, they still said we like them the way they are. I insisted they tell me how they could be improved. How can pre-sentence reports be improved as far as you are concerned? He might be a judge and he might be a smart judge; but it would be pretty difficult to say that something cannot be improved. Anything can be improved; and, of course, that started them coming up with some pretty pointed replies. I again asked how can they be improved? Do you want them longer? Do you want them shorter? More objective or more subjective? More analytical or more concise? What do you want in them? More interpretation? Less repetition?

Then, of course, they had to make some decision. They said why don't you probation officers say what you mean? Why don't you eliminate the technical cliches and the pseudo-scientific names and the jargon you just keep throwing in every now and then. Don't leave me up in the air. Don't just leave me hanging. If you can show me why an apparent rascal should be placed on probation instead of being sent to jail, show me. Actually, what he was saying was stress the positive factors or any qualities that this inmate or defendant has. Show them to me. Show me how you can use them to help rehabilitate him to help make the grade and to help so-called society. Show me and help me justify this disposition.

They want things to the point. They want completeness, and they want a spade called a spade based on fact. When we talk about pre-sentence report writing or anything else, nobody stands still. I am sure that when conferences like this are started, you either go ahead or you go backwards; and I do think we have gone ahead in pre-sentence reports in most all areas. We have gone ahead in our own offices. Of course, it is our improvements. I think there

are improvements as more resources become available to us, and we utilize them as we advance our education through training sessions and so forth.

Then, too, as we advance in our knowledge and experience, the aid of our new officers coming into our system helps. I don't think I could be hired today. A worker today should have a masters degree preferably a degree in social work. They don't hire many without that, but that is the way things are going in the field of probation, corrections, and parole.

Now most of you, who have been probation officers for any length of time, I am sure, have received a probationer or parolee transferred to you from another district according to what is known as a phantom report. A probationer perhaps whose entire background with the exception of the offense in itself is in your city, your county, or your district. No request for background information was ever made to you. There is no background, no verification, no criminal or delinquency records ever furnished. Yet here it is -- a complete probation report. A complete pre-sentence report received from some other district miles and miles away. But analyze it carefully. Don't just look it over. The fellow that has been around a while can spot it immediately. Statements made that are not in agreement with any source. Perhaps the pre-sentence report was written by a more conservative-type probation officer. Everything clearly set forth. Each paragraph starts with "it appears," "it would seem," "according to the defendant," "according to the state." A weighty four to six pages of common sense nonsense. Thank goodness this type of pre-sentence report is becoming extinct. It is becoming less prominently prevailing than it has been in the past.

If we are honest with ourselves, I think we must all admit that at some time or other we have all written pre-sentence reports of which we are not particularly proud. If I know some potentate or someone like that is going to come into the office, I have some investigations on the desk. I would much rather have some of my good reports on there for them to pick up and flip through. That is human nature.

We have all written some of these reports of which we are not particularly proud. We have been rushed when the courts and the judges and whoever else might be involved in our situation require an unreasonable time. What can we do? That is where the fellow says you don't know my situation. What can we do? Whether you write the pre-sentence report after he pleads guilty or whether he was arrested yesterday, the court wants to have three or four reports out by Monday or Tuesday. What do you do?

Perhaps the only thing you can do is give the judge the report -- the only thing that time allows. A short readable digest of the investigative report and an evaluation of the defendant presented in a clear, concise fashion, buttressed by a few phone calls or something like that. If this is all that is asked for and all that time allows, it has to be done. But in all honesty we have to indicate in the report that it is just that and nothing more. Let it be known to the court or to the institution into whose direction this fellow finds himself as a probationer or parolee that this was all that was asked for and it was all we could do under the circumstances. We have nothing to be ashamed of if it is the best we can do under the circumstances. But let it be known right in the report itself what is fact and what is conjecture; and this is all that time allowed in the particular case.

I honestly believe that a pre-sentence report should be prepared in almost 100% of the cases we have (we don't prepare pre-sentence reports for about 5% of the cases). Overwhelmingly, I believe that pre-sentence reports should be adequately prepared in every case.

Now you know yourself if you receive a probationer as a transfer from somebody else, another officer in your own district, city, county, far away place, or out of court, what effect it can have on the number of probationers to supervise. You have so many pre-sentence reports to prepare. He comes in and reports to you to supervised every two or three months on probation. You scan through the presentence report and here is what it looks like: he has no record because his mother says it right here that he takes care of his wife and kids and goes to church regularly. He does everything that is good and holy.

Let's face it. You have to make a decision where you have to put that fellow. You have got this report. If this is one of those phantom reports, you are better off to have nothing. Because you are going to tell that fellow, in effect, don't call me; I'll call you. You can't tell what you have. You are better off if you have nothing about him because then you might take some time to find out what you have here. Minimum supervision or real problems? You don't really know unless it is an adequate pre-sentence report. The so-called clinic conclusion or recommendation or diagnosis as you rap it up at the end of the report is only as valid as the facts upon which it is based. We all recognize that there is a high correlation between successful probation supervision and the number of contacts we have with the probationer himself, his family, friends, parents, wife, at the shop, in school or where ever you might have it. We all know the high correlation between the good type of supervision which time allows and his success on probation. Likewise it is often strictly shown that a high correlation exists between probation failure and a scarcity of the contacts that were made during the pre-sentence investigation reporting.

There is no substitute for good old-fashioned leg work to gather facts upon which our evaluation or recommendation is based. The key to all this is time -- adequate time. It is time-consuming to gather facts. It is time-consuming to conduct the interviews. We know that. It is time-consuming to do all this and then come up with a recommendation that we feel is adequate. So really many of the excuses that we use at conferences are old habits. We all tend to sometimes hide under the cloak of the heavy case load. But I don't think any three strange probation officers can be together more than an hour or two when one asks the other about his case load. And we always get a negative reaction. It is handy that we do have that because sometimes we use that heavy case load bit for the unreasonableness of the short time allowed for the investigation, to escape or to minimize our real responsibility. However, I think it is our obligation, the obligation of the probation officer, the chief, or the police chief, or who ever is in charge of the unit to strive and try his utmost to see that adequate time is given to prepare adequate pre-sentence reports and make them valid.

We all know that the walls of justice move slowly. I think this feature is a shame. Cases drag on -- serious cases drag on day after day, week after week, month after month, year after year. You know in your own history, in your own situation, how cases will drag on. The district attorney and the

prosecutor and the defense counsel get adjournment after adjournment. The defendant himself might have adequate reason for an adjournment. The judge perhaps steps right in and needs more time. Everybody seems to be taking his time to do a good job. Until the fellow pleads guilty or he is ready to plead guilty or he is found guilty. Then you see it happening all the time. The walls move slowly until that fellow becomes guilty. Then everyone connected with the court wants to get the fellow off and have him start serving his time. Give him the sentence he deserves.

Or we have it the other way. Let the guy out of jail and put him on probation where he belongs. Get him out to support his wife and children. You see it all the time. I used to see it in my court all the time.

Our district runs 300 miles wide. A judge expects the full pre-sentence report when the fellow is to be sentenced on Monday. I realize some of our directors start the pre-sentence reports before, but the same rule applies. The man is going to be sentenced next Monday. That is fine but does the judge know the officers are trying to do their case load and trying to supervise what other cases he is doing? All a prosecutor knows is that next Monday they have to get out. What happens? They get out,

In our district a deserving case comes along. You ask for an adjournment. An adjournment for what? You are a probation officer and you do a good job. We have here an eighteen- or nineteen-year-old defendant that you are making a pre-sentence report on. You go to the court, you go to whoever is in charge, and you say, "Look I have here Johnny Jones. I don't know what we can do. It looks like we will have to send him to jail. Can I have a little more time to dig a little deeper? Maybe I could come up with something. Could you give me another week, Judge?"

If you are sincere and if you mean what you say and you are putting out your utmost, I would like to see the judge put down that request. Why are you doing that? You are doing it to see justice done. Doing it to try to save some kid from going to prison or the other way around. It might also be just as necessary that someone else go that they are trying to give a hurry up trial to. You mean to see that that judge of the court or the group of judges who has charge of that unit would have more respect for you than "just get me anything."

These days are going by very very fast -- that is living in the past. I did that a number of times when a United States attorney (which is an equivalent to your prosecuting attorney or your district attorney) asked what was going on there. How can we have an adjournment on the case? How about this adjournment -- can I ask him why he put it off for terms and terms and terms? In order for him to do his job. In order for him to get the guilty plea. To prove that this rascal committed the crime. I didn't ask him. I didn't ask the district attorney why he asked for an adjournment.

Let's face it. In my district right now, nobody is sentenced until the pre-sentence report is ready. It was not always that way. We always had this harem-scarem thing. Get out anything. Give it to them and the injustices that we are doing year after year to people and to the community. It was just ridiculous. Now what has happened and is happening more and more throughout the country either before plea or not the pre-sentence report.

Whether you are doing it before he pleads guilty or not, or whether you are found guilty and then you start it, the sentence is not set until the pre-sentence report is completed. So the director of probation or chief of probation said the pre-sentence report is ready. The pre-sentence investigation report is completed. Then the district attorney can put it on the calendar. We are ready for whatever is going to happen. What really happens then?

The judge who is making the big decision now has an adequate report. If you just gave him a flimsy report now, what is your excuse? It is not the heavy case load. It is not that you are overburdened. If the report is not complete, it goes right back to you. You better have that report complete. Because you have the time to do it. In others words, you are being given the time and the authority to effect the responsibility. And believe me that is the direction we are going. Let's face it. It is not wrong to say that we are the experts. We are the sentencing experts. I don't care who else is in the picture. The district attorney is not the sentencing expert. The assistants are not the experts. The police are not the experts. The investigative agencies, the troopers, the state police, or the cops or anybody else are not the experts. You are the expert. We are the ones who spend the hours or days with the defendant. We are the ones who diagnosis the investigative reports. We are the ones who in a specific case went to the investigative office in the area and asked what is really behind this theft, this burglary, this car theft or whatever it might be. We are the ones who went to his mother and father and talked with them. We checked out his employment record. Maybe we even had him examined and taken to a doctor in a serious case. Who knows that case better than we do? Nobody!

If the pre-sentence report is adequate, we become the expert. We are the experts, if we are given the time to do the job properly. Those things don't come overnight, but they do come by striving and letting people know that we are doing the job properly under the circumstances. You obviously have to build here and build there. But on the average of all case loads under a court condition, know that defendant, what is best for him, and what is best for your community. Because you know the defendant best.

Now sometimes it is very easy when we are writing pre-sentence reports to pick out one particular defect in the defendant's character, point it out, and kind of weave it all through the pre-sentence report. Without giving it second thought, perhaps to the possibility that there is aso-called multiple positive factor that one cause didn't make this fellow commit this particular crime. It is a combination of these. Then again, sometimes we tend to overlook some real positive factor in the defendant's background. Some redeeming quality or characteristic that we do not utilize.

We start up by a so-called long delinquency or criminal record. Now this record, as you know by looking over it, might not be too significant in itself. A long record doesn't necessarily always tell you something. Now the residuals may be important in this case. The fact that probation has been tried in the past and has failed or that under some particular circumstances probation actually did work sucessfully is important. But sometimes we tend to give a fellow short trips by just looking at the record and just filling in the space in the pre-sentence report.

Now even in a group such as this, we should stress the strengths of the defendant rather than his weaknesses. It is rather naive to even talk about that, but sometimes we tend to do that because it is the easy way. It do it all the time and then have to check myself. It is easier to write about his defects. They stink! His past record stinks! It is easy to stress the negative side. Except sometimes we forget there is a positive side. A redeeming side to a defendant's character.

Some eighteen years ago or there abouts, I was in a state county probation office, and the chief had a wonderful practice and a wonderful method of training new probation officers and students connected with the local university who came into do their field work training in the office. He had a wonderful practice of always impressing on the young boby that they should always emphasis the strong points and not to stress the pathological side of the defendant's character of his personality. They made a practice of reviewing the pre-sentence report giving the new students a long time, if it was no hurry in the case, let him work on the pre-sentence report, complete it in its entirity, and still have a week or so in order that it might be criticized -- it might be judged -- it might be corrected.

We all know that when a new officer shows up in our office or a new worker of any kind or a field worker student, you can't dump everything on him at once because he doesn't know that much. So usually he is given the one investigation. You know anybody who has one investigation can go out and do a good job. His mind is not cluttered by telephone calls. If you are jumping from one case to another in court or out of court, things get mixed up. He does that one and he can prepare a reasonably good investigation.

Now he might, of course, not have the judgment and experience that comes from being in a work situation, but he can get it there. This one particular case the old chief probation officer assigned a case to a new student. It involved a young man who was involved in a payroll robbery in which he also tried to rape or fondle the payroll clerk who was forced into the car. Obviously it was a fierce type of case for a neophite to step into. It was a serious case. He was appalled by the type of case that it was. But this young student went out and meshed all his efforts to get a good report and at that time we had a heading in our pre-sentence reports, which is similar to the one you have right here, and I think it read something like "Habits, Characteristics, and Associations." It was one of those headings that you could let yourself go, and really a probation officer could throw into it everything and give himself lots of leeway. In this particular heading, this student orated on the litney of the so-called three "l's": lust, luxury, and love. The whole thing was uninterrupted by anything good about the fellow. He was just rotten and it was all laid out there.

But the last sentence, he says the defendant's nickname was "Smokestack". HE was asked by the old chief if he ever took the trouble to find out why they called him "Smokestack". The student's reply was that he had not. The student was then sent out to develop why somebody started calling him "Smokestack". He traveled around again making the contacts with the family. Talking with the mother, father, family members, or his school teacher. A repeat of what he did before. But on a little better basis because he gets to know his way around. He discovered many new slants about this particular defendant, and he was able to write almost a completely new reversed history

under "Habits, Characteristics, and Associations", because the closer you get to the defendant, the harder it is to think something bad about him. Because initially he had that terrible offense, but he was able to rewrite the whole section of the report and the fellow did end up on probation.

It is an exaggerated example, of course, but it goes to show that sometimes we jump to hasty conclusions. We know that regardless of what training we had when we came into the work, we picked up better judgment from our experience in past cases. It is easy to single out a few areas of the environment and personality and to get the chance to eliminate certain deficiencies in the defendant's character and then to protect the possibility of rectifying these defects in his character and making recommendations on them.

It is even easier in the pre-sentence writing just to relate the facts themselves. It takes courage to interpret, analyze, and recommend. How many times in the tracing of the defendant's career through child care agencies, local jails, etc., do you see this same particular phrase repeated in their histories: "they just repeated right through the adult prison." We never make any effort to check that. It could have originally been written by some neophyte social worker whose capability and ability will never be known to us. Yet we have all taken it and we are happy when we get a defendant. Look at the report sheet -- he was in Elmira, Duninora, Statesville, and that means I am going to get all those histories. There are, however, many contradictions. The danger of your arriving at a pre-conceived conclusion is great. It has been said that in a high portion we do that. Every case is not a complicated psyche drama. We know that. We get these bread and butter cases day after day after day.

It has been said that in a high portion of cases in any particular court any probation officer who has been around for any length of time or any district chief or court crier or some other one can predict with reasonable accuracy what the sentence will be. They can also tell whether he will be committed or be on probation for a particular thing with a particular judge. We only have to know three things -- the charge, observe the defendant's appearance in court, and get a peek at his prior record.

It is not professional to take the cases home and worry about them; but we all find ourselves doing this. When we put a little extra effort in, we feel better about a particular probationer-to-be. If you can do that, you know that that produces for you the greatest satisfaction in the world. That is the day you will be glad that you became a probation officer and you didn't take the job making big money in the life insurance field or selling encyclopedias.

S E S S I O N I V

Wednesday, October 2, 1968
7 to 9 p.m.

New Hampshire State Prison
Concord, New Hampshire

Meeting Chairman -- Stuart Palmer, Ph.D., University of New Hampshire

Speaker -- John Gavin, Commissioner of Corrections, Boston, Massachusetts

The Inmate Community

An analysis of the various kinds of populations--their formal and informal structures. A sociological analysis of inmate-personnel relationships and an understanding of the emergence of prison leadership, formulation of cliques, symbols of prestige, inmate culture, and the inmate code.

Commissioner John Gavin - Thank you very much. When I was asked to take on this assignment, I was torn between two areas of responding to it. One was the academic type of approach which would deal with articles and books written about the prison community; and the other was to approach the form through experience both in the field working as a line officer and in several areas of administration.

I dislike very intensely those who purportedly know what they are talking about yet have to read a paper at people. However, I am equally conscious that these proceedings are going to be recorded and perhaps made into a manuscript, book, or some other type of pamphlet to be used in the future or additional training sessions. So I think my talk this evening will be a combination of both. A little of the academic and a little more perhaps of the experience.

What I have been specifically asked to do is to talk about the inmate community from the point of view of the inmate culture, the inmate code, the informal and formal structure of a correction institution. I think to start this off we should set the stage by talking about briefly the type of population you get into a correction institution, whether it is located in Massachusetts, New Hampshire, California, or what have you.

By and large, the few surveys that have been made over the years, and one was made in Massachusetts a few years back, indicate the following: that the man or woman coming into our correction institution who has been apprehended by law enforcement, has been taken before a court of justice, where in the procedure of the District Attorney or the prosecutor has had his say, and the defense lawyer has had his say, and the judge has made a judgment to send this person away for X number of months or years, then what persons arrives in the correction institution. We find that this person who comes to our doors meets pretty much, with rare exceptions, the following criteria:

They are, by and large, people from broken homes, A survey which we made covering 3,000 cases indicated that 90% of these persons in our correction institutions were from broken homes. These were homes that were broken from divorce, alcoholism in one or both of the parents, immorality in the homes in front of minor children, lack of supervision in the homes, both parents being in the home but being inadequate parents, and you could go on and enumerate

thirty or forty other subdivisions but they all add up to this one basic one: that about 90% of the people with whom we are going to have to deal come from a broken home.

The second think that came out of that study indicated that the bulk of our individuals also have little or no formal education. In fact, every two out of three have less than a grammar school education.

The third factor that came out of that particular study indicated that these persons also had little or no moral training, regardless of religious denomination. This person was one that had fallen away from religious practices if he had ever had it, or never did have religious practices, or was indifferent to it. So I think you can begin to see the type of individual with whom we must deal.

Here, in effect, is a person who has not had the stability of a good home, who has not been trained to respect authority at any level, with whom the school has failed, with whom the community has failed. And now we suddenly are to perform a miracle that in X number of months or years of returning this person habilitated (and I use the word deliberately) to the community—a man made whole. This is a pretty large order, and it is no small wonder that we do not have larger percentages of succes than we do.

This person is also very lacking in the sense of responsibility, whether that responsibility is to his parents as a grown-up child, a teenager, to his family after he marries, to his wife and children, to his job assignment in the open community, to his training in school, to his his sense of responsibility as a citizen of a community and now within the prison walls, to the rules and regulations thereof. By and large, these people lack this responsibility.

Now the prison community organization is not a normal one. It is a very abnormal community, whether we are talking about the female or the male offender, the institution is an all-male institution in the case of men or an all-women institution in the case of the women. In the case of the men, and I would rather dwell a little bit on the men with all due respect to Mrs. York, who is here and not only heads up the women's institution but is now the deputy commissioner of Connecticut for all women's prisons, the women are well taken care of. They are taken care of much better than the men are.

In an all-male institution what does that individual who has been confined have around him? He has nothing but all men around him. The whole thing is geared to an all-male institution. Occasionally in these days a woman therapist or a woman nurse is available but the persons that this man offender has handling him in the criminal institution day after day, year after year are other men. So this becomes an abnormal community.

Secondly, these men are totally regimented. Twenty-four hours a day. They are told when to get up, when to eat, when to go to work, when to recreate, when to get ready for bed and so forth and so on.

Another thing that happens in our inmate community is that little things that don't mean a tinker's damn on the outside in the open community becomes extremely exaggerated and entirely out of proportion. So they are not

important, but they become important to the inmate who is serving time in this kind of a system.

I think another area of the prison community that I would like to comment on is that the system itself kills initiative. I think this is borne out more times than we would like to admit even in so-called successful correctional systems. The man who goes out of the correctional institution into a world work situation outside, and my experience with men whether they are from a minimum security, one of our camps, a maximum security institution, or medium security or what have you, they go to work for an employer who knows what the problem is and has agreed to accept him for a job assignment. He puts him to work and then the employer finds, much to his chargin, that this man lacks initiative. It is not that he is not a good worker. He is a good worker at anything that he is assigned to do. But let him be placed in a small plant with a minimum of supervision and run out of a particular chore that he has been assigned to start the morning work, and the inclination of this man, because of his training in the institution, is to stand stock still until somebody in authority comes along and says to him "now you do this next chore."

We are not aware of this sometimes. Perhaps I wouldn't be so aware of it except that I placed five men with the same employer within a period of two years. These were men who had been excellent workers in one of our own honor camps. One lasted a week; one lasted a month; one lasted ten months; and the others worked for less than a week period. But in every instance, the employer was not angry about this. He said to me, "I have no complaint about the work that he did, but I have a small plant of only sixty men and I do not have the type of supervision that can follow this man around all day and say 'Now you do this job when you have completed this one.'"

Think about it. The very system which is meant to correct, to teach good work habits is very chary about permitting an inmate confined to begin to assimilate a sense of responsibility to his work, to his initiative, and so forth.

They asked me to talk on something about inmate culture. There have been books written about inmate culture and inmate codes. I am going to leave a small bibliography which I have made up for any of those who want to go into it in a little more detail.

Let me just talk about a few highlights of inmate culture. Inmates within an inmate culture must, of necessity, appear to be anti-administration in order to survive with the structure. Note too, that they form cliques to protect themselves or to buck administration with some degree of impunity.

Number three, inmates seek status jobs within the institution as symbols of prestige. If they can be clerk to the Deputy, or inmate clerk to the Chaplain, or the inmate clerk to the doctor in the hospital, this is a status job. This is a symbol of stature for them among the inmates.

There is another angle to the status drive particularly if it has any degree of providing that inmate with information that he can use to his own advantage in advance of the information being published or promulgated within the institution. This gives him tremendous status.

They talk about formal structures of institutions and informal structures. I would submit that a formal structure of an institution would contain, for example, that the usual organization charts start from the commissioner down to the Warden, superintendent, or the personnel who are involved in the staffing of that institution or the whole department. This would be part of the formal structure. I would say that the spelling out of goals of this department or institution would also be part of the formal structure. What the philosophy on the part of the current administration is is also part of the formal structure.

In spelling out the goals, of course, we have to always be aware of the fact that our goals are very determinant by what the public wants or what the public expects. The public, I am sure in most instances, expects that we are going to keep them confined, that they have been sent away for a sentence. The public expects that we are going to do a certain amount of programming for them. The public expects that we are going to treat them humanely. And finally the public expects that we are going to habilitate them.

I repeat, I use that word deliberately. The word rehabilitate means to reform someone to his former status, and their former status was as a criminal in the community. So we don't want to return them as such. We want to habilitate them.

Then we talk about the further structure that is the breakdown of the areas of responsibility. This would be part of your formal structure. The type of personnel, for example. Professional personnel would be charged with the medical and psychological welfare of the inmates. Second, the maintenance personnel would be charged with keeping in good repair the plant and the facilities. The third area of responsibility would call on the work supervisor, who would be charged with the training and supervision of good work habits of these inmates confined. The fourth and one of the most important, if not the most important, would be the function of the correction officer himself, who must act not only as a counsel but almost in direct antithesis to that of being a keeper. He must be a happy medium within himself where when he could, at one and the same time, be the keeper of men and counsel people under his charge. Because lets face it, the correction officer is that individual within any correction institution that has the most contact with the inmates throughout the day or evening.

The doctor may be there an hour or two a day. The psychologist may be there once a week. The social service worker may have a case load of seventy or eighty people within the institution that he sees only when they have problems. But that correction officer, not the same one to be true, is with those inmates twenty-four hours a day. They have the greatest influence of good or bad on his behavior within the institution and his subsection behavior once he gets out of the institution. These all might deal with the official objectives that the public expects of us.

Now what about the inmate code? Regardless of the size of a correctional institution population, the make-up of the code of the inmates is basically the same. I broke it down into five categories. This is the inmate interpreting his own code:

First the inmate says don't interfere with inmate interests. This is to other inmates. Don't have a loose lip. Don't be noseey. Don't put a fellow inmate on the spot. Don't get on another inmate's back needlessly. Be loyal to your class. The inmates present a united bunch against the other side of the fence, as they term it, who are the correctional officers, the members of the staff and the administration itself.

Second, in the inmate code says play it cool and do your time. Avoid grudges and feats which might bring the heat from the administration.

Third, the prisoner asserts that inmates should not take advantage of their own by stealing from their own-, by committing fraud against another inmate, or by exploiting another inmate or welching on debts, etc. This is definitely in the inmate code.

Fourth, the inmate says don't be a whiner. If you can't act like a man and do your time, forget it. Don't push around personnel. Don't start fights; but, if one starts, don't run from it. In other words, be a tough guy but a tactful man.

Ad lastly, a prisoner forbids giving any kind of prestige or any kind of respect to their custodians, who are represented by the night officer, by any superior within the custodial force, by professional people, by treatment people, or by the administration itself.

So they say treat guards or screws as they call them with suspicion at all times. They mean no good. In any conflict between the inmate and the keeper, the inmate is always right. This is the inmate code.

Of course, you have diviations. You have the kind known as the merchandiser, who would sell his own mother if he thought he could make a profit on her. You have the fellow that they call the rapist which no one has too much regard for. You have the weakling inmate who everybody takes advantage of. But the norm of the inmate code is the one that is called the "right guy". He wouldn't give the administration the right time. He commands the respect of the other inmates. He is the right guy. There are other kinds of gradations up and down the scale from this so-called norm which they call the "right guy".

Anybody who has been in institutional work for any length of time knows that there are all kinds of defections from the so called inmate code. This sounds very nice in books. Several of my conferrers over the years have written about this so I must give it to you as an academic discussion.

"As far as inmate structure is concerned, the social structure of the prisoner or prisoners who run afoul of the law and come into our institutions is one of failure in every areas of their life." The very isolation of the prisoner from the free community into a cold abnormal community, a cold prison or correctional institutions means that he has been rejected by that society of which he was once a part. He is considered a diviant from the norm of the society which he has left or dangerous to that society or can in no manner be trusted. His reception only confirms in his own mind the low regard. He knows he is held in by the society of the free community. He has lost the privilege of being trusted and his every act is viewed with suspicion of the keepers charged with the responsibility of confining him and holding him.

He must find some way to ward off these attacks that present further hurt to himself and his ego. This he does by setting his defenses against any member

of the staff penetrating his inner self, getting too close to him. This is particularly true because he feels the staff, no matter what category, as a whole represents that very society that has turned its back on him. The inmate culture and thinking is such that he has not done anything wrong or does not think he has done anything wrong. This society has turned against him for no reason what so ever.

You add to this kind of thinking and feelings of the inmate which is part of the culture an all-man community without the softening influences of women and you drive this man further into an unnatural society called a prison with all its subsequent dramifications.

Add further to this man's problem that he must now associate with murderers, rapists, thieves, confidence men, and serious deviants who are going to be his constant companions twenty-four hours a day. They then formulate a culture that is loaded with dynamite for all of normal society.

Give this same man now the rules for when he will eat, when he will sleep, when he will work or recreate, when he may go to chapel, and then you have stripped him of all individuality. You have damaged his ego and created distrust and hatred against all officials.

Now you add to this package this very special culture of the inmate with more rules and regulations, more restrictions to his contact through visits and correspondence with his family and friends and irritation will hinder good habilitation.

Officials in our country today are using the expression at all their major meetings which is very simple in its nature but very pregnant with meaning when you digest it. They are saying that the deeper you shove the man into the correctional process, the more difficult it is to get him out and return him to the free society.

In all my thirty-three years of correctional work, I wonder whether we ever get to know the inmate, whether we really ever get to know what motivates him to participate in a particular incident. Or do we really understand the inmate who has been a good worker, minds his own business, and follows the rules and all of a sudden cracks up. Do we know what haunts him. Or do we know why another inmate suddenly turns on a fellow inmate and kills him or seriously maims him. Do we know what goes through this man's mind when that cell door closes on him at night.

Despite the fact that he might have done some very heinous things to bring him to the institution, he is still a human being. He still has the same emotions. He still has the same ability to love, to hate, to want and to desire as we all have. The shutting of the cell door at night might just awaken all the losses that he has suffered. His loss of independence.

A very fine warden, and I think he has held the position for longer than anyone else in this country as he is now completing thirty years as warden in Wisconsin, once wrote a little pamphlet which was entitled "So You Know About Prisoners". It was a very revealing pamphlet to me as I was younger in the business and it set me to thinking about do we really know the products that we are working with.

I would just close with one final comment. I think one of the more difficult things we have to combat in our corrections systems and institutions is getting the right type of personnel, getting the man to serve as a correction officer who can maintain discontent with a minimum of offense, who can command respect of the inmates who are employed under him as all other correction officers have one, three, five, or twenty people at some time in their tour of duty immediately in their charge. Whether he is a wing officer, a supervisor of clean-up detail, a shop officer supervising somebody else, a maintenance officer who takes them around on repair work, or what have you. They all are employers in a sense. The inmates are the employees.

I think one of the most difficult things that a training session has to get over is that how much work you can get from a member of your personnel. How he should operate without making him an automaton. Of course, the two most important ingredients that we need in personnel are common sense and good judgment. If you have that, you can build a good number of the staff. We should constantly be on guard as correctional officers, line officers in particular, that we do not permit our personal beliefs to enter into our judgment in the handling of inmates on the day to day basis.

I don't think any of us like the man who commits a rape on a young girl on the way to church or on her way home, minding her own business, leaving her in a real trauma mentally for the rest of her life. But that fellow is still a human being. I don't thin any of us like a child molester. If we have children of our own, we are inclined to transmit this thing to our own children, and say God forbid that that was one of mine that he did it to. But I think we, as correctional people, line officers in particular, must guard ourselves constantly against letting the judgments that we make, and we make so many of them, in the course of an eight-hour day, let our personal feelings, personal emotions enter into that judgment.

If we could ever attain that millennium where all personnel will operate with common sense and good judgment, we could fire all the wardens in the country and have a wonderfully smooth institution.

S E S S I O N V

Wednesday, October 9, 1968
7 to 9 p.m.

State Industrial School
Manchester, New Hampshire

Meeting Chairman -- Mr. Anthony S. LaFleur, Member, Board of Prison Trustees

Speaker -- Mr. Richard Hecht1, Staff Psychologist, New Hampshire State
Industrial School, Manchester, New Hampshire

An Inquiry into Attitude Formation and Motivations

Moral and social standards of inmates as revealed in pre-sentence reports, classification interviews, reports, observation, therapy session, counseling and background of inmates.

Mr. Richard Hecht1 -- Now we will talk about psychology a little bit. What does it mean. Maybe we have heard this word in the past. It an abbreviation which might mean head shrinker. Most of the people that we work with can call psychologists head shrinkers.

A psychologist is a person who has spent considerable time and energy trying to unravel or understand a little bit about community aids. If that is true, that means that everyone sitting here is to some extent a psychologist because he spends considerable time trying to unravel problems. The basic difference, I guess, is that psychology is a scientific study. Our approach is to try very hard not to have our opinions and our impressions biased or contaminate our vision. Therefore, we work to a great extent with animals and little white rats that we can control.

We are very cautious when it comes to making statements about people. There are a lot of myths about psychologists. We can't read minds. We can't tell the future. Yet a lot of people are quite worries and upset as to the type of role that the psychologist does play. Perhaps because he is taking a good look at people with a magnifying glass and this is sometimes threatening.

If you think that it is threatening to have a psychologist around you observing, then you ought to be one. I have the pleasure of people looking at me and saying "you should know better because you are a psychologist." Baloney! I am a human being.

Of course, my children's teachers just delight in writing little notes home telling what my little angel had done today.

I'll tell you a bit about what I do at this institution and also at the Prison. Basically I do testing to help unravel the mystery of human behavior, to find out what tensions of people really are, and to try to find out what roadblocks they have in front of them. Then the most interesting part for me, I talk a great deal with people about their problems and how they come to be here.

It is a real problem to try to understand human behavior especially with people we work with. They are complex. All people are complex. When they get really troubled and mixed up like a ball of yarn that has been kicked around by kittens for a couple weeks, it is pretty hard to tell where the beginning and the end is.

A noted psychologist has recently written a book entitled Psychology, a Human Dilemma. The reason that he called it a dilemma is that people are two-faced at the same time and this is very confusing to us. We are both objects and subjects.

We are objects in the sense that we are not completely free. We are forced to breath air by the nature of our beings. Just sit and try not breathing air for five minutes. It would not be nice to watch.

We are also forced by the nature of beings to have a certain amount of intake of food. If you don't do this over a period of time, you will be in big trouble and so on.

On the other hand, there is a weakness about the human being that we are not completely determined by the forces around us. At least I hope we aren't. It is called free will and the freedom within ourselves to take a direction, to decide to go this way rather than that direction. The dilemma is to determine when a person is capable to be free to take a direction to go one way or the other or when that is being determined by other forces that you may not have control of.

I talk with people who have dealt with alcoholics. You don't really talk very long with the idea that these people have a great deal of free will. It takes a fantastic amount of energy. These people have to dig down so deep in every available resource that they can come up with in order to cope with this problem. This horrible force that seems to have taken them over. We understand the alcoholic a little bit better today than we did a few years ago. In the same sense, we talk about the people who are mentally ill. We talk about being in the state hospital as psychotic - it seems they are not there. At least they are not there for us.

I take the point of view that a good many people that we are working with, offenders against society, are also being driven by forces and are not in a real sense free to make the choices that the most of the human element is able to make here tonight.

Our real job then as psychologists or as workers in the field of corrections is to help these people regain the freedom that I do believe they have the potential to have. How do we do this? We have to take a good look to which there is nothing more to say. Take a good look at the human organs. The human organism is alive. You are alive. If you don't believe me, put your hand over your heart and, hopefully, it will be beating. In addition, a human is made up of these needs that we have talked about - the needs for food, the needs for drinking water, the need to breath air. These are relatively simple needs to understand. It is not terribly hard to accept this. Few people will argue with them.

Some children at some ages argue with the idea that they need breathing. They discover by holding their noses and not breathing for a long period of time they become purple in the face. Unfortunately, they can hold it just long enough so they convince their parents that they really have the choice here of suffocating themselves. A lot of kids succeed in manipulating their parents by almost convincing them that they don't need breathing. But this is not so. You can stand there with your hands on your hips and say "Ok, sonny. Have a ball. Don't breath." They will probably pound their heads on the floor or something.

My little one once did quite regularly, whenever she was upset by a certain situation, would fall down on her hands and knees on the hard-wood floor and proceed to bang her head on the floor. This sends us into a tizzy for even psychology has its hangups. You say "my God what is going to happen." Of course, this worked until the day finally arrived that I became so desperate that I fell on my hands and knees next to her and proceeded to bang my head on the floor. I found out it didn't hurt at all. It made a noise but it didn't hurt. Well, sometimes it takes a long time to realize how we have been conned by our kids.

Our point is that all people have needs and they try to satisfy these needs in a variety of ways. The physical needs are relatively easy to understand except the ones geared to the heart, blood pressure, and other medical aspects of our being. It then becomes more difficult to understand the physical needs.

The most complex needs, though, the psychological needs, are indeed very difficult to unravel, to know about, and to understand. Even within ourselves, let alone with the guy sitting next to us.

Everyone needs to see himself as a person of worth. You have a need to see yourself as a somebody who other people will look up to, will respect. A feeling of self-sufficiency that you are capable of moving two feet, one ahead of the other, doing a job, having respect for others and so on. We are very sure that this is true. I am the most austere person in the world. Until somebody walks up to and looks you right in the eye and says, "You, bastard." Then how secure are we? What are the feelings that start turning around inside your belly. You say it's not so. Say it again and I'll poke you right in the nose. Then the psychiatrist sits there and smiles saying "You're so secure?" What's the trouble? If you are so secure, don't get shook. Just cool it now and everything will be all right.

We are all human beings and we all have needs. Hopefully we understand our needs a little bit better. In satisfying these needs, a college came up with the concept called Ego. People today have confused ideas of what ego means. Actually I think the best word is self - when you think of the word need, you think of the word ego. The problem then becomes this need, this self, has a function of reaching out around you to satisfy all of the pleasures cropping up inside.

As a group of people, you all have a need to have a better understanding about people and why they do the things they do. This is a terribly important affair as to how we arrive at this point. How did each one of you finally arrive at where you are sitting tonight? What were the needs that drove you to the kind of work that you are involved in? This is pretty hard to figure out. Sometimes by accident the force just seems to bump you hard and there. Other times it's by self-determination. You make up your mind. I have a choice to make and this is the choice I'm going to make. In my case, it is partly like a pool ball being hit by another pool ball pushed to hit the other side of the table and bouncing off.

I was, in a sense, brought to this type of work accidentally not by my own free will. I was working in industry and decided to get out. I had a choice of becoming a teacher or becoming a psychologist at the Industrial School. I made that choice.

As we go around the process of living these days, it is our problem of making sure everything is up tight, that we are always ship-shape, that we have enough to eat, sleep. Carl Sanburg called this process the vital balance. He quotes this concept in medicine for many called homeostasis which means a balance of the physical needs. But it is also a balance of the psychological needs and we go about trying to balance our needs as they keep coming up whether it's the need to be fed, or the need to have someone in particular pat us on the back and say we are doing a good job.

This is where we sometimes get into trouble. Because people we are working with get into trouble and fall into this trap. The great trap is when we have a basic, fundamental need that is exactly like everybody else's but as the mind reaches out and tries to satisfy the need to do work, it runs into all kinds of roadblocks. When this happens, we set up defenses because we don't like to be hurt. Nobody likes to be called names. No one likes to be hurt either physically or psychologically. We start setting up defenses.

Normal growth of people occurs in such a way that hopefully they are able to grow with some feeling of worthiness, that I am a good person, that I have some defenses here that indicate that things are OK. However, when it works the other way where both these defenses are made out of a paper mache or are not real, they are excuses that lack the motivation. They are false defenses such as children sometimes do. A very insecure child will sometimes go around and pick at other children saying that the other children are no good and can't do a good job at that. I can do much better and so on. You see some children pulling down the accomplishments of others in an attempt to see himself as a superior child. He spends so much time pulling people down that he doesn't have any real accomplishments himself. He knows it, his mind knows it, and it becomes a vicious cycle. He can't get out of it. He is trapped. Then he becomes neurotic or he becomes psychotic, mentally ill.

Another way to look at this business of free will is what about the infant that is born? Does that child have the freedom to make many decisions in that part of his life? His responsibility is completely determined by the world around him. He has very little freedom to make a choice. As he grows up, he gradually starts to reach out and make decisions. The trap is that we lose this freedom by setting up unreal defenses. These defenses can be taking on the wrong set of values, of taking on ideas of concepts that will consider helping us which tend to destroy us.

One of the problems that the sociopath has run into in his life is that as he aspires to satisfy the needs that he has like being loved, being wanted, or being worthwhile person he very early in his life has been thwarted a hundred times. You say I have been thwarted too but it didn't stop me. That is right. You are very fortunate to have the energy to overcome these roadblocks. There are limits as to the number of roadblocks we can tolerate.

One of the very important ingredients in growing up and establishing an ego that can cope with the work and satisfy it is to have people around us who very sincerely care about our existence. When this happens to a child, when a child is brought up in an atmosphere of love, care, and affection that child almost says "hey I'll make a bargain with you, parents. You're not so bad after all. I'll do anything as long as it's my own way." He tries very hard as I indicated before by banging his head on the floor. I would like very much to have my own way all the time.

Kids are in a great sense sociopaths. They don't have very much conscience. They have grown up certainly more at age 12 than they were at age 6. They have more control and free will to make a choice in our future.

One of the reasons they make bargains with their parents to debate the rules and regulations that parents insist on is because of this love and affection that the parents are a security, the parents really need the kids. As we grow up we have a sort of agreement with the parents where we make a deal with the parents and they make us secure by setting down rules and regulations. This seems to be what happens. Erickson called it the identification process.

In a family where this does exist where this feeling of affection and security is not present the child has no affection no security no bargain voice. I don't take on your rules and regulations. I don't accept your bargains because you are not fulfilling something that I need.

We are back to needs now. He needs to be secure, feel wanted. It is not enough to have food and clothes. A lot more is terribly important. We learn more about this a few years ago when we had infant asylums. They couldn't understand why so many of these children died. The reason they did die was because they lacked love and affection. They lacked someone to hold them, to rock them, to pick them up, and to comfort them. Without this they couldn't survive.

Let's say they did make it through infancy; but they still need contact with the parents when they are two, three, four, and five. If they lack this attention, they will fail to accept the rules and regulations set down by the parents or society. This is where the whole problem starts. Later on when we are dealing with men 30 or 35 years old and most of their emotion values are twisted and distorted, we wonder how that started. If you have the time and patience to go back into their life, we can discover how that started.

This is the way it comes about. With this understanding we arrived at by studying human behavior in this way this means that the excuses condone the behavior. This is one of the mistaken ideas about the role of psychology in corrections and its unfortunate and I can't help being a little defensive about it and always want to talk about it. Because I just as much commend a person for good behavior in this institution and any where else. I don't excuse misbehavior. I don't condone it but I think what we have to do is try to understand why does the behavior exist. How did this happen? How did this crisis occur?

Once we answer that there is the next question. What are we going to do to change this? What can we do to break through this pattern that has been developing for years and years and years. This is how. This is one of the toughest jobs anyone can have. But it can be done.

Maybe what we have to do next is say well what can we do then to make a change. I think the first thing we can do is to have a fundamental philosophy believing that they have the capacity to become a good human being. Acceptance is tremendously important. If you expect him to atone and give him a chance, he may come through for you. They will be good.

Somewhere along the line we start expecting good behavior out of kids, out of delinquents, and out of adult offenders, expect that they can do something better, that they have the capacity. This will take a tremendous effort on our

part because we are at the bottom of the barrell. You look at them and say don't you have this feeling of believing in yourself? Oh, no, they are the most depressed bunch of critters I've ever seen in my life. They have no hope. It is all drained out of them and we have to supply this hope for them.

A couple of experiments have been conducted one recently you might have read about in regard to this role of expectancy and what you would think about people and how that feeling makes them behave in certain ways. One experiment was where teachers were told that certain groups of children had superior potential, that all performed at an A level. In reality they had done superior work and what happened was in the beginning these kids were picked at random from the total population of the school. No one knew who they were. They just took 25,000 kids and at random picked 28. The teachers were told that they all had superior potential and they lived up to it.

Another type of experiment was held by psychologists, the rat running variety, with rats, and one group of graduate students were told that they were to do experiments with the rats and get to perform and learn how to make their way through a certain maze.

One group of graduate students was told that this particular group of rats was bred to learn things faster than any other rats. Group B on the other hand was told this was a plain bunch of white rats to run through this maze. They were told to let them do it and learn how by themselves. What do you suspect happened? There were strict rules as to what they would do with the rats, they couldn't coax them, they couldn't touch them. They had strict rules to follow. They put a rat in a certain place, took their hand off the rat close to its run. In spite of the fact that they didn't encourage them in any way. The rats that were given the label of superior maze runners learned much faster. They beat the other rats all to pieces and they came from the same litter. They were identical. The only explanation they came up with for their learning faster is that somehow the experimenters, without knowing it, gave the rats something in their behavior that helped their rats learn. Maybe the experimenters stood there and the rats started to make a wrong turn then the students would move one way or the other. The fact is that it happened this way. The students actually by their thoughts and actions guided the rats through the maze faster.

We need to have more expectancy that we can see in changing value systems and the change in motivation of people who are way out of status mentally. Once we start believing that this is possible, once we start behaving ourselves, it will not be quite as tough as it has been.

It is not just enough to control this, we have got to do more than control it. We are willing to more than just control it. We are going to get more understanding to get a better environment and hopefully we believe that they can make it. This new expectancy we certainly might change their beliefs.

I had my say and now you are going to have yours. I will be around to visit each group to answer questions.

S E S S I O N VI

Wednesday, October 16, 1968
7 to 9 p.m.

New Hampshire State Prison
Concord, New Hampshire

Meeting Chairman -- Mr. Robert Johnson, State Parole Officer, Concord,
New Hampshire

Speaker -- Mr. Arthur V. Huffman, State Criminologist, Springfield, Illinois

Classification and Probation Reports

The use of probation reports in classification. What should be included in probation reports to aid classification.

Warden Hancock, Professor Shalloo, and friends, ladies and gentlemen. It is a great pleasure for me to be invited here to participate in this in-service training sponsored by the Department of Justice, Office of Law Enforcement Assistance. I don't think I could have come at a more beautiful time of the year and had the good fortune to see some of the state and the brilliant fall foliage.

It is a pleasure to be here and I compliment you on your in-service training and in simulating the professionalization of this business in which we are all engaged. I'm hopeful you will continue your efforts and take advantage of the monies that are allocated under the new bills, the Omnibus Bill of 1968 and under the provisions of the Juvenile Act of 1968, still to be allocated to continue this training and also to expand in terms of research and demonstration projects, internship programs, and similar efforts which are mandatory if we are indeed to professionalize this very important work in which we are engaged.

I have been asked to share with you some of our observations on classification, on classification reports. The program indicates I should address some of my comments toward what would be desirable in probation reports and other similar kinds of documents that would be helpful in the compilation of the meaningful classification report for intramural treatment training rehabilitation programs.

I would really prefer to expand that just a little bit and direct our attention toward what seems to me a continuous process or a continuum. That is we should be looking toward pre-trial and diagnostic services, should be sponsoring pre-sentence services available to all persons, then continue with probation and for those that are institutionalized, classification programs and then all the attending developments intramurally within the institution including re-classification reports, pre-release preparation, pre-release reports, re-classification reports, and parole included.

So if I have a basic premise or principle, it would be that this thing is a continuum. That corrections as a part of the total criminal justice system is a change. Whether it is effective or not and whether we reduce the revolving door depends upon the strengthening involved in the weaker links. You can have the finest institutional program and a poor classification and

it won't work. You can have a fine Probation service, and a poor institution and it doesn't work. This is a continuing process and it is a dynamic moving process.

The second comment I would make is that I think in the past we have been guilty of typing people, of labeling people. To that extent we have done a disservice and an injustice to people. A peculiar articulate professional worker sometimes gets carried away with his or her knowledge and ascribes a label to an individual that very well may continue with that individual and damage that individual throughout his lifetime. I would caution against labeling, against typing. I honestly do not believe while the behavioral science do develop and are developing to a degree that we do have considerable diagnostic knowledge but we still don't know enough to label dogmatically because there are too many variables in this situation.

As an example of what I have been trying to talk about, I would like to read briefly from an actual report prepared by a very competent professional worker in a training school for boys. This is an actual report. The professional worker said the following:

"This youngster experiences highly cathetized anxieties relative to unresolved conflicts in respect to his endeavor toward masculine identification. Ideologically, the basis is and all probability his unresolved oedipus complex aggravated by cantomative hostility. The familio constellation of multitudinous siblings further serve to traumatize his ego during abortive attempts of resolution. In the transferrent situation, the substitute paternal figure is likely to abriart his inadequacy and inadequately express a repressed hostility. This is therapeutically indicated and has a cathartic effect and should not be evaluated as directed against the paternal figure personally. The paternal substitute should handle these episodes with non-judgmental exceptions and understanding." This is a report from a professional worker to a house parent.

Now could I translate that for you. What the worker said was this. This boy is trying hard to be a man. He hasn't had much encouragement from his own father, who always seemed to be bothered by his kids, and he had quite a few of them. This boy may try to test you out and even blow his cork to see if you will snap back like his father did. If you know what to expect and not understand what's behind it, you will be in a better position to take it without getting sore yourself. It seems that if the boy can get some of this off his chest without being clobbered, he'll settle down and begin acting like he is still a man.

I don't mean to suggest that our records and reports should be this homespun; but I think you get the point. The records that we develop must be clear. Our case records must be tools and not tyrants. The records need to contain significant information with reference to the diagnostic data, with reference to treatment schedule, and with reference to rehabilitation goals. I would certainly write your attention to the distinction between treatment and rehabilitation.

There is in most correctional institutions much that can be labeled "treatment on going". But I don't think that there is a great deal "on going" in the traditional correctional institution that could be truly labeled rehabilitation.

I make this distinction: treatment is something that we impose on our inmates, on unwilling inmates; while rehabilitation involves their own acceptance of the program. Rehabilitation involves using these inmates themselves in the treatment process. Treatment does not. I would say that whatever records we develop should be shared.

All staff assignments are basically involved in the identical goal of process and that is to turn out people so that they do not come back. The records that are developed by anyone as part of the clinic team and whether he be a psychiatrist or psychologist or social worker or what. They should be prepared in a manner which is usable and then should be used and not stored away some place in our institutions. I know of some agencies who are jealous of their own prerogatives and will not share with another. This seems to me to do nothing but a disservice to the client.

In reference to what should constitute good reports, whether they be pre-sentence, pre-trial, classification, probation or what have you, we do have a number of guides. I am sure you are familiar with the handbook on classification in correctional institutions. This is an American Correctional Association publication that was originally published in 1944 and was edited by the committee on classification and treatment. It is currently under revision. That is a guide to which we can look for the standards.

The Manual of Correctional Standards is a second reference. While I do think the chapter in the manual is somewhat general, the basic principles are contained therein and one can ascribe to them.

Thirdly, the National Council on Crime and Delinquency, in its criminal justice training resource center, is publishing and addressing itself to general standards. Standards of probation, for after care and for classification.

Classification was initiated in the Illinois State Penitentiary System in 1917 and has been going on since that time. The Illinois program, from its inception, was multi-disciplinary. We take a clinic team approach. We have always employed psychiatrists and clinical psychologists and others from the behavioral sciences. Currently our interests are toward the development of criminal typology, criminal behavior patterns rather than the classifying of individuals on the basis of the previously developed somewhat artificial standards. In fact our original classification system was developed by the American Psychiatric Association and included a lot of their own nomenclature that I don't think is particularly applicable to offenders.

What should be included in the type of reports we are talking about? There are six essential sections to a usable classification report.

The first is self-evident. The first section need include an account of the legal aspects of the case. Now in Illinois, we obtain from the community clerk an official statement of facts which is signed by the trial judge and by the state's attorney. This accounting documents the legal phases, but we also feel it is important to include in the classification reports the inmate's version of the crime. Sometimes there is a disparity, sometimes there is a difference. While we have no alternative but to accept the legal version in terms of the commitment, in determining the recommendation to paroling authorities, we may lean towards the inmate's version.

Equally important to the official statement and to the inmate's version, it seems to me, is the victim's version. What was the role of the victim in the offense? To what extent was the victim the precipitating or the imposing factor in the commission of the crime. To what extent has the victim provoked, and doesn't the victim has a responsibility and an accountability in this whole matter. Now of course it is obvious that the victim's version is difficult to get at but it seems to me that if you have field service, it is entirely within their right to, as a matter of official record, discuss with them particularly if there is some question of severity of the sentence on the basis of the crime as you learned it to be. So the first essential element of these is documenting the offense itself.

The second is the criminal or delinquent history. In connection with that we get, as I am sure you do, the official transcripts from the FBI and from the police department. These sheets are helpful if you can verify reports from prior agencies and institutions in developing attitudes and in developing value system patterns on the part of the subject that you are dealing with. I think they are extremely important when you are dealing with a compulsory offender or when you are dealing with the professionalized offender and certainly with the syndicate offender of whom we have very few because they rarely come under our administration. Of course, the value of a criminal history, prior offense, prior modus operandi, is obvious if you want to establish the sociopathic behavior.

I think it is extremely important to immediately identify the psychopath. The person who doesn't profit from experience. The individual that has had no loyalty to any person or group. The individual who is the potential negative influence in the prison subculture. Because it seems to me until we have adequate facts that the resources of the existing staff should be directed toward the improvable offenders or the questionably improvable and not toward those with mental disorders. I commend to you the mask of sanity, and the checklist of what constitutes psychopathic behavior and not spend the time with these people. They are the manipulators. They consume the time of the professional staff. They are articulate and capable of getting the plush jobs, school teachers, office workers, and all the rest. But in terms of the concentration of treatment, concentration of rehabilitation programs, I feel that we mark them off. While I am aware of certain research demonstration projects taking hardcore psychopaths and they claim they can modify this behavior, that they can develop a social conscience in these people, I have been in this work since 1929 and I am not so optimistic.

I do feel that the "cure" for psychopathic behavior comes with the change of life, comes with male menopause if you please. There is something that happens to the body chemistry and there is something that happens at this point that the psychopath burns out. Look Doc, you don't have to worry about me. I am a burned-out psychopath. And this is true. They do develop a little conscience. It bothers them. It worries them as far as their access on other people. They are conscious of others. At that point then perhaps we should direct some of our major resources toward this group. So far these reasons and others, the past social history is necessary in spite of some of the testimony of the courts toward the question of their civil rights. I think it is essential. We cannot know too much about people. The past criminal record is of diagnostic significance and importance.

The third of the six most important elements is the social history itself. This, of course, is a compilation and conglomeration. It's a joint effort of the social history people. It is the result of all your interviews and

examinations. In addition to being biographical, I certainly feel that it is the real place for autobiographical material. If the individual before you is capable of putting down or giving to you anything other of the autobiographical nature, take advantage of it.

In the compilation of the social history, the technique of interviewing is the theme. In interviewing one of the things that it seems to me that we neglect is attention to many things which are hidden within the individual.

A number of years ago, I think in 1958, I began to be interested in tattoos. Under the direction of the behavioral clinic criminal court, we began a study of some 500 men as they were admitted to the diagnostic depot. We checked those that had tattoos, where they were, and what they were. Then we went back in their records and history and tried to relate this information with our typologies and classifications and points that others told us about the personal life. My wife who is a clinical psychologist kind of kidded me about this but just the other day I had a chance to show her in a New Zealand magazine and then in a current issue of a psychiatric magazine a growing body of papers on this subject. What a man is willing to tattoo on his body says an awful lot about that individual.

What should the social history include? Briefly, it should include the family constellation; not in terms of the report I have just read to you but who is in the family, where they live, what kind of background do they have, the group the individual belonged to, what was the culture of these groups and what was the influence of these peer groups on the individual during his developing period, the schools he went to, his achievement, the adjustment or lack of adjustment, his religious training if any, his work habits if any, and the adult interests. Health records include physical and mental, military records, personal records, and so forth. All of these are a part of the social history.

This is going to become more and more complex--the compilation of the social history--as our clients change. The American culture is in the midst of a major revolution whether we like it or not. We are particularly aware of it in our cities like Chicago and in our ghettos like east St. Louis that is predominately Negro; where one out of every three adults walking the streets of east St. Louis is the next offender.

We are conscious of it when we go to cities like Rickford and Peoria and Decatur. There are our manufacturing cities where there is a migration of southern poor white, hillbillies if you please, where there is a migration of the Puerto Ricans who came from the Islands to New York then from New York to Chicago and to other areas. The lack of assimilation, lack of accommodation, and isolation from the community, this combined with the polarization of the races, the black and white, all of this combined with the fact that increasing crime is becoming a young man's profession.

Our figures show an increase in juvenile crimes. The fifteen-year-old youths are committing more crimes than any other age group. We estimate that within ten years 40% of the juveniles in our state at least will have an arrest record.

We also see younger and younger people coming into the penitentiary. Therefore, we have violent, aggressive, hostile behavior and are trying to figure out the circumstances which cause the actions and all the things which are a part of it. One cannot help being struck by the fact that it so wanton, so senseless, and so vandalistic this gang terrorism.

It is not uncommon in my state to find a group offense. A great violence committed without any purposes really. A case where the wheel man, the driver of the car, is a hit man. The guy that used the gun and committed the misdemeanor was thirteen years old and was used by the eighteen year old offenders. Obviously, as we get younger people without any work history and all the rest of it, the compilation of the meaningful classification report that is going to help you in one year or a year and a day or two year cases is one that we are going to be challenged by.

I would like to speculate a little bit about the situation we are in. Without rancor it is my conclusion that we are now reaching the permission philosophy that the psychologist, particularly the psychoanalyst and the psychiatrist have foisted upon us. This permission that we are reaching with the youthful violence and youthful crime is a consequence of the teaching of discipline. Therefore, I charge particularly those two branches of behavioral science with the responsibility of coming up with some meaningful and helpful ideas as to their management.

A section of the social history should be directed to personality. Personality is an entity including character, intelligence, and temperament. I honestly believe that there is room for all approaches. I think there is room for the constitutional approach of Shelby. I think the body build may have something to do with temperament. It should be looked at.

I think that included in the personality, in addition to these physical things and somatic things, there is the place for the psychological things. This is not simply an EED but interest investigations and aptitude investigations are more meaningful than any self-evaluation scores.

I think we need to develop another tool--a self-evaluation statement that could be used not only for diagnostic purposes and in planning treatment or rehabilitation goals but also as ancillary tools for the parole authority and a tool that would be compiled by the inmate's cell partner. The man that lives with him twenty-four hours a day. If there was some way of gaining this type of evaluation, I think we would be on the right road.

The next section of it would be a classification, typology, pigeon hole if you please. Grocers do it. Hardware stores do it. And we should do it.

The final section of the records has to do with where the person should go, what his program should be, etc., and his time table as to his rehabilitation goals.

I would like to tell you about our system of classification in Illinois. When a person commits a felony, he is committed to the Illinois State Penitentiary System and not to a particular prison. Those from northern Illinois including Chicago are admitted to a depot in Joliet. Those from southern and center Illinois are admitted to a similar institution at Menard.

We have nothing but indeterminate sentences. There is a minimum time of eleven months at which time a person appears before the paroling center court. The individual gets credit for jail time. He is sentenced again the day that he is sentenced. So many times we will have men coming into the research center that will be ready to see the paroling authorities in two or three months. Obviously, you don't have very much time to do a good job of evaluation or of testing the person in the institutional setting before he sees the paroling authorities.

This has lead a number of us to believe that instead of a sentence of one year to one year and a day or one to two years or one to five that sentences for a felony should be from one year to life and that a determination of the date of release be left to the professional correctional workers. We have our problems with the indeterminant sentence.

Not too long ago I happened to be at the Joliet Diagnostic Depot and the deputy from Kankackee County brought in an offender. The deputy turned him in with a mittimus. The mittimus read two years and he said that is not a legal sentence. What should I do? Call the warden. It is not a legal sentence. The warden wants to accept him. Had this occurred previously from this county? It had. What had he done? He had accepted the prisoner. This time they refused to accept the prisoner. About three hours later in roared the squad car with the deputy and he was very angry. Again they came and had an amended mittimus from the court judge committing this inmate to the Illinois State Penitentiary System not for two years but for two years and two minutes.

This kind of an attitude on the part of the judiciary is fantastic. It exists today. Nobody is going to tell me. In my judgment on the bench what this person needs is the correct treatment. So there are some of us that feel that the indeterminant sentence should be truly indeterminant.

But the person that comes to the depot with these papers is received through the usual procedures--fingerprints, physical, blood tests. During the first two or three days the classificant is interviewed by two or three people who give him the rules and regulations and what is to happen to him. After that he is sent by the treatment staff who has taken a history of obtained records (we write on the average of ten letters on each person who comes into the depot to former employers, to friends, to relatives, to neighbors, to anyone who the inmate lists as people whom we may write). We also sent them questionnaires, forms, and other materials. We also write to any other institution or agency in which the inmate has been held, to the school system, and to the military.

Then the person goes into the treadmill processes of psychological testing, psychiatric interviews, and studies and so forth. Then the Classification Board meets. By that time you are ready to make a determination of what you are going to do with this guy; you have all this background information.

It is helpful to do this by field service. To send them out. We can get at almost 3,000 people a year to one with the diagnostic deputy. Of course, the staff could not do this kind of thing. We feel that correspondence does accomplish most of this. We also will talk with relatives and visitors during his period of quarantine of about thirty days in the depot.

An inmate who has been here before does not stay here as long. Contrary wise somebody who presents a problem or whom it is difficult to get background information on, we may retain in the depot indefinitely.

Then the classification board meets and makes a determination. Again Illinois State is different in that the classification board does not involve institutional people. It involves the professional staff of the criminologist.

Your recommendation is based on what facilities are available to you. If you don't have a diversity of treatment facilities, you are hung up. In many ways we are hung up because all of our institutions in Illinois are essentially maximum security institutions. We have Statesville; we have Joliet; we have

Menard; we have Vandalia; we have Vienna. Vienna is planned to be a minimum security institution. We have no minimum security institution at this point. We have no key correctional centers other than the halfway-house type.

I think we are going to move away from prisons because I don't think that prisons are going to serve the purpose of corrections which is to penalize and not to punish, to correct and change. I think the end is going to come when we have regional corrections centers allowing the offender to remain as close to his point of origin as possible and involving all the resources of the key mental health aids, vocational rehabilitation, etc., in this responsibility. After all this is the community's responsibility. I think eventually that this is going to be the move. And certainly in reading some of the prepared physician statements of candidates for public office such as the President of the United States, I have seen references to this concept.

I think we are going to be moving toward key centers not for medium or minimum security. We must then place our people from the centers into one of the maximum security prisons. This leads us to the problem then that is shouldered by the warden. When the psychiatrist faces him with now look this guy needs all this. And he comes back and says OK but I have that. It creates problems. So you have this compromise to make. You have to be honest and realistic.

Although some of my former colleges kept trying to encourage this in our classification reports to talk about the final ideal, they kept pushing them and demanding that so it will come. I did not feel that this was fair to the prison administration and have not pursued it. I don't think that is the way to get at it.

As for reclassification, this can come about in a number of ways. Either the man can send in a letter and request it. Or he can be on the workers' tickler file and be followed up. Or he can be referred by the administration. Or if a person does not adjust and the officer notices this, the person may be reclassified to another institution or to another program. The classification staff also sees offenders as they appear on parole dockets, as they appear on pardon dockets, as they appear on the Governor's board for pardon clemency.

S E S S I O N V I I A

Wednesday, October 23, 1968
7 to 9 p.m.

New Hampshire State Prison
Concord, New Hampshire

Meeting Chairman -- Warden Parker L. Hancock, New Hampshire State Prison

Speaker -- Mrs. Betty Cole Smith, Superintendent, Massachusetts Correctional Institution, Framingham, Massachusetts

Inmate Programs

Educational, vocational, academic, recreational, and religious. Programs and problems dealing with illiterates, foreign-language prisoners, and the aged. The Penal Press. Industrial trade training. Prison Industries. Training or production. Types of systems. Evaluation or analysis of state use.

It is a pleasure to introduce Mrs. Betty Cole Smith from Framingham Correctional Institution, Framingham, Massachusetts.

It is a real pleasure for me to be here tonight, and I really wondered a little bit about my assignment because I'm not awfully sure that I could tell a male institution about its programs.

The whole story of corrections in this country is a search for a cure. We certainly do look for a cure that will produce some social conformities and eliminate the heavy cost of crime and delinquency. How often we wish for that magic pill which when taken will cause some miraculous change in the human personality causing them to go forth and do right.

I always think of the man who came to visit his wife and was talking about release plans. He said, "Well, I want her to come home if she's cured." So you can see he was looking for the cure as well.

I suppose that within the past 100 years we have looked for cure by way of religion. The Quakers certainly thought they had the answer when they invented a place of solitude and penitence. We have looked for a cure through education, vocational training, psychiatry, and psychology; but none of these has been the answer or has been a cure-all. Probably the answer is we need to use them all creatively in a balanced program and towards the development of self-discipline or the development of new skills and enlarging the horizons of inmates. We certainly need to use them all to redirect unacceptable behavior which is constructive and useful.

What are the tools we use in this job of ours? First of all, I think the biggest tool is sitting right here in front of me, that is, the personnel. You know Austin McCormick some 25 years ago said, that with the right personnel a good prison can be operated in an old red barn. So the development of staff or personnel for running the prison is what we are doing tonight, and it is certainly the key to good programs.

Now I'm not really sure I could agree with Austin that running a good prison in an old red barn can really be done because I think architecture plays a very important role in programs. In Framingham we have old buildings with large

wings that run off the main hallway. These old wings were three stories high, each floor had 25 rooms on them about 6 feet X 8 feet, one shower and two toilets on each floor. Every morning the first thing that came down the hallway was "Empty your buckets!"

We tore these down and finally built four cottages, an infirmary and a reception center. It is built campus style. The administration rooms, dining rooms, and work rooms are still in this big main building but off to the right of that building are these four campus style cottages.

Each girl does have her own room, but the door is locked at night. Each room has a bed, desk, chair, and a dresser and bookcase. Each cottage has its own day room, a snack kitchen, and a group room for group therapy or for cards. They eat and work and have recreation in the main building.

We have a fence around this campus but it is hidden. We have nice cedar trees on the outside of the fence and on the inside we have roses. Now these roses serve two purposes. They are thorny so it makes it a little harder to climb over the fence; but at the same time, they are decorative and you don't have the fenced-in feeling.

Since we have built these cottages, our disciplinary problems have decreased 50% to 60%. Our morale has jumped at least 100%, and we know that each inmate has the opportunity for some privacy, to live in some comfort with some dignity in her cottage group. Each cottage has 25 to 30 girls, a correctional officer in each cottage and certainly that officer on each shift is able to establish some kind of meaningful relationship with the girls.

I think part of the program is this business of living together and solving some of the everyday problems of getting along and adjusting to each other. Having group sessions with good common sense leadership is also a part of this. I bring this out because it seems to me that the male institution could take a few lessons from the female institution when it comes to architecture. Granted, you will always need a maximum security section; but I'll wager at least 80 or 90% of your population would respond to a cottage-type program. So it seems to me that this is one of the first as far as programs are concerned. I hope someday Warden Hancock will be able to tear down this bastille and substitute with a place where you can carry on much easier in this kind of surrounding.

I think, too, the time has come for us to take a good look at our programs. Perhaps it is time for us to climb out of our rut and ask ourselves whether our programs exist for the inmate or for the smooth functioning of the institution. Are these programs flexible, do we intend or do we try to get everyone into the existing programs or are we able to tailor them to meet the needs of the individuals? Are we keepers or are we teachers?

You know recently in the Federal Probation Magazine, there was an article entitled, "On Being Human in the Prison Community". I thought to myself, this is really what it is all about. No matter how fancy the program or how fancy the title, it is this whole business of the relationship of one to another. This whole business of being human, of mutual respect, of working together, of giving encouragement and confidence and of drawing a line when necessary. That's what the program is all about.

The basic ingredient of any prison society is similar to some of those of the outside world and they include educational work, recreation, counseling, whether it be in the family group on the outside or in a group on the inside, religious

counseling, psychiatric-oriented counseling, or whether it be just common sense counseling, it includes some projects to help others, some projects to help themselves. It includes housing, clothing, food, discipline and control or as you would say, it includes law and order.

Let's take some of these programs. What about the educational program? In most juvenile settings, the school was set up much like the public school program and what happened? We constantly had trouble trying to motivate, trying to prod the youngster who had never achieved in this traditional school setting and who had never been reached by the old traditional method. Yet we sort of plugged along in this same old style, where the public school had failed as far as these youngsters were concerned.

Now occasionally in this setting we find a teacher with some personal magnetism who would be able to climb out of the rut and bypass conventional methods and really create an aura of excitement around the whole concept of learning. But believe me, this type of teacher is not often found in the juvenile institution. And I haven't found too many of them in the prison field.

When I came to Framingham, I thought we were a little bit jaded about the whole educational program for institutions about the method of teaching. I breathed a sigh of relief and thought I won't have to worry about education in an adult institution. I found I was very wrong. There was more interest in adult education than I had ever found anywhere else. I think the real interest was they were working for something. They were a little bit older and they were working for that high school diploma. Because they had been through the mill, they knew they couldn't achieve too much without some kind of an educational background. Here was one area that held out a little hope for self-improvement while doing time. When they have reached this age, many of our inmates realize that one way to climb up that first rung of the economic ladder is the high school diploma.

I suppose we are pretty much like you. About 10% of our inmates are high school graduates. 30% have completed the ninth grade. This leaves about 50% who have left school prior to the ninth grade and who probably have shown a pretty accurate disinterest in education at an early age. Education has to be made a little bit more attractive and for these in an institution such as ours, it becomes an individual problem because we do have to take the people where we find them. We do have to take their abilities into consideration. We do have to start at the level of educational achievement for each one.

They are now all trying new techniques that you and I never knew anything about when we went to school. There is program learning new math which I know nothing about. In program learning, the materials are set up so that the individual works on his or her own. He works at his own pace, checks his own answers and own performance. Most of this they can do alone. This can be used for both academic and vocational subjects.

There is this whole business of teaching machines, also. The Federal government has been a great boon to us because we would go along struggling the same way. But they came along on the adult basic education program. They send in all kinds of teaching machines. We never heard of them before a couple of years ago. There is a controlled reader which helps a slow reader improve his reading skill. There is a thing called a tension-span flusher. Honor machines give the questions and you can check the answers. There is the use of transparencies with the overhead projector, tape recorders, records, and above all there is closed-circuit

educational T.V. in training so that we do think that we are going to be able to plan some of our classroom aids around the closed-circuit T.V. which comes from the high school.

This is the point I would like to bring out again. The more we can tie in and dovetail the programs into the community, the better I like it because it doesn't make us feel quite so isolated from everything that is going on outside. All these teaching aids and new machines are a far cry from the old days when we learned everything from memorizing.

It also gives some meaning to life that learning can be fun. This is important believe me for the adults as well as the juveniles. With all of these teaching aids and all, most of our inmates lack confidence in themselves because they have been failures in the educational field and so the need for an interested, skilled, and understanding teacher can never be supplanted by machines. They help, but once again the relationship of the teacher and pupil is that want, that feeling of confidence that really is needed. Don't think that you can install machines and have everybody on the program learning. It just won't work because as with every other aspect of prison work, it needs warm human relationship coupled with the technique and skill. This is a vital and important aspect and just can't be supplanted by any kind of machinery.

One of the best incentives for the school dropout is the G.E.D. test so that they can earn the High School Equivalency diploma. I think you have had it here for a few years. We just got the G. E. D. testing program through this year in Massachusetts so it is something that is quite new with us. The use of volunteers in getting ready for the G. E. D. test is an important area to think about because you can find they are interested and will come and aid some of your teachers.

I think one of the real thrills I've had since I came to Framingham was our graduation. We have only a population of about 135 women and this last year was the first for us. We got ten girls through the high school equivalency test, but by the time graduation came around, only six were left and so they were going to have a departmental graduation at the Walpole State Prison. We were invited so I took the women over. They had on white gowns and hats (mortar boards) and the men, 116 all tolled from various institutions like Concord, Walpole, Norfolk, wore maroon gowns and mortar boards. It was a bit of a fine undertaking, believe me, because here were the failures, the dropouts and here was something tangible to show for self-improvement.

In the Manual of Correctional Standards and I quote, "Vocational training can best be carried out in conjunction with prison industries operating in the institutions." So really do most prisons industries function as vocational training opportunities or are they factors employing cheap labor? Are they interested only in the master production?

We are all familiar with some of the history of prison labor as a forerunner of state-use system. Early in the 19th century, the contract system flourished and they contracted with states for products made by prisoners in institutions. Under this system, the contractors supplied the raw materials, machinery and supervision and also marketed the product while prisons supplied labor and maintained discipline under this system. Contractors and employers then reimbursed the state but of course, no where near the going rate.

Then they had the system whereby the state was paid on the basis of piece work. Then came along the Lee system where prisoners were leased out to employers to mining camps, lumber yards, and so on. In the early days, prison administrators didn't get a budget like we do now. They were anxious to keep their operating costs down so they further exploited cheap labor and of course, there were many abuses.

Then things came to a head. Labor complained because of the extensive unemployment in the community until finally during the days of the depression, there was a great deal of pressure on this use of cheap labor. In 1934, the Hawes-Cooper law outlawed contract and lease systems and forced most states into a state-use system. There was a great deal of idleness in the prisons because of the passing of this law. It took a while for institutions to become repooled and set up the state system.

In the state-use system, exploitation is impossible, private profit is eliminated, and some diversification of training is possible. Work skills are badly needed by most offenders. They are developed under realistic conditions with production.

On the recommendation of the President's Commission on Law Enforcement it reads that states should work together with the Federal Government to institute modern correctional industries programs instilling good work habits and methods. I do think, however, we have to be realistic in our appraisal of prison industries as vocational training opportunities.

Once the prison industry is set up, the machinery is expensive and it is not easy to discard it. In Framingham we have a large sewing industry with big machines. We employ 40 or 50 girls in this factory. We have new machines of all types. We make hospital garments for other institutions, also all types of garments as orders come in. We make flags, both American and State flags. Out of the 135 girls that were trained in this industry, in the past year I would venture to say that probably no more than five found jobs as stitchers in private industry. I wouldn't abolish this industry as a work department and as a means of establishing good work habits and as a means of producing. Neither can I assure myself that this is the number one vocational training opportunity which results in life employment in the community.

Industrial work is highly specialized and when it is realistically planned and diversified and most of all when it operates as a part of an integrated program of individualized treatment, then it has merit. When it becomes isolated and when production and not training becomes the primary goal and when all else is sacrificed for the industry program and when industry is totally unrelated to the job market on the outside, then it may be time for a change.

We also hear this, "How can we keep up with production in the industries when the inmates are pulled out all the time?" They go to school, visits, therapy, the social worker, dentist, doctor and to top everything off they go on work release.

The two prima donnas in any institution are industry and the kitchen. Believe me, I think twice before I take someone from the kitchen. Food is of primary importance in the institution and you need a good chef and keep him on the job,

Perhaps we shouldn't pay too much attention to the profit and loss sheet. Perhaps industries should be used as a vocational training laboratory. Perhaps we should abolish those industries that are obsolete and no longer used on the outside. Most of all I feel that industries must become a part of the total rehabilitation program. We must realize that the counseling session, education programs, working

on a high school diploma may well mean much more to the inmate than the loss of the man hours in the industry means to us. So if industry is to be the training grounds, I wonder sometimes why we worry about the balance sheet. If we don't worry about paying psychiatrists and psychologists, yet this is part of the training program and part of the rehabilitation program. I don't think we should have to worry so much about profit and loss in industry if it really going to be a part of rehabilitation.

But we don't do it this way. We force them most of the time to become self-supporting. Vocational educational programs can be set up so that inmates receive training and at the same time render services to other state departments such as auto mechanics, hospital aides, furniture refinishing, the manufacture of furniture and printing.

I visited your print shop here and I would say that it is a good training program. I do think that these small shops not only provide services for the state, but realistically training for the inmates. There are many job training programs in the maintenance field such as carpentry, electronic work, heating, painting, plastering, sheet metal, and so on.

In a recent survey taken in both men's and women's institutions, the inmates were asked who did the most for them while they were in prison. The answer was the work department officer. So you really do have a good opportunity of giving yourselves and of having a meaningful relationship with this young man when he does go out.

I do thing that in a female institution you don't have as many opportunities. We are sometimes hindered as far as the public is concerned. One of the things that every female institution should have is a beauty culture course. We couldn't have one in Massachusetts because the Board of Hairdressers just wouldn't get us a license. Now we can send some of our girls to beauty schools in downtown Framingham. We got a couple of scholarships locally and sent our girls there.

Work release offers great opportunities in the area of vocational training particularly when it is related with the existing industry program. Many of our programs that we have now enable us to send girls out to private industry as dental assistants, workers in coat factories, hospital assistants, etc.

I think you are also aware that a number of programs are offered by the Office of Economic Opportunity through the United States Employment Service. We are cooperating with one through community work training or work releast in a waitress training course, in a chef's and baker's school, and in hospital aides. This means that girls are sent out into the community vocational school for three to six to twelve weeks of schooling at a vocational high school downtown. Then this results in a work placement at one of the first class restaurants downtown as a waitress or chef.

We can't always provide enough individualized opportunity within the confines of our institution but hopefully through work release, we are able to take advantage of the community-based program. We do have a counsellor from the employment service at least one day a week to give tests, etc.

Many institutions have vocational rehabilitation counsellors and vocational rehabilitation programs. I do think those institutions have a good program and those people follow through and see that the girl gets a job in the community.

Recreation can play an important part in the rehabilitation program. It alleviates the dull monotony of the prison life and acts as a safety valve to release the pent up emotions that might cause trouble. It gives them a sense of working together as a team. Most of our girls are lonely. They enjoy working on team activities.

Every year we have a fair. This is a community-based project where people from the outside come in and buy from the inmates. On the first Tuesday in December the public is invited in and we want them to come ready to buy. We have about 600 people who come to this fair. The first year we made \$1,400.

A committee of inmates and staff decided to use the money to set up a beauty shop, so that the girls could get their hair done, and nails done, and so forth all free. After ten years of running this fair we are earning about \$3,000 in this one-days activity.

The inmates and staff got together after a few years of saving the money earned. We had about \$5,000 and decided to save \$2,000 and spend \$3,000. The institution was not ready for a swimming pool so we decided on a bowling alley to be built in one of the abandoned wings in the institution.

In talking this over with others, I found out that \$3,000 was no where near enough for this project. A short time later at a dinner meeting I was fortunate enough to sit next to the chairman of the Board of Directors of the Bowlmor Corporation. We now do have to automatic pinsetter machines compliments of the Bowlmor in our bowling alleys.

This project would be of no avail to the inmate if the community was not involved. So it takes the staff to motivate and stimulate the inmate to work and the community to provide that last bit of magic.

The inmate paper is good to establish inmate morale. Most institutions throughout the country do allow the inmates to publish their own periodical. A prison publication does give the inmates a chance for self-expression. There are times when we have to temper that self-expression. It gives them an opportunity for presentation of institution news to the population but it also has an obligation for the publication of material to give the outside world a better idea of the inside problems and situations.

I think the inmates' paper should be mainly for the prisoners themselves. Some censoring is necessary but when the inmates and supervision reach a point of respect for each other, there will be no need for strict censorship. Hopefully, the penal press will be able to make a sound impact on the public as far as presenting themselves as people, as human beings with thoughts and feelings and hopes and desires just like everyone else.

In the whole field of corrections, I think we need to make better use of the words imagination, stimulation, daring, and caring. I think we need the public. I think we need volunteers to help us make these words come to life like a neon sign.

S E S S I O N VIIB

Wednesday, October 23, 1968
2 to 4 & 6 to 8 p.m.

Highway Hotel
Concord, New Hampshire

Meeting Chairman -- Philip Caswell, Deputy Director, New Hampshire Probation

Speaker -- John Conlin, Director, Division of Family Relations, Superior Court, Hartford, Connecticut

Domestic Relations

Problems of Probationees. Emphasis on family counseling.

Mr. Conlin -- Marriage counseling has been changing rapidly from an art long practiced by a variety of lay and professional people to a technique used by various helping professionals within the framework of their professions. Moreover, this old art and new professional technique has begun to display a potential for development into a profession in its own right. No wonder then that there is confusion and skepticism as to what marriage counseling is, what it can accomplish, and who, indeed, can be expected to accomplish it.

The first step toward clarification is to recognize that there is a considerable difference in therapeutic depth and goal between the marriage counseling done by members of the helping professions not clinically trained for it and that done by the clinically trained marriage counselor. The clinically untrained lawyer who, through directives, attempts reconciliation when divorce is being considered; the physician who explains only the physiological processes of sexual behavior in answer to his patient's questions, with little or no comprehension of their feelings; the minister who intervenes at the time of marital crisis with little understanding of the dynamics of marital interaction.

All these helping professionals are doing a limited kind of marriage counseling within the framework of their professional practice. Such counseling has merit but it is not to be confused with the more extensive clinical marriage counseling offered by those who have had years of clinical supervision and training and who make marriage counseling their full-time profession.

The clinical marriage counselor, as has been indicated, not only is concerned with all the situational and educational aspects of marital distress, but is clinically competent to cope concurrently or in sequence depending on the need, with the dynamics of marital interaction and the interpsychic relationship between husband and wife that result from and, therefore, involve the intrapsychic problems of each.

Secondly, there is a real need for professionals of broad experience and knowledge to bring the specialities together into an integrated whole for the benefit of those who seek their help. In this respect the clinical marriage counselor stands in a tenuous and difficult but highly desirable position professionally. Coming from one or two of the recognized professions, spending his total working day in counseling and in contact with other professionals, the clinical working marriage counselor had the potential for bringing the different professions together not only for the benefit of the individual but for the marital entity. It is one of the purported duties as well as ethical

standards of such a marriage counselor to know his professional limitations and how to use other helping professionals in the treatment of a client and when and to whom to refer.

Louis Nizer, an attorney with much experience in matrimonial law says:

Orthogamy is the science of straightening out a marriage that has gone wrong. The orthogamist must combine the skills of a marriage counselor, psychologist, psychiatrist, pastor, doctor and lawyer, or at least he should have had their talents available to him.

I would substitute for the orthogamist the clinical marriage counselor who is trained to enlist the services of the many professionals as needed to help the distressed matrimonial client: the psychologist, for a more thorough comprehension of the client's pathology; the doctor, for the client's physical well being; the lawyer, for the client's legal protection; the psychiatrist, for medication and hospitalization,; for more intensive therapeutic help than the marriage counselor may be equipped to give, and for the counselor's own supervision; and finally, the minister, for aiding the client in redefining his values and his attitudes toward life within his own religious orientation.

No one human being can be all things to another. The various helping professionals and marriage counselors who recognize their respective capacities, limitations, and skills can jointly and cooperatively perform a welcome and useful task for the disturbed matrimonial client. The helping professionals must not practice in their fields of endeavor. Yet it is to be expected that they may find it necessary on occasion to tough on one another's provinces.

The Social Worker

There are more similarities than differences between the social worker's approach to marriage counseling and that of the clinical marriage counselor. Whatever differences there may be are due to personalities, with the disciplines coloring and enhancing the personalities. Since both disciplines are trained to do the job, there is usually no need for referral between them. However, there may be moments when the clinical marriage counselor finds it necessary to consult with the social worker about certain practical matters - placement for a retarded child, foster home placement, the problem of where to locate an aged parent, adoption. The social work profession is completely identified with crisis. People go to social work agencies and offices exactly as they go to marriage-counseling clinics and offices in utter distress, feeling the long brewing difficulties over the many years that on that day, at that hour, just cannot be borne any longer, and projecting their dilemma on either the situation or the marital partner. This is a far cry from the applicant for mental health services who is prepared to give his contribution to his problem, or the applicant to a psychiatrist's office who is fully prepared to settle down to self-investigation over a long period of time, prepared emotionally, mentally and financially, even when putting up much resistance.

The social caseworker is trained to have two particular skills. More than anyone else he is oriented to helping people with environmental adjustments and in recent years, with internal adjustments. Such professional skills obviously lead toward good marriage counseling. Because the social worker is training in the family approach, he has a somewhat broader focus than that of some clinical marriage counselors. He is trained to seek the essence of the family's situation. Rather than ask a spouse how he got along with his parents, the

social worker asks how is he getting along with his children, deliberately focusing on the here and now and seeking a broader sense than the couple - not just how husband and wife are getting along but how this affects their children; in what kind of environment they live - how many rooms the family lives in, what the sleeping arrangements are (especially if there is a problem with money), who else lives in the family. These facts may not be brought up by the couple and yet may be important for the counselor to know in counseling them in their marital difficulties. In other words, the social worker emphasizes the horizontal approach and then seeks the vertical.

The clinical marriage counselor tends to integrate the whole and goes backward as well as forward. How a wife relates to her children affects her relationship to her husband. But how she feels about men because of her feelings about past relationships also affects their marriage. Perhaps not enough emphasis is placed on the "horizontal" approach by marriage counselors and they should seek the broader picture sought by social workers.

The Clinical Marriage Counselor

As marriage counseling emerges as a profession in its own right, among its practitioners is a new professional person able not only to intervene in situational crises and stem the flow of neurotic interaction but also to treat the interpsychic conflicts between husband and wife as well as their individual intrapsychic problems.

The clinical marriage counselor believes that personal and interpersonal conflicts tend to exist simultaneously, but that not every stomach-ache warrants the diagnosis of acute appendicitis and consequent surgical intervention. Just as the general physician must diagnose and then determine to treat and watch the response to treatment before referral to the surgeon, so the clinical marriage counselor sees his role as diagnostician and therapist and is prepared to refer to the psychiatrist when necessary.

The clinical marriage counselor comes from one of the helping professions and is devoted to the practice of the new specialty. He draws on psychiatric, psychological, sociological, anthropological and educational knowledge and brings clinical insight into personality and marital dynamics along with an intensity of supervised clinical experience as well as life experience. He is crisis-oriented, is able to focus treatment more intensely on the disturbed interpersonal relationship in an effort to make it more constructive, and yet able to deal, if necessary, with the individual problems of husband and wife.

Marriage counselors who intend to practice privately as clinical marriage counselors must, I believe, have undergone personal therapy themselves to become aware of and resolve their own feelings about themselves and their marriages as well as to experience therapeutic process at first hand. Admittedly, there are talented, adjusted marriage counselors who may not need to comply with this suggestion. Still, assuming the adjustment to be there, one must evaluate the talent for insight in each therapist. Insight is the counselor's ability to integrate his clinical and general knowledge with his observations of the behavioral patterns of interpsychic conflicts in a marriage together with the intrapsychic conflicts of husband and wife so as to get at and, if possible, treat the problems behind the problems presented. I suppose one could liken the talent for insight to that of sight singing in

the musical world. Some people have a talent; others have to be taught; still others can spend years in training and never be able to sing on sight. In a certain sense, therapists cannot really be trained, because therapy is an art. There are those who have had many years of therapy and training who might become good writers or speakers, but they will never be good clinicians. Insight, a good sense of values, a sense of humor, the ability to put things in their proper perspective, the ability of the counselor to use himself effectively in the counseling process are essentials in the art of marriage counseling.

Clearly, counselors must have many qualifications as persons, but personality in itself is not enough. They must also have a clear conceptual framework, and this presumes considerable skill and knowledge. They must have the education in psychology and psychiatry that underscores personality development, plus years of clinical experience and supervision. Generally, the techniques marriage counselors use fall somewhere between directive and nondirective counseling. Marriage counselors may range from being temporarily directive to help clients solve their problems, with the clients passively receiving the benefits of their wisdom and experience, to being catalysts, particularly in individual sessions that precipitate clients into becoming active in the diagnosis and resolution of their problems.

The techniques for obtaining a conceptual framework have been established by the various professions for themselves. As these are merged to meet the goals of marriage counseling, something very worthwhile is developing to help those in marital distress.

Clinical marriage counseling is done at several levels of intensity. The first level is crisis-oriented, dealing with immediate situational distress in the here and now. Since a somewhat directive technique is needed to resolve situational crises, marriage counselors have to be aware of underlying dynamics to accomplish the resolution without harm. At the same time, supportive therapy is given. Supportive therapy deals with the "here and now" situational problems within the framework of sociocultural forces. It attempts to ease the client through a threatening or unbearable situation until he has gained enough strength to be able to go it alone or, if not, to undertake a search for the causes of his distress.

In marriage counseling, supportive therapy may take various forms, including the directive, authoritarian, reconciliatory efforts characteristic of the matrimonial lawyer and the guiding, educational techniques of the physician within the framework of their professions. When such counseling is carried out with awareness of professional and personal limitations, it serves a very real purpose. The clients' presenting problems for the marriage counselor is like the bleeding wound that the doctor hurries to treat after an accident. Like the doctor, the marriage counselor make every effort to stop the bleeding. And just as there is time enough after this is done for the doctor to examine the patient further, so there is time enough for the marriage counselor to look for deeper causes.

In crisis counseling, the marriage counselor is in the role of the good, authoritarian parent upon whom clients can depend and to whom they can pour out their feelings with an assurance of sympathy, understanding and privacy. This accomplished, the counselor reviews with husband and wife what is going on and where the trouble lies, and helps them change what they can of the discordant elements in their life situation. In this first phase of the process,

the counselor draws on what is constructive in the couple's personalities, their relationship and life together but makes no attempt to resolve either the conflicts between them or their personal problems.

The client who seeks help for his marital problems is frequently not interested in or amenable to pursuing any search into the sources of his difficulties. He wants active help - information, guidance, advice, direction - in dealing with what is happening to him right now. He may or may not be aware of or accept the fact that something is wrong with him but he "knows" that something is very wrong with his spouse and, therefore, with that third entity, their marital relationship.

It is not always necessary, or indeed wise, to start intensive therapy immediately in marital distress. Man and wife want relief from whatever it is that they believe is hurting them most, be it a crisis due to a breakdown in communication, adultery, financial difficulties, children, or problems resulting from separation and divorce.

In helping them to resolve the immediate issues, the marriage counselor has the opportunity to assess the strengths and weaknesses of the marriage and the ego strengths of the spouses. Often what appears to be a simple presenting problem will be found to conceal unexpected complexities, while an apparently complex marital situation may yield to a short-term and more limited therapeutic approach.

There is usually an urgency about the troubled matrimonial relationship - particularly in cases referred by lawyers - that no other troubled relationship seems to have. There is frequently just no time for intensive therapy of any kind until things quiet down. An underlying element of permanence exists in the relationship between parents and children that generally tends to hold time in tow when a serious problem arises but this is not true of the marital relationship - witness the many divorces today. A marriage, a family, is on the brink of disintegration and annihilation and attention must be paid to it.

Somehow, the marriage counselor must achieve a cease-fire in the hostilities. In the comparative quiet of the "false peace" that ensues, husband and wife may be able to gain some perspective on how they act, react, and counterreact to each other; perhaps during the moment of truce they can be helped toward reconstruction of their marriage. After the marriage has been temporarily stabilized, the marriage counselor turns to more consideration and intensive treatment of what has been going on in the marital relationship and, if he deems it necessary, in the individuals. In individual sessions, however, he never loses sight of the marriage, for the marriage can help the husband and wife as each can help the marriage.

Joint sessions for treatment of the marriage may or may not continue. At some point in the treatment, the marriage counselor may decide to refer one or both spouses to another therapist - perhaps because of the marriage counselor's professional limits, or because there is a persistent adultery, unknown to one spouse, that the marriage counselor cannot be aware of and continue to treat the marriage and the "innocent spouse", or because one of the spouses has traits that prevent him from trusting the marriage counselor to handle both him and his spouse.

Differences in therapeutic technique lie in differences in philosophy, orientation and experience of the counselor. The marriage counselor tends to deal with the conscious problems and surface realities of the marriage first and, if clinically trained, may then determine whether it is necessary to treat the individual spouses' unconscious feelings and motivations; or he may, if necessary, treat all at once, using individual and joint sessions. This process is in contrast to that of therapists who are primarily concerned with intensive therapy. The latter will tend to deal with the unconscious first, in an effort to reorganize the individual and eventually come up to the level of consciousness and reality later. I believe that marriages are not always able to survive this approach. However, the two techniques are not mutually exclusive and both can help if used appropriately to meet the needs of clients.

One cannot satisfactorily evaluate a marriage from one partner's point of view in the classic analytic tradition. The individual spouse's complaints may be accurate enough from his perspective but they are almost invariably an incomplete description of what has been happening in the marriage. The marriage counselor, trained to help both spouses individually and jointly, is in the advantageous position of being able to get a more complete description of what has been going on and to help husband and wife to recognize what they are doing to each other. Inevitably, the accounts given by both spouses in individual sessions are filled with divergences and contradictions.

Frequently, one partner says the other is "lying" a word that is inappropriate between husband and wife and most often is not a fair judgment. Each has to gain insight into and understanding of how the other perceives the marriage and events. Two people facing each other in a room do not necessarily see the whole room. One sees one end and the other the other end. Neither is lying when he differs from the other in describing the room. The marriage counselor, representing the marital entity and reflecting what is going on in it, is able to see more of the whole by putting both descriptions together and so help husband and wife gain an understanding of the differences in their perceptions.

The clinical marriage counselor is a moral person because he hopes to save and keep marriages. Religion and society - that is, church and state - are for a marriage; and so is the marriage counselor. This does not mean that the marriage counselor is a zealot who is out to save all marriages without regard for human needs. Rather, it is that the marriage counselor hopes to save a marriage if it is possible. He is enmeshed in the reality of marriage and is constantly aware that clients do not live in a vacuum, that there is a world beyond the marriage counselor's office to which clients go. His concern for them when he undertakes to help them and their relationship inevitably labels the marriage counselor as a moral agent, but this does not mean that he ever acts as a moral judge. One of his aims, in fact, is to offset the confusion that may exist in moral values and standards of behavior.

Therefore, he needs to stand for life and hope - and, in addition, for the values he has evolved for himself - if he expects to be successful in dissolving confusion in his clients. Having developed a system of values as a way of life for himself, he has no need to use that system in hostile judgment of others. Rather, since he has integrated those values into his life style, the marriage counselor becomes a trustworthy sounding board on which the client can test the validity of his own values. The outlook here defined is in contradistinction to that of therapists who insist that they do not inject morality into the therapeutic situation and are concerned only with the client's psyche.

Nowhere is the counselor's philosophy of life more poignantly conveyed than in marriage counseling. The counselor's value system cannot be imposed on a client, but whether the counselor states those values or not, they inevitably come through in the counseling relationship, giving the client something to confront and work with. Therefore, the marriage counselor has to come to grips with his personal value system, be aware of it, and be able reassess it from time to time. Whatever may be the motivation of anyone who undertakes to do marriage counseling, self-awareness and self-understanding are imperative. Marriage counselors, being human, must make an honest attempt to understand the dynamics of their own marriages. If the marriage counselor should not be a zealot, consciously or unconsciously seeking to keep all marriages, by the same token, he should not seek, consciously or unconsciously, to destroy marriages.

VARIOUS PROBLEMS IN MARRIAGE

Sex in Marriage - Attitudes toward sex have been constantly changing in modern times, particularly since World War II, when a whole new outlook on sexual relationships began to evolve. There is some question whether the changes in sexual behavior have in fact kept pace with the changes in attitudes, despite the fact that there would seem to be much less inhibition in discussion and a good deal of flagrant behavior. The difficulty lies in establishing a standard for comparison; namely, the extent and kind of sexual behavior that generally existed in fact when people did not find it easy to talk openly about sex.

In no other relationship does there exist the intimate psycho-sexual tie that we find between husband and wife. For the purposes of this discussion, the focus is on marital intercourse and the frequent deviations from the marital ideal. The current ideal for a satisfactory marriage stresses the necessity of sexual satisfaction for women as well as men, the measure of happiness being often expressed according to the degree to which husbands and wives have been able to achieve this mutual satisfaction.

Clearly, when primary emphasis is placed on the ideal of mutual sexual satisfaction, there is much room for disappointment and dissatisfaction, with the possibility of termination of the couple's sexual activity and even of their marriage. On the other hand, if the emphasis is on companionship, love and understanding, with sexual activity another important and wonderful way of communicating feelings, the ideal of mutual sexual satisfaction can be abandoned in large measure for a loving and affectionate sexual relationship that poses much less threat to the marriage. It would seem that the elusive one-to-one relationship within the framework of love, sex and marriage that is presented in our culture as the optimum is a possibility - not always a realized ideal.

Too many husbands and wives feel that their sexual relationship is a failure if bells do not ring out every time. They try to conform to some romantic ideal and believe themselves deficient when they cannot consistently achieve it. What they must do is take a closer look at the reality of themselves and their marriage and accept the ebb and flow of life. In this way, they will understand that an ongoing, loving marital relationship means that sex may sometimes be delightful, sometimes so-so, sometimes nonexistent, sometimes not very successful and sometimes even a failure, only to return to being exciting and active again. While the act of intercourse may be a one-time thing and may or may not be successful, the sexual relationship in marriage has the advantages of time and

loving care. If the emphasis is on the love husband and wife feel for each other, a single act of intercourse will not take on undue importance but will become part of the whole relationship. That is why sex becomes most meaningful within the framework of love and marriage.

Almost everyone wants to be "normal" and to be recognized as such. Here again, we have confusion. So many people think normality means conformity to a rigid standard. But variety is normal. There is a variety of sexual stimuli and of response. Both partners need to understand their own needs for arousal and for stimulation. Frequency is based on what both spouses like and not on what one wants or demands. Variations in sexual techniques are often considered departures from the norm by the unknowledgeable, resulting in disgust or distress. Counseling that helps both spouses to a mutual understanding of needs and preferences will aid sexual harmony.

Counselors constantly battle ignorance, fear and guilt. When a counselor destroys the concept of normality in sex and suggests a process of sexual adjustment, he inevitably challenges the illusion of romantic love and perhaps destroys the client's belief in its spontaneous, untutored, unthinking and absolute perfection. Sooner or later, every couple has to learn that there is rarely such a thing as immediate, casually achieved sexual happiness and that love and sex are not to be equated but are to be used in each other's service, if a good sexual adjustment is to be made. If husband and wife do not consciously adjust, they will inevitably make an unconscious adjustment that can cause any number of problems. More frequently than not, an unsatisfactory sexual adjustment is a symptom rather than a cause of marital unhappiness. In other words, what is happening in the marriage sexually is an excellent barometer of what is going on in the relationship as a whole. Symptoms must be treated, however, and sexual maladjustment is a major marital problem.

Disorders such as impotence or frigidity may be either physical or psychogenic in origin or may reflect elements of both. A counselor must know his professional limitations and make appropriate referral to medical men when ever there is any indication of a physiological problem. We have a tendency these days to brush off everything as just emotional. The counselor must be careful not to ignore any physical symptoms.

Marriage demands maturity and the ability to take responsibility, to love and to care. Marriage is a give-and-take affair that is weighted toward the giving. Marriage spells mutual giving and caring rather than mutual taking if there is to be success and satisfaction. This caring and giving must be mixed with judgment, sensitivity and discretion. For example, a husband may be too concerned about satisfying his wife sexually, so that he is unable to achieve satisfaction himself. In another instance, a woman who cares for her husband might well subdue her desire for intercourse on nights when he is overtired or concerned about his work. Loving concern combined with judgment and discretion will ultimately serve better than the frankness in whose name much hostility is so frequently expressed.

Men and women need to understand the sweep of life and its tapestry woven of human strengths and frailties, love and hate, joy and sorrow, hope and despair, and periods of giving and taking and sharing. Too many people make rigid demands of those to whom they are married in order to meet some sex manual's requirements. To do this is to seek a mythical perfection. Immaturity causes this. It is

unrealistic to expect sexual perfection or even near perfection all the time. A sexual relationship in marriage is not made up of any single act of intercourse. It is an ongoing, continuous, loving exchange in which acts of intercourse take place. That is why love, sex and marriage can make such an effective trio. Any combination that excludes one of these is self-defeating. Only the three together have strength enough to withstand life's demands and vicissitudes.

Children in Marriage - As husband and wife become father and mother, the sharing of parental responsibility adds another level of complexity to their relationship with conflict in parental roles superimposed upon such conflicts as already exist. Unfortunately, the child frequently becomes the target of their hostilities.

The framework into which a child is born enables him to experience as he grows an identification process through which, we hope, he will learn who he is and how to stand accountable for himself. The child's need is not only for both father and mother as such but for his parents to be integrated, secure, interdependent people who know and accept who and what they are. This knowledge must of necessity include their past.

Integrated and secure parents are men and women who accept their identification with their past and in addition accept themselves and each other sexually and as parents who are both important to their children.

Studies on why people have children have found that although many reasons may be given - the expected thing to do; everybody does it; to keep the marriage, etc. - the most infrequent reason listed by parents is that they had children because they liked them. There are a number of unconscious reasons why people have children, and while these are not necessarily an indication that a particular person does not really want a child or is not going to love him, they do indicate factors that may cause trouble as the child grows.

For example, there is the man who wants a child as a way to punish his wife or to keep her out of circulation. He may have this punitive need because of deep feelings of inadequacy and hostility - perhaps he does not trust his wife to be faithful or, more important, he does not believe himself capable of holding her. These feelings will continue long after the child is born.

Then there is the man who feels inadequate and uncertain and who wants his wife to have a child to prove his potency. His counterpart is the woman with similar feelings who has a child to prove she is a woman.

There are parents who have children because of masochistic needs. The family may be in financial difficulty and having more children all the time keeps it in various states of hardship. Such parents may have a great need to keep themselves this way despite their many complaints.

The conscious reasons for having children, like the conscious reasons men and women give for marrying, are to be considered, but the unconscious reasons form the real foundations of marriage and the decision to have children. These unconscious reasons need exploration and treatment when destructive forces arise in marital and parental relationships.

The good intentions of parents are frequently limited by their feelings. Parents often project those feelings onto a child, so that what they want for him may well be something they want for themselves or wanted for themselves when they

were children. Such parents may sacrifice to achieve their goal. In these circumstances we often hear them say to the child, "Look at all I do for you and this is what happens." They see the child as ungrateful and neglect to take into account that he is a separate individual with his own personality and needs. When a son (or daughter) does not choose the path his parents have indicated they would like, they ought to see this as the child's right as an independent human being. Parents often direct their children into fields of endeavor only to reflect their own narcissistic needs. The parents get vicarious gratification when their child accomplishes something they could not achieve.

It is difficult indeed for a parent to recognize fully that a child must answer his own needs, that he must eventually be allowed the freedom to walk away toward his own life if there is to be any hope for him to come back an adult. What was once a parent-child relationship can then be resumed on the adult level.

The social worker's interest in the family and family counseling is beginning to take hold among other members of the helping professions in their swing away from the individual-oriented therapy of Freud to focusing on the family and interpersonal relationships.

The marriage counselor may want to include families in marriage counseling if the children are old enough and the severe marital problem has affected them; helping the children will help the marriage just as helping the marriage will help the children. However, the marriage counselor must pick up where the marital problem is, crystallize it and be careful about the goals and structure of the family-counseling session. Difficult techniques are involved in the joint marriage counseling session and techniques in the family-counseling session are even more intricate. Family counseling has much in its favor if the counselor is discriminating in what he does. Problems between parents may well affect the child. One may question, however, whether the child has to pick up the tab for them by becoming involved with his parents' problems.

Marriage precedes and lasts beyond the children -- the marital relationship is part of but apart from the family relationship. The husband-wife relationship is not the same as that between father and daughter, mother and son, or brother and sister. This is so despite the fact that in these other familial relationships there are sex differences and sexual connotations that support various psychological interpretations. If a parent acts out hostile feelings to his child of whatever sex because of his anger at his spouse, this must be picked up and helped in counseling. However, this cannot be done so that the parent is disparaged and denigrated in any way in front of his child if they are to have a constructive relationship in the future.

Family counseling that uses the family session to discuss and clarify behavior and values, aims for the resolution of familial problems, gives support and is constructive, leaving to the individual session any probing of the individual member's deeper feelings, should have much to offer toward mental health.

Some counselors are professionally competent and ready to take on the whole family. Others refer the children to appropriate agencies or therapists. In marriage counseling, a husband and wife may present the children as the problem that is tearing their relationship apart, but their feelings toward each other and toward themselves have to be treated as the primary source from which all the difficulties flow. At the same time, the problems that the children create for them in the various stages of growth are real and have to be treated lest the difficulties snowball further.

MONEY IN MARRIAGE

The earning and spending of money are the obvious symbols of success toward which most people in our society aspire. The "average" individual views money with some economic objectivity and sociological perspective, but the subjective value he places on it is of far more significance. Human beings are often materialistic, and in our society a person's worth is frequently measured by his financial success. It is not too surprising, therefore, that so many measure their personal worth only in terms of the amount of money they make.

As a result of social pressure, many couples start their marriage with almost everything they possibly need, either because of the generosity of their parents or because they have borrowed on their future. They may be in debt but generally they have a feeling of optimism about the years to come. Young couples expect their income to go up. They do not always realize that their expenditures and tensions will too. The test of their relationship will come at a time of family financial crisis, when underlying feelings about money emerge and tell much about what is really going on between them. For many of us money symbolizes security both economic and emotional. As a result, one cleavage that develops in marriage is between those with a "normal" approach to money and those who approach it neurotically.

Dr. Edmund Bergler, discussing the differences between the normal and neurotic approaches to money, says that for those with what he calls a "normal" outlook, money becomes a means to an end. The normal person tries not to allow himself to be taken advantage of in money matters. He seeks to make as much money as best he can; but in the process, he will not sacrifice health, love, recreation, or contentment. When he says he cannot afford something, that is a simple, objective statement.

On the other hand, the neurotic's attitude is that money is an end in itself. His fear of being taken advantage of in money matters is always greatly out of proportion to the threat itself. Money becomes a center of this type of neurotic's life and everything else is subordinated to the desire to possess it. Any demands or requests for money, even when they are reasonable, engender excitement, indignation or hostility. Money runs sex a close second as a stated reason for marital conflict and divorce. In other words, like sex, in-laws, religion, alcoholism and gambling, money is frequently presented by troubled husbands and wives as the problem they cannot resolve in their marital distress. Presenting problems in marital conflict are the problems that husband and wife may feel are creating the difficulties between them, but they are usually only symptoms of deeper emotional problems that a husband and wife may have either as individuals or as a team. Presenting problems are dealt with by the marriage counselor as soon as possible, always with an awareness that "curing" the symptoms may not necessarily do much about the affliction itself. Some budget problems presented as a cause of marital stress may not require more than education and guidance; others will require exploration and deeper therapeutic treatment. Needless to say, budget problems, whatever their complexity, are not so serious as the problems presented by gambling. Between simple budget difficulties and gambling lies a broad range of problems involving money.

The counselor who has a broad perspective will not be overwhelmed by either the poverty or the wealth of his clients. The problem is not so much the actual amount of money involved as the way money is being managed and what it signifies.

Money can mean many things. To one it is power and control, to another security, to another freedom and independence. Money can mean love - wanted so much but either doled out meagerly, or given in grandiose gifts in the hope of being accepted or as a way of relating when no other way seems available. The counselor who can help with feelings about money does much more than teach budget management.

In-Laws

People in marital stress generally describe sex and money as their major problems. After these, come children and then in-laws. What about in-laws? That peculiar group of relatives that one acquires, to love as one's own, the minute one marries? Relatives are supposed to be loved and how is frequently difficult enough but how then to love and accept a spouse's family as one's own? As we grew up, most of us learned to expect that in-laws might make trouble when we married. No wonder then that having married we feel we must be sure to keep this in mind.

Especially to be watched is mother-in-law, of course, for she is the most difficult of all. She really has horns. Everyone knows she talks too much, has all the answers (the wrong ones), and is a meddling troublemaker. Besides, she is a possessive woman and a nagger who constantly criticizes and complains. We have to watch out for sister-in-law, too because they run mothers-in-law a close second. After that, the package deal of relatives is not too bad. We can expect little trouble from brothers-in-law or fathers-in-law, although they may occasionally be difficult.

In any case, many of us are certain we won't have trouble because we are determined to follow the best way to get along with our in-laws, which is to keep as far away as possible. Everyone knows that.

Everyone agrees, at least intellectually, that certain adjustments must be made in the beginning for any marriage to be successful. The basic need of a young husband and wife is to establish autonomy. Anyone who they feel is threatening their independence can pose difficulties for them and most families know this.

What parents may not understand or appreciate is that, early in the marriage, husband and wife are involved in shifting identifications and realigning loyalties. This means shifting from being a child to being a spouse; from loyalty to parents and their way of life, to the new loyalty and unity necessary to a good marriage. Along with this shift in loyalties there must develop a strong working concept of the roles of husband and wife. All that was learned before marriage from identifications with father, mother, and siblings, and others goes into the making of this concept.

To be able to fulfill this concept of their roles, husband and wife must have developed their own autonomy before marriage. If they have not, and unfortunately they too frequently do not, conflicts in identification ensue, with much confusion about what is expected of self and spouse.

Many marry when they are not emotionally ready for marriage. They frequently use marriage as a way out of parental domination or an unfortunate home situation, and they tend to have considerable in-law conflict. They repeat their rebellion against their own parents in their relations with their in-laws. The result is that they come to marriage with their minds made up to allow no parental meddling.

The slightest display of interest by any parent may be construed as meddling by either or both spouses. The other side of the coin of immaturity is displayed when emotional ties to parents are very strong and one or both spouses have difficulty feeling married in any real sense. When things get tough, it is not unlikely for an immature husband or wife of this sort to run home to mother.

In in-law situations counselor attempts to drain off negative feelings and open the way to wholesome attitudes that will make for more mutually satisfying relationships with the most trying kin. He helps couples see that the oneness they must achieve is constructive only if they use it to relate to others - not least of all their in-laws, and not to cut themselves off. Beyond this, he uses the presenting problem of in-laws, as he does other presenting problems, to get at deeper emotional and psychological disturbances.

To a marriage counselor, the problem of in-laws needs to be dealt with but is inevitably symptomatic of such elements as immaturity, feelings of inadequacy, lack of marital cohesiveness and the inability of husband and wife to establish faith and trust on the basis of mutual recognition and acceptance and the respect of each for the other's uniqueness.

INTERMARRIAGE

There is a tendency to take for granted that people can marry without considering the differences between the groups from which they come. Different religious institutions teach different values and standards despite the fact that all religions cherish the home and family and emphasize the sacredness of the marriage vows.

We need only look at the turbulent topic of sex to see that religious denominations differ sharply on the principles by which they seek to preserve home and marriage. The evangelistic churches, for example, are concerned primarily with premarital activities but give little or no thought to marital sex and so contribute to making sexual adjustment in marriage difficult.

Some of the more conservative religious groups link sex with sin, which tends to impede the evil of premarital experimentation. The more liberal churches view sex as a God-given aid to family cohesion and are trying to develop ways of helping young people overcome their ignorance. They accept sex as a normal part of life, the general rule being continence before marriage and fidelity after marriage.

Since religious values and standards tend to become an integrated part of people's philosophies of life, despite much intellectualization to the contrary, individuals coming from different religious groups may run into considerable difficulty should they marry.

An anomaly has developed in the United States in recent years that further complicates the problems of many interfaith marriages. There are those who say that they do not believe in God. There are those who say that they do not believe in the rites and rituals in everyday living. There are those who do not accept the organized Church. These people tend to say they are "not religious" and that differences in religion are of no consequence to their happiness in

marriage. They feel that they are free to marry whomever fate presents and however romance sways them, without concern about differences in religious background. Sadly enough, the chances are great that such men and women will find that much of what they deemed inconsequential before marriage seems to take on startling significance after marriage. And no wonder, for no matter how close two people may have been, only after marriage are they finally made aware of how the subtle, elusive differences between them can cause much distress.

All that we have known and felt and experienced in life becomes crystallized with marriage. Things we never realized meant so much to us suddenly assume a strangely dramatic importance. A husband and wife may be able with courage and strength, to come to terms with some of their differences but perhaps not with all of them. It is not always easy to recognize how much we are influenced and conditioned by religion at home. People frequently do not come to grips, until too late, with the realization that religion is more than belief in a deity, rites and rituals and the organized church. Indeed, religion is a philosophy, a way of life. It is not too surprising, therefore, that those who intermarry are frequently confronted with a sense of loss for which they are unprepared. Their marriage suddenly speels moving out of the framework of the way of life - the values and standards - by which they have been raised and which are a part of them.

This feeling becomes particularly vibrant after children are born. We all intellectualize and rationalize about many values that would seem to be in flux. Only when we have to apply to our children what we have said do we know what we truly feel. In the "good" marriage, by way of contrast, husband and wife are not disturbed by basic religious differences and are able to more easily mesh their individual philosophies and ways of life to develop a new way of life for themselves and their children.

Interfaith marriages are substabtial in number and are taking place at an increasing rate. Sometimes one spouse converts to the religion of the other in a hope for unity. The attitudes of the various sects and faiths are quite divergent, so that the problems that present themselves to an interfaith couple can be complex.

The significance of religion to the partners in an interfaith marriage is important in its impact on their children. Mothers do most of the rearing and education in the home. If the mother has a feeling for her religion, the children will be influenced to follow that religion. Unfortunately, the father in such an interfaith marriage may feel like an outsider in the family's religious activities. If he converts to his wife's religion, this may enhance the family's unity. Too often, however, men who convert feel they have given up some of their manhood and have lost something of their feeling of identity. Their submissiveness often conceals deep anger, especially if they have some feelings for their original religion. When a women converts to her husband's religion, there appears to be less danger of upset, since women still accept the idea that they must assume the name, domicile and status of their husband and can take the step without undermining their feelings as women. Indeed, if religion has had little meaning to a woman prior to marriage, she may convert to the religion of her husband and find many satisfactions. On the other hand, if religion has been of significance prior to marriage, she may well question the desirability of converting and, indeed, marrying outside her faith.

Despite the difficulties inherent in intermarriage, its incidence has increased rapidly and will continue to do so. Superficially, everyone looks alike. The fundamental differences that matter in the intimacy of the marital relationship

are not easily recognized by the inexperienced and unsophisticated. "Who am I?" Is a question with which young people are involved. He is hard put to find the answer in a society that sets few limits and changes as rapidly as ours does. Not everyone has the ego, strength, and wisdom to withstand the bombardment of environmental forces that seem to obscure underlying differences. Youth has always rebelled against parents and authority. Furthermore, social controls have notably weakened in influence and importance. The opportunities for social intercourse have become much greater as the barriers of race and religion have been lowered. Parents are often uncertain of their own standards and values or are afraid to state what they stand for, or are simply permissive. Because they do not state their objections, their children see no reason for not dating outside their religious group and the stage is set for intermarriage. The mood is further developed by peer-group attitudes and the IBM machine, which have taken the place of parents in determining the basis for dating, be it for better or worse.

ALCOHOLISM IN MARRIAGE

A few years ago the World Health Organization published figures indicating the drinking problem to be more severe in this country than anywhere else in the world. 6.5 per cent of the adult male population is alcoholic. It was estimated twenty years ago that the ratio between men and women alcoholics was six to one; since then there has been an alarming increase in alcoholism among women.

Separation and divorce are notably the results of alcoholic excesses. Courts deal also with many other problems that are due to excessive drinking and that have undesirable effects on marriage and the family: financial insecurity, unemployment, illness, preventable accidents, desertion, maltreatment of children, juvenile delinquency, prostitution and crime.

Though American culture generally encourages drinking, there is a certain amount of ambivalence toward alcohol. We do not approve of heavy drinking since it can be an evil but we do not wholly approve of abstinence either. Superimposed on this basic attitude are the mores of a number of subcultures in which drinking is encouraged as a part of a way of life.

We speak of drunkenness, the drinker, alcoholism and the alcoholic but these terms are not too well defined. Even the arbitrary standard for intoxication set by the uniform vehicle code published by the Federal Government in 1952 has little meaning, since tolerance of alcohol varies between individuals and within the same individual. A drinker may be an alcoholic or the little old lady who downs an eggnog once a year.

There is no real agreement on what constitutes alcoholism. "Alcoholism" is a wide term that seems to mean various degrees of heavy drinking. The label "alcoholic" is frequently used disparagingly, for there is a widely held view that the alcoholic is perverse or weak-willed rather than truly sick or addicted.

There are variations in the degree and kind of alcoholism that have varying impact on married life. In contrast to the alcoholic who drinks during working hours there are, for example, the episodic alcoholic and the weekend alcoholic, who keep their jobs and perhaps never drink while working but who create much havoc at home.

Men who meet at bars after work are doing a form of social drinking. However, frequent stops at bars may be a man's way of excluding women and associating with

other men because he is unable to relate to women, particularly his wife, on an adult, responsible level. At a bar he is glad to have superficial acceptance no questions asked. If he goes home, he is sure to be attacked with questions he finds difficult to answer. Going home means taking responsibility for a relationship that demands he be a man.

Another type of alcoholic drinks at home. Basically he is a child who wants his mother. His beer or his highball is his bottle and makes him feel good. Alcoholism is associated with oral dependency needs. It is seldom that the alcoholic does not smoke, although there are smokers who do not drink. The woman who marries the home drinker may have a need to dominate him. She may not be able to accept her role as a woman completely and may like having a childish husband.

The wives of alcoholics tend to have their own emotional difficulties. Clinical experience indicates that they may well enjoy their husbands' drinking. Sometimes the wife will drink with her husband or have a bottle of liquor available for him despite her protests against his tipping. These people are immature and relate emotionally on an infantile, oral level. Each searches desperately for another to give him love but since each is incapable of answering the other's needs. They take to the comfort of the bottle, which becomes their strongest emotional bond. Their way to be together is to drink together. Some dissatisfied wives of alcoholics may eventually begin to nag. The nagging wife is not satisfied with her luck and wants to take the lead, be the boss, wear the pants, her protests to the contrary. Frequently, she will do everything to help her husband get away from the bottle, but she is unable to maintain the relationship when he does. The result is that she makes life so unpleasant for him that he goes back to drinking and then she can feel in control again.

The alcoholic wife, a comparatively new character in our society, tends to do solitary drinking at home, particularly if she lives in suburbia. Initially she drinks out a feeling of despair that develops among women who cannot accept the limitations of their lives. She is completely dependent on her husband for emotional sustenance. Like the alcoholic man who has never really been weaned and takes to the bottle when he gets no satisfaction from his wife, the alcoholic woman tries to drain her husband of something he is simply unable to provide. Frustrated or rejected, she wallows deeper in the alcohol.

Children of the drinking father have a poor prospect in life. Boys have a poor male figure with whom to identify. Often, in their attempt to identify, they themselves will become drinkers. They may identify maleness with drinking or they may find in it a good excuse to perpetuate the Oedipal conflict. A boy who feels that his father is no good, a drunkard, often tries to become a "good" son to his mother, doing for her what the alcoholic father should be doing. However, this is a surface phenomenon because underneath he feels great hostility not only to his father, who has failed him, but to his mother, who accepts what he has to offer although she is unable to gratify his unconscious feelings toward her. He acts like her husband, yet he is not her husband and the result is that if perchance he marries, he finds himself unable to relate to his wife.

The damage to girls is probably not so serious. However, there are many ambivalent feelings in daughters for their drinking fathers. The desire to remain deeply attached to the father, to protect him, may later be used as a good excuse to avoid establishing close relations with another man.

The child of a drinking mother feels deeply rejected and if both parents are drinking, he feels isolated as well. A drinking parent, whether father or

mother, tends to unwittingly seduce the children regardless of their sex, so that the latent homosexuality that so frequently accompanies alcoholism is perpetuated in the next generation.

The treatment of alcoholism is extremely difficult. The alcoholic needs courage to repress any feelings of hostility or potential homosexuality. He must be prepared to search deeply to find the reason for his drinking, since drinking patterns are usually more or less sanctioned as a way of escape for men and consequently, may serve as easy concealment for far more subtle motivations. Few alcoholics will undergo treatment if they have not finished the bottle. Many use the bottle for slow suicide. Alcoholism is a comparatively new way of escape for women in our culture, with the result that the therapist may be able to uncover the reasons more easily and give constructive treatment.

Experience indicates that men tend to give up a drinking wife much more readily than women do a drinking husband. Men generally seek divorce rather than tolerate a drinking wife but women will continue in an alcoholic marriage for a variety of reasons - economic status, children or their own dependency needs or feelings of inadequacy. Women will struggle with what to them, at least consciously, is a pretty intolerable situation.

S E S S I O N V I I I

Wednesday, October 30, 1968
7 to 9 p.m.

Representative Hall
Concord, New Hampshire

Meeting Chairman -- John A. King, Director, New Hampshire Probation Department

Speaker -- Dr. Gerald J. Pine, University of New Hampshire, Durham, New Hampshire

Individual and Group Therapy Counseling

Purpose of session is to develop favorable attitudes towards counseling; how initiated, organized, administered, and purposes.

Dr. Pine -- We will try to find some of the common elements that seem to run through all counseling approaches in terms of individual counseling in a one to one relationship. I know that in defining some of these common elements we might run into biases. I do hope at the end of the first half of this session that there will be some time for people to raise questions and we can become involved in some kind of a conversation on counseling and its meaning as far as handling the delinquent.

What I mean by counseling, and this is probably an oversimplification, is our relationship in which you help the individual to help himself. It's not a relationship in which you try to do things for the individual and try to do things for the individual. You try to do things with the individual so he can learn to stand on his own two feet and assume the responsibility for his life.

There are many goals which have been identified in the literature. I would like to talk just about some of the goals of counseling. One goal of counseling, of course, is to help a person become more fully functional. To make better use of his potentiality.

Another goal is to enable a person to assume responsibility for his own behavior and his own life. Many people regard counseling as molly-coddling. Counseling is a painful process if it's done in the right way. The counseling is effective when the people learn that they have to assume responsibility for their behavior. This is painful and it is very difficult for people to accept this. But this is one of the ultimate goals of our counseling approaches to enable a person to assume responsibility for his decisions. To help him become more sensitive to the idea that when I make a choice, I have to be ready to accept the consequences of the choice I make.

Another goal is to enable a person to become a more independent. All human beings are just animals from the time of birth when they move from dependence to independence. They have to in order to function in the world in which we live. One of the problems with the delinquent and the public offender is that many times he can become dependent upon the institution. The institution becomes home. It is very difficult when he gets out into the cold hard world sometimes not to come back to home. So this is a primary goal to enable the individual to stand on his own two feet and function independently.

Another goal is to help an individual discover some of his strengths and weaknesses, and how to use his strengths; to capitalize on his strengths.

The very specific goal of counseling is to help the individual gain insight into his own behavior, to examine the reason for his behavior to gain some understanding as to why he does what he does. This alone is not enough to change his behavior. A lot of people walking around can tell you why they do what they do, but they will go ahead and do it. This is not enough. Insight is not enough, but it is one of the goals of counseling.

Another specific goal is to change the individual's behavior in directions that not only enhance him but in directions that enhance the community in which he lives and in directions that enhance or improve not only his own lot but the lot of his father and mother.

Finally, I would say a very important goal is to help the individual develop a positive self-picture, self-concept, self-image, whatever you want to call it. There are a number of psychiatrists who feel that all our behavior is a function of the way that we look at ourselves. Everybody in this room sitting here now has a self-image. You have a picture of yourself as a person. You have a picture of yourself as a husband, as a father, as a wife, as a mother, as a worker. You have a picture of yourself as a human being and your behavior reflects that picture of yourself. You see yourself in a negative way if you do not like yourself. You tend to behave in ways which activate a lot of dislike for you.

If you see yourself in a positive way or you like yourself, you can behave in positive ways and you tend to behave in ways so people like you. The whole business of self-concept, self-image is extremely important.

What goes on in counseling? What do you need in the counseling relationship which would be most effective? First you need mutual respect. Not lip-service respect but genuine respect. I am sure that this is extremely difficult at times to render to the public offender and to the delinquent. But the public offender and the delinquent need respect just like anyone else. And that respect has to be genuine. It can't be phoney. It can't be something that is sound verbally. It has to be a genuine respect for the individual.

One of the words which we toss around quite a bit today is the word "dignity." Treat the people with dignity. The word has been used so often that I decided to look it up. It means intrinsic value. What gives a man that value? What makes a man worth something? I suppose if we look at a man from a religious sense of reference, we say that he does something because he has been created in the likeness of God. I suppose if we look at it from a humanistic point of view, we say that he has the ability to think, to reflect upon his action, and to choose his own life, make his own decisions, round out his own destiny. Regardless of why we believe a person has dignity, we have to behave as if a man has dignity. We have to genuinely believe it and it has to be exemplified in our behavior toward other people. There is no such thing as a formula, no fakable way of conveying to a person that you have respect for him when you don't. People can see through it.

Effective counseling requires effective communication. Effective communication means that you not only tune in on what the guy is saying, but the way he is saying it. Most people communicate on two levels. The communication is on the verbal level and on the nonverbal level. Many times husbands don't listen to wives. Parents don't listen to kids. Kids don't listen to parents. Because they are turning in on one length, on one wave length. That is the verbal and they don't get together on the nonverbal. We convey an awful lot of what we say not only by what we say but how we say it. By our physical posture, by the look on our face, by the way we stand, by the way we sit. There are many cues that we toss out to people and one of the things that we have to do in counseling is to become more effective to these cues

and to what people are telling us. I guess Emerson had a great expression: "What you are speaking so loudly, I cannot hear a word you say." I suppose many of us in conversation with people kind of get the feeling the guy is saying one thing but communicating something else to us. This is one of the skills that we have to develop in counseling. We have to learn to listen and tune them in so we can find out what they are really saying. That ability means that we try to look at people in a non-judged way. Most of us have been taught to listen in a socially polite way. We listen and say OK yet are waiting until the guy is finished talking so we can get our point in. While the guy is talking, we are thinking about what we are going to say to him when he gets finished.

The kind of listening that I think is essential for good effective counseling requires that you have got to see the world as they see it. You have got to feel as they feel. You don't sympathize with him; you empathize. You try to see as he sees and feel as he feels. You have to try and really understand him.

Acceptance is another ingredient in effective counseling. Acceptance means allowing a person to be. It doesn't mean that you agree with him. It means that the guy who came to you, you learn to accept his angle. You learn how to deal with him. What we sometimes do when somebody gets angry with us, we respond in kind. But the interesting thing about hostility which is met with hostility is more hostility. Sometimes the public offender feels that he is being pushed down because he is not in a position to give it back.

Acceptance means that we have to be secure people ourselves. I would say that the more insecure we are, the more we try to control and influence the people around us. The more insecure we are, the more difficult it is for you to accept the behavior, particularly behavior from other people. It doesn't mean that you agree with his hostility. It means you allow it to be expressed.

The people are sometimes defensive. When people have to defend themselves, they are so busy defending themselves that they don't have the opportunity to take a look at themselves. I think we should provide a reasonable degree of acceptance. This may be very difficult at the type of setting that people are working. I think we can provide a reasonable degree of acceptance. We can maybe enable people instead of always looking outward, blaming someone else for what's happening, to turn inward to take a look at themselves and their own behavior. I think this is particularly a tendency on the part of the public offender. He tends to look outward. He tends to blame society. He tends to blame a lot of other people for his own behavior. I think through effective counseling we can move to a position where he will say OK. There are certain things that happen in my life. I have got a raw deal but maybe I am responsible for some of them too. Acceptance is one element which helps the defendent move in that direction through counseling.

I think another important element is that in counseling we concentrate on the needs and the problems and the feelings and the perceptions of the counselee. The person we are working with is the counselee. That means in a sense that we have to become selfless. It means that when I am working with a person, I cannot think I have to pick up a loaf of bread on the way home or I have to get that front stoop fixed or of what I am going to say to him when he stops talking. I have to be with him all the way. I have to focus in and give him the feeling that I am interested in his problems, his concerns, his needs.

I think in counseling people have to have the opportunity to discuss feelings. One of the problems of working with the public offender is that instead of expressing his feelings verbally, he tends to act them out. Many people feel that the persons

in a state prison or in a county correctional institution do not have guilt feelings. They feel the prisoners are neurotic. They don't worry about what happens to other people. I'll have more to say about that later but the point I want to make is this. Many of the people in our institutions have not been able to verbalize adequately the problems. They act them out. When they get frustrated, they act out their problems. They steal; they destroy; they lash out at other people. One of the goals of counseling, that is professional counseling, is that we help the person verbalize his problems to express his feelings and learn how to deal with them on a verbal level.

There is a tendency on the part of all of us to want to manipulate other people. Particularly when we get people in a position where they have to do what we want them to do. They are a sort of captive audience. It is a nice feeling making you meet some of our own needs to dictate to others. It is a nice feeling to have somebody that we can dictate to. But again this creates dependence. When we create dependence in people, we are not helping them to grow; we are not helping them as people.

The primary outcome of the counseling is for the counselee and he must know this from the very beginning. He has to know that the answers will not come from the counselor or the guy who is doing the counseling. The answers have to come from him. This is one of the most important concepts in counseling. Many people walk into the counseling situation and they feel he has all the information, all the goods, all the professional background, all the wisdom, all the training and he is going to give me the answers. This is not the case. The best answers come from the individual himself. The idea in counseling is to free the individual from some of the problems he has and to think more rationally and to deal with the problems himself and make his own decisions, and move to becoming an independent person.

It is easy, I think, for a well meaning person to formulate a direction in counseling with other people. They formulate a direction of being manipulated themselves. The more you try to manipulate other people, the more you set yourself up for being manipulated. The more you create a dependency relationship, the more you set yourself up for being manipulated. The whole idea is that you have to develop the situation where the individual will assume responsibility and he is going to function individually. He is going to learn to work with other people. He is going to change his behavior and work to resolve some of the specific problems which he has.

Counseling as a relationship has defined limits. What some of these limits are? I'll give you some of the limits which I use in counseling and feel to be beneficial to you.

First of all, there is a time limit. There are no short cuts to effective counseling. I wish we could change behavior within an hour or two or ten or fifteen or twenty. But unfortunately, sixteen, seventeen, or eighteen years is a long time to develop behavioral habits. After twenty-five, thirty, or thirty-five, he has had a long time to establish his behavior. You cannot change behavior overnight. You cannot change it in an hour or two of counseling. I guess one of the problems facing the institutions which deal with the public offender is that we don't have the personnel to provide the type of counseling that I am talking about here. Much of the professional counseling has to be done by people on a part-time basis. But we have to be patient and we have to understand that we are not going to change behavior overnight. It takes time. In dealing with the public offender, we have to indicate to him that we have so much time that we can give him in a week for counseling.

I think another limit is the behavior role. Although counseling should provide an opportunity for the person to express his feelings, this doesn't mean that he has the freedom to do anything he wants. All it means is that he has the chance to

verbally express himself. It doesn't mean that he has the freedom to hurt anyone and it doesn't mean that he has the right to take anything or destroy anything. There have to be some behavioral limits.

There are also institutional limits in dealing with the public offender. There are, I am sure, security measures which have to be followed. There are some custodial practices to be followed which may have to be brought into the counseling relationship in terms of limits.

Counseling relationship is also a relationship which requires having trust and confidence. Trust and confidence must be won. We don't win the trust of people by saying, I trust you. They have to experience the trust. They have to experience it as something genuine. If we say that I trust you; I believe in you; I believe you are a really great guy; I believe you have a lot of potential; I think you are really doing a great job, let's sit down and talk about your future. Deep down what you are saying to yourself is I really don't trust this guy. That message comes through. You convey that message. You can't help but do this. This is what I call the subliminal communication in counseling. It is above the surface but it is there and the person knows it. Kids know it. Young kids know it. Adolescents know it. The public offender knows it. People in the counseling relationship know it, and when you really believe in them and trust them and have confidence in them.

Counseling should be a positive experience. What I mean by that is this. People don't change their behavior by having someone tell them how to change. If we could change human behavior by telling people the right way to behave, how to go about changing, I am sure we could rectify all the world's problems in a couple of weeks. There are many people who can say to you, Yah, I know the reason I don't study. I know the reason I steal is this. I know the reason I balk people is this. But they will continue and go on with their behavior. There are a lot of people who know why they do what they do. You can give them rules and regulations from now until doom's day; you can prescribe all kinds of things that they can try and many of them just are not going to change their behavior. They are not going to change their behavior until they develop a positive self-image. Until they develop more than just insight. Until they develop some of the qualities necessary to function effectively in society.

These qualities only come about when you provide people with the right kind of experience. For example, it is like a mother saying to her child I love you. I love you. I love you. But she really doesn't love the kid. And the kid knows it. It is like the father who says to his child look at how much I love you. Look at all the things I bought you. The kid knows that he doesn't really care. What people have to know is that they have to experience something. If you want a person to be trustworthy, he has to experience trust. If you want a person to be responsible, he has to experience responsibility. If you want a person to feel adequate, he has to have experienced some success. If you want a person to feel acceptable, he has to experience some acceptance. You don't give him these things just by saying I accept you. You are a responsible person. You are an adequate person. People have to experience; they have to have some opportunities to gain experience, to change their behavior.

I would like to take just a few minutes here to discuss what counseling is not. Counseling is not advice giving. Anyone can give advice. What may be appropriate advice for you may not be appropriate advice for the person you are working with. Advice is a very subjective matter.

Counseling is not information giving. I would like to make a distinction between a counseling relationship and an information relationship. To me, an information

relationship is when you give a person information about jobs. You give him information about education. You give him information about different agencies and committees which can help him. Counseling is characterized more by feelings and emotions, by personal revelation, by expression of self, by self-evaluation, by a real change in behavior. It isn't moralization and judgment. Most kids and most delinquents and most public offenders have had a lot of moralizing and judgment and have had a lot of people lecturing at them. Preaching doesn't change behavior. Preaching may bring a change for a couple of weeks, but it doesn't bring about a lasting change.

Counseling is not the slap on the back. It is not the cheer-up-everything-will-be-all-right attitudes. That may be all right for a while, but we are talking about bringing about changes in behavior and attitude and that is not enough.

Counseling is not molly-coddling. As I indicated earlier, effective counseling is a painful process. Nobody, including you and me, likes to find out some of the things that may be existing inside themselves. It is a painful process. When we have to assume responsibility for our negative behavior, that can be a painful process. It is not molly-coddling. Sometimes it can hurt and hurt deeply. But the pain which is experienced along with this and the final analysis will give way to a deeper appreciation of the new person, the changing person.

As I indicated before, there is no short cut to effective counseling. Counseling is not ten or fifteen-minute decisions. Counseling takes time. Counseling in and of itself, particularly with the public offender, is not enough. I think there are other things which have to go along with the institution and the individual changes in behavior. I think particularly when an individual is released from an institution, they need to have a great deal of follow-up and after-care work by social workers and probation workers. But that isn't my area for discussion tonight.

I do want to indicate that I don't think that counseling has all the answers. It can't provide the cure-all for everything.

If counseling is effective, here is what usually happens. When the individual first comes in, he tests out the counselor. He will try to find out the limits of the counseling relationship. He will try to find out how far he can go. If you say he can come in for an hour a week, he'll test you out by asking how long he can stay and if he can return the next day. There is a lot of testing in this relationship.

There is at the beginning of counseling an expression of ambivalent feelings. The individual usually moves from negative to positive and from positive to negative feelings. Then he follows an expression of negative feelings alone. There is no more ambivalence. There is no going back and forth. What happens here is there is a great deal of hostility. There is a great deal of dislike which is expressed with others through the institution which the person is in. And finally there is a great deal of negative feelings and attitudes directed toward the person himself. I'm no good. I have always been a bum. I can't assume responsibility. I have hurt all the people who have ever meant anything to me. That kind of thing.

This is then followed when the individual has had an opportunity to work these things out, taking a good look at them. This is then followed by an expression of positive feelings.

The individual begins to realize that maybe some of the others around him in the institution he is in are not that bad. He has some experience that can help him. This is usually followed by insight. The individual gains some insight into why

he does what he does. He moves through the insight instead of looking out here, instead of looking at these people here, he begins to see how he was involved in this problem. He becomes less defensive. He becomes more open and ready to confront reality. He begins to assume responsibility. He becomes more open to information. He becomes more open to different alternatives for changing his life and usually the counseling relationship moves into an informational relationship. This has to be done when he begins to seek out information.

Who should seek counsel? Not all offenders can be offered counsel and not all offenders should receive it. There is a chronic scarcity of therapists. We don't have enough people in this field to provide professional counseling. Where staff resources are limited, the efforts to treat the unmotivated offender are difficult to justify.

Counseling should be initiated by the offender. It should be a voluntary type of relationship. It should never be imposed. If it is a voluntary relationship, then the individual takes a very important step. He is ready to assume responsibility by initiating the counseling relationship himself.

Therapy is most useful, most helpful to a person who wants to be helped. Of course, this is the principle which is used in a number of therapeutic relationships. Alcoholics Anonymous operates on this principle. The person who gets the most help is the person who wants to help himself.

Mainly on the basis of this, I think in any institution, whether it is a state prison or industrial school or a public school or rehabilitation agency, the counselors have to get off their duffs. They have to motivate people to seek out counseling by their own volition. That is not easy to do. But there are ways in which it can be done. We can make films using, for example, a delinquent population or the population of inmates in a prison in a counseling experience. You can develop those films so these people cannot be identified and you can show these films to the inmate population of counselors or in hope it would get them to seek out counseling on their own volition.

In dealing with the public offender, I think there is another problem which is this: the public offender usually sees want as a concrete term. Acts speak louder than words. Talk is cheap. Show me, man. Talk is cheap. Give me some proof. I think this is one of the most difficult aspects of dealing with the public offender. Because he has this concrete outlook, he tends to take concrete action and expects the same from the counselor.

But we are a verbal society. Most of you people, when you get angry, don't resolve your anger or take out your anger by stealing from someone or hitting someone or destroying something. He will. You may throw a few things around. You may burn up inside, but you learn how to deal with it on a verbal level. We live in a verbal society. That is reality. And the public offender has to confront reality by learning how to deal with his problems on a verbal level.

There are ways in which this can be done. I will refer to some research which was done with delinquents in the Boston area called street corner research. It starts out on the concrete level and moves to the verbal level.

I don't believe that any counseling can be imposed on anyone. If the individual doesn't want it, if he doesn't want to be here, he won't be here. Now he can play the game. He can make you feel good by playing the game. He can make you feel that you are really helping him. He may be doing this because it might be a good way of getting out of something, of avoiding responsibility. He may be playing a game just to manipulate you.

If the person is exposed to the right kind of counseling, he can become interested in counseling. The counselor's role will not stop here. The counselor's role is a very important question. The counselor is always put into a position where he must make important decisions regarding the prisoner. For example, does he make any decisions which affect the prisoner's release? Does he make any decisions which affect the prisoner's placement in the institution? Does he make any decisions which affect the prisoner in going out on his release program?

I think, if he does make these kinds of decisions, it is going to be very difficult for a prisoner to open up with a counselor because many are afraid that what they say will effect his decision.

The counselor has a very unique role to play in any institution. That role is to enable the individual to function dependently and to accept his responsibility. That role can be carried out most effectively when the counselor is trusted completely. When the person has complete confidence in that counselor.

The American Correction Association recommends one counselor for every 150 prisoners, or one counselor for every 150 delinquents in the institution. I would say one thing about ratios, does a counselor really function as a full-time counselor when he has so many other jobs as a loose-ends coordinator, an administrative trouble shooter, a handyman who does a little of many things and not enough of any one? If we are going to provide counseling in any one social institution whether it is school, prison, or industrial school, the counselor has to be a full-time counselor. With a ratio of one to 150, he would be a pretty busy person.

GROUP THERAPY

In this last hour I would like to discuss with you what is probably the most important, promising technique for working with the public offender and that is group therapy. Usually the main reason for instituting group therapy counseling program is given in terms of economy. It is the most effective way of reaching a large group of people. You can treat seven or eight people in one place at one time with one counselor. In a sense this is the weakest reason for group counseling.

Group counseling has some very unique advantages which you do not get with the individual counseling relationship. There are many institutions working with the public offender who are now using the group counseling approach. I would like to spell out to you why this is an effective way of working with the public offender.

In a group a person not only received help, he gives it; and that is therapeutic. Each guy in the group tries to help the other out. Secondly if you form a group of peers, one delinquent is more apt to listen to another. Sometimes delinquents and public offenders in the prison population are really rough on each other. They can communicate. They speak the same language. They don't represent the establishment, the institution.

Group counseling facilitates communication. There are many things that kids will say to each other and adults will say to each other that they will accept but they would not accept from the therapist.

In the group the individual is functioning in a society situation much like the situation which causes problems to begin with. The family is a group. The gang

in a group. Now what you are doing is you are providing a situation similar in terms of its social structure which causes the individual problems.

In the group, the individual not only has to assume responsibility for himself, but he also has to learn how to instill responsibility in the other people in the group. He learns social responsibility. One of the unique advantages of group work is that when people find out that other people are in the same boat, that other people have the same problems, that is helpful too.

Another advantage is that the group will often offer a safe place in which a person can really vent his feelings. His anger is eased whatever it may be. It is interesting to work with people in an individual counseling relationship and work with them in the group counseling relationship and see how they respond differently. The group situation does have unique advantages which you might not get in the individual counseling situation.

Let me define what I mean by a group. I mean two or more persons who have some kind of relation to each other and whose behavior has a direct recurrence upon each other.

Now there are a number of institutions which are using group approaches and many of them are using a legalist group approach. We also get into self-development group approaches which start by a group of prisoners down at the Concord, Massachusetts Institution which functions much in the same way as the Alcoholics Anonymous program or the program out in California for drug addicts.

The most effective group leader, now I am talking about groups which have one, is the one who can create the condition in which he actually loses the leadership. That sounds somewhat contradictory, but the idea is that we try to develop within the group the feeling that--all right I am here. I'll help them to get started. But eventually the leadership has to rest with the group itself. What the leader tries to do is develop a certain kind of atmosphere characterized by three things:

1. He tries to develop the feeling among the members of the group that they can really participate and get involved. No matter what they say or how they behave, they have the opportunities to feel that what they contribute is worthwhile. In fact, if a group is going to really move towards its own potential, then the members of that group have to participate and get involved.
2. Freedom of communication. Enough freedom so that if I am feeling angry with the guy sitting next to me, I can express my anger. This is confrontation. A lot of your group work today and a lot of group counseling periods are a movement to get away from investigating the past. The past is not important. There is a great new relief from digging into an individual's past. The movement is let's deal with the here and the now. Let's deal with reality as it exists right now. You must deal with the here and the now. It means that if you are talking a lot and you won't listen to me I say for crying out loud shut up. You never listen. Why don't you listen for a change. In confrontation you deal with the here and the now.
3. You have to develop a certain amount of non-directing psychological climate. People have to feel freedom to express their feelings. They have to be able to express them openly. They don't feel as though they are being punished without a feeling of someone lecturing to them.

There are a number of institutions which have used the group therapy approach. I

understand that it is being done right here in the Manchester Industrial School. There are a couple of groups going there in Highfields, New Jersey, as a residential treatment center for delinquents. In this center there are no custodial personnel. There are at least two groups going at least every night. The factor that decides whether you are in the old or the new group is your date of admission into the treatment center.

There is a very permissive atmosphere with a minimum of regulations. The boys with high ideals are encouraged to spend their free time with each other. They are told that no one will make any effort to prevent their escape. They do have one real limit and that limit is this: although no one will prevent them from making the escape, they are all aware of the fact they do. They can be brought back to court to be sentenced to the state institution.

At Highfields, they used what is called the guide-group interaction. There are two concepts which are of importance in this guide-group interaction. Members of the group focus on two things: 1. What's my problem? How did that problem develop? How am I going right now in respect to that problem? and 2. What kind of progress am I going to make?

In this group the men are free to confront each other. They are free to skin each other. They are free to take a poke at each others weaknesses and strengths and they really go to town.

One of the important elements in any group work, even if there is confrontation, is that the confrontation is for a purpose and that purpose emanates from a genuine caring attitude. It may sound somewhat paradoxical, but the idea that "I am doing this" stems from the idea that "I am doing this for you." You are a member of the group. If you don't get involved and play the game with us, you are not contributing to the group and you are being dishonest. I want to be involved because I care about you. I care enough to be honest with you, to be genuine and open with you.

We have here an evaluation of this program. The evidence indicates that there is a much lower recidivist rate when you compare the Highfields population of delinquents with the population of delinquents at the state institutions. When these two groups were compared by their years of school, their residences, their race, their age, and their administrative and marital status of parents, without question the Highfields school was the most effective, most successful in its treatment.

The movement in the capable counseling relationship at Highfields is somewhat characteristic of one you would expect to find in a counseling situation. First of all there is a lot of testing out. Members of the group test each other out and test their leader out. This is usually followed by hostility and a lot of aggression is directed at each other, the record of the leader, the record of the institution, the record of the administration, and the record of society. Then this is usually followed by behavior that becomes distant. But this slowly evolves to more ordinary behavior. The group supports each other member or the group and more friendly relationships begin to grow. These replace aggression and hostility.

The participants are never excluded or dismissed from the group for anything that they have done. They may, however, exclude a very aggressive or impulsive beginner.

Daytop which is located in Straton Island, is a treatment center for drug addicts. The inmates at Daytop are people who are screened by a committee of six people all former drug addicts. They screen these people coming in and try to find out what their purpose is in coming to the treatment center. Then group counseling is

every night. At Daytop there is direct confrontation. The person is again screened by the group. There is a lot of shouting and hollering; a lot of influence by peers. But the results after three years indicate that the rate of cure of drug addiction is 70% in Daytop. This compares with the rate of 10% in the Federal Institution in Kentucky.

Another group is the self-development group in Concord, Massachusetts, which was run by ex-cons. There are three group inside and two group outside. All are for strictly ex-convicts. They have seven goals in this group:

1. They want to learn how to relate with each other and the other people and the world in which they live.
2. They want to try to build an useful life in a high-structure society. A society which they have not been able to function in heretofore.
3. They want to earn social respect.
4. They want to earn that for themselves and at the same time learn how to respect society.
5. They want to provide an example in their own living for other to emulate.
6. They want to try to solve their personal problems.
7. They want the groups to be binary groups. They have been able to cut their recidivism rate down to 20%. 80% of the people who go into the self-development group process are able to make it on the outside. They meet once a week for an hour and fifteen minutes. In that hour and fifteen minutes, they help each other to find jobs. When somebody has a real hangup that they can't work out themselves, they are again a member of the group and they use the same principles as they use in Alcoholics Anonymous to work them out.

The only problem I see with the self-development group is that sometimes this can encourage dependency relationships. The individual can learn to function only by depending on this group. He has to hang on to this group year after year after year. I think the self-development group is trying to move in the direction of helping people to move out of this dependence into an independent type of function.

There is a Half-way House in Boston which is also using this approach. They have group counseling every night. It is in a residential section of the city and takes in ex-cons and they have a confrontation type of group counseling. These groups are lead by professional counselors with a maximum number of 10. The whole idea of this type of group counseling approach is that people are honest with each other. They are genuine. They focus on the here and the now and not on the past. They develop some sincerity, a caring for each other, and involvement with each other, and so they profit.

I see I think that this is an effective approach for a couple of reasons: 1. I think that it is very practical and very feasible to start groups and formulate groups without leadership. I think this can work. I think if you have ex-cons, delinquents and cops together, you can get things going. And at the same time have a very effective way of working with people; and 2. I think with the available professional counselors that this is a very useful technique. It can be used anywhere in probation or any other institution.

Another advantage of the group is that the group will support the individual member. They will re-enforce him. When you have people backing you up, you feel good and pull together. That is far better than the one to one relationship. Some people will profit more from the one to one relationship. I think the delinquent and public offender would profit far more from the group type of relationship. This is now used in industry, in education, and in training members of the peace corps. The self-development programs are being used in a wide variety of institutions for delinquents and adult criminals.

We will now open this up for questions on this approach.

S E S S I O N I X A

Wednesday, November 6, 1968
7 to 9 p.m.

State Prison
Concord, New Hampshire

Meeting Chairman -- Warden Parker L. Hancock, New Hampshire State Prison

Speaker -- Robert Golden, Massachusetts Correctional Institution, Concord,
Massachusetts

Techniques of Counseling

How to handle various cases, comparison of cases

Mr. Golden - While Warden Hancock was introducing me, I was sizing you up as you were sizing me up. I see a lot of people here who have been in the correctional field for sometime. It is a hard racket. I think to talk to you about corrections would be quite presumptuous. What I do feel capable of doing is to talk to you about some ideas and questions I have had in my experience in working in corrections with the same guys that you have.

I would like to start by talking about what the function of the prison in Massachusetts is. I don't know how that is defined in New Hampshire. I meant to ask Warden Hancock before we got here. The legislature in Massachusetts defines the purpose of the penal institution as being two-fold, care and custody. Is that how it is around here? That is the nebulent part.

Custody means that people who are in society act in such a way as to take rights away from other people. These people we decided should be placed in a situation where they could not do this to other people. Custody. Now we can get to the care part.

Care is where it gets a little vague as to what it means. Care, rehabilitation, treatment. What do they mean? Does it mean providing room and board and end there? Does it mean controlling people that are entrusted to us? That seems to me to be a very vague area where each person has his own view about two vital questions.

What I consider the two most vital questions are as follows: 1. What is it that makes offenders (inmates) behave the way they do? What is it about them? and 2. How do you get them to behave differently? Good question. I think myself that it has been this way for me that how I answer these two questions is the major factor in how I deal with each man each day I work.

One way that I have seen for people to resolve the sticky question of care and custody is for people who work in the prison to say "my job is mainly to keep order in the institution. Keep the guys under control, prevent violence and escape. That is my job. Whatever else has to be done is rehabilitation stuff. I don't know anything about that. Let the experts handle that." This sets up a split immediately. This tends to promote the idea that anyone person or any set of people in the institution can do the whole job of rehabilitating of any one man.

This is fallacy and impossible. Just as in the home where there are parents and kids. We all know about this situation and have this in common. When one parent decides that his responsibility is only for hitting the kid when he gets out of line. The talking to, reasoning with and drawing limits is Dad's job. When Dad gets home, he will take care of that. When it splits like that, I think we get bad results.

I think that the responsible people are the ones we chose to work in these places. When we say that we are not responsible for how the guy develops himself in here in terms of the behavior that brought him here, we are kidding ourselves. That is what we are all about.

We have walls. We have locked doors. We have bars. Custody. What happens to a guy while he is here that is going to make him learn to do things differently than he has done them before he came here. We quoted a figure before I started saying that 80% of the crimes committed are committed by guys who have been in prison. We must be doing something wrong. It is very discouraging thing when you work in a prison. From this point of view, it is set up to be discouraging in one way.

Who are the guys you get to see again after they leave here? Which guys do you see again? The ones who make it and stay out? Which guys? The guys who didn't make it. So in custody you are confronted with the failures. Where are the successes? You don't see them. That is a tough thing to follow. We all like to see a little success once in a while.

What I was getting at and what I would like to get back to is that I believe that each person who works in the institution is a treatment person. Why? Does it take special training to be a treatment person? Do you have to have special degrees? Training labels have to be made? I don't think so. I really don't believe it. What I do believe is that each person who works in the institution every day has a relationship with the men here. They are not the easiest guys in the world to be related with. That is part of the reason they are here. Because they can't get along with other people.

How do you get along? How do you help people learn to get along? How do you help people who for most of their lives, if you look at the records and look back at the lives of these guys, have been unable to maintain themselves on the street. Look at their relationships with other people. They are failures at it. They can't get along with other people. They are not dependable. They are not stable. They hurt people who get close to them. How do you deal with guys like this? Well, that is what we have been working on up here. That is what we have been working on at Concord, Massachusetts.

What have we come up with? Some general ideas and general principles. What have these guys missed in their lives? Mostly they have missed stability. They have missed meals being on time. They have missed having somebody there when they need them. They have missed somebody to say, "now you go do that. That is bad for you. Stop it. Pick it up."

They have never developed control inside which is one thing that separates them from us. We may have desires to do things. We have impulses to do things but we stop and think it over. We have something inside us that we got somewhere along the line from someone that gives us the chance to stop and say it is ridiculous or I may get caught. Or it's not right to do that. Or I really don't want to hurt that guy.

What is the difference with them? From what I have seen and you probably have seen the same, it is when they start feeling certain things, when they start having certain desires and there is nothing inside that says stop. Don't do it. That is crazy. You will get caught or hurt yourself.

So what you do say to do? One thing we do is provide custody. What is custody? It controls outside of them to makeup for the controls they don't have inside. So

if they can't say stop themselves, something outside themselves says stop. Whether it is the walls. Whether it is the bars. Whether it is the correction officer.

Now how do you get this guy to start to think about why you have him here in a situation which in a way is very helpful to that guy. Outside the walls things go so fast for him, he has to move so fast that he never gets time to think about what he is doing. So in a way the walls are a blessing. Someone could tell this guy to do something. It is a blessing to this guy. It is a great part of the help that he needs at this time. He can't do it for himself.

Where do you go from there? How do you help people gain control of themselves? Be master of themselves? Be able to walk out of this place on the date of discharge or on the date of parole? On Tuesday this guy was someone who was dangerous. He was a dangerous guy who had to be behind bars away from society. Yet on Wednesday, which is the guy's parole date or discharge date, the man is on the outside. That is a serious thought to me. That puts a tremendous amount of responsibility on us to try to understand the best we can how to deal with people in such a way that we can help them gain control of themselves. That is the first order of business. This is the main reason why the guy is here instead of outside. It is a matter of control. That is my opinion.

One thing that is pretty well accepted among psychiatrists and probably among other people, only they say it differently, is that you learn to be what you are through other people. We grow up a certain way because of the way we are treated when we are growing up. That is the picture we get of ourselves. If we like ourselves, it is pretty much because we have had people around that have got across the fact that we are pretty good, that we are really worth liking.

If you get the way you are through people, how do you change the way you are? I think you do that through people too. I think we are the people whether we are in industry, whether you are in a correctional position, whether you are the warden. No matter what your job is. If you come into contact with any of these men, your relationship can have an influence on him. How?

You have to resolve to yourself a little bit what you want to do here and what you are doing here. What your goals are. If you want to get away from the disturbing question of rehabilitation that these guys need to be different somehow. Just different enough so that this guy starts to get a different version of how he gets what he wants. They are on the same road only this is a little rest stop. So that is one place I think we must work with these guys.

Each person has different ideas of what reward and punishment are. It is up to us to point out as often as possible that if they want something what are they going to do for it. How responsible will you be? If you think you are going to behave the way you have, get in the game whenever you get angry with this guy, you want a reward for it, I'm sorry the world doesn't work that way. That is one thing we cannot do.

Another thing we can do is when we speak to these guys we have to have some understanding of how they have managed to survive up to this time in the conditions they have lived. One of the very characteristic ways we have done this is to put the responsibility for themselves on everyone else.

Every time I sit down with one of these guys and that is about every day, I still feel this call. This feeling of this guy bringing out the father in me. I feel like I just can't do enough for this guy. I feel particularly because I can't help him get really what he wants. I have to deal with these feelings because what I'm

feeling is what this guy automatically does with anyone that he sees a chance of getting something from. We call it manipulating. If you don't give him what he wants, then you are a bad guy. You have all felt that.

How do you deal with this? First you have to be aware of it. You have to realize that this is the way a lot of guys operate. That is the way they have managed to survive up until now. The man usually makes the other person feel guilty because his life is lousy. He gets the other person to respond in a very nurturing way.

We all want to be a good guy. But I want something more; I want to do my job. So when he starts this characteristic way of manipulating me and making me feel that I ought to give him the world as he had it because this poor, helpless guy will be in bad shape if I don't do everything for him, I fight it. I try to recognize this. I know it's there and am not usually surprised. What I am apt to do is put the responsibility right back on him in the way that I have suggested.

Do you know what you want and what you are going to do about it? You want a job when you get out? Have you written a letter? Or do you want me to write? No, I don't think I can do that for you. It's better if you write the letter. That way you are taking part in this effort. We are partners. I don't want to be president of the company. Just partners.

We will now open this up for questions if you have any.

S E S S I O N IXB

Wednesday, November 6, 1968
2 to 4 & 6 to 8 p.m.

Highway Hotel
Concord, New Hampshire

Meeting Chairman -- Justice William A. Grimes

Speaker -- Mr. Walter Rest, University of Chicago

Probation and Parole - Techniques of Counseling

How to handle cases, comparison of cases

Mr. Walter Rest - I am delighted to be with you. In thinking about crime and delinquency, I am reminded of the story of the three bears. Mama, Papa, and Junior who decided one day to go ice fishing. They got out on the pond, and drilled the holes, and threw in the lines but nothing much happened. Finally they got tired of standing out there. They were not prepared for this long session of standing in the cold with no bites. So Mama Bear got tired quickest and she sat down on the ice. But, boy, she didn't stay down long because it was just too cold. She got up and rubbed her backside to get it warm again.

Pretty soon Papa Bear got waery and discouraged and sat down on the ice. But he soon got up and rubbed his backside because it got awfully cold. Junior finally sat down because he was not having any better luck. He sat and he sat and he sat. Mama noticed this and eyed him rather nervously. She nudged Papa and said, "Do you think we are raising one of those dead end kids?"

Our discussion this afternoon and this evening can go any number of ways. There is some material that you got here on pre-sentencing investigation reports along with the running record that was made during the pre-sentence investigation.

I want to discuss with you some of the principles of counseling and guidance, case work if you will, that I think might be particularly applicable to a probation or a parole case load. It is always the assumption on my part that you are going to have the time to do this. I don't honestly know what the situation is in New Hampshire. I know what it is in the Federal system. I know what it is in Cook County and the northern districts of Illinois where large case loads (loads of anywhere from 75 to 125) preclude regular scheduled contact with everybody. Obviously, it is impossible for a probation or a parole officer to schedule regular contact with 125 men.

I do think that it is possible with a case load of that size, say 100 men, for the officer to select probably 15 or 20 men that he is going to work with intensively.

These are the clients that we have that make known their demands for us. He is the client who is on the telephone, who is frequently in the office, and is looking to us for some kind of service. It may be in part the guy that we decide we want to help because there is something going for him. Our help might be the difference between his making it or his going on the State Prison or to the state training school. So we reach out to him. Aggressive reaching out on our part. We can help by keeping the delinquent out of the training school and by keeping the parolee out of prison.

In any event, if you are faced with the prospect that you cannot work intensively with each one in your case load, then you are in good company because this is the

state of affairs throughout the United States. At least in most jurisdictions. I hope that my comments in our session will perhaps be of some assistance in helping you to determine out of this case load that you have which you are going to work with intensively. Who is it that you will select? Maybe our discussion and the use of this case material will, in fact, give you some assistance in making a better diagnosis of who it is you are going to help.

In the terms of the contents of study or of diagnosis or of treatment, there has been a great deal written about it. There has been a great deal written about the methodology of the counselor and the case worker. Despite some different points of view, I think there is agreement that the methodology does exist and it is used by the counselor and the case worker.

Gordon Hamilton, one of the lights in the field of case work, says that these steps of study, of diagnosis, and of treatment are distinguishable intellectually at least but that in actual practise and in actual life situations the whole purpose of the counselor or the case worker flows along in one single movement.

A colleague of mine in the University of Chicago points out that the beginning phases of case work holds all the elements of methodology. What he says translated in terms of a correction case load is that in your very first contact with the offender, you are studying; you are diagnosing; you are treating problems as they are revealed by the offender. This may or may not be true.

I have had experience and I am sure you have had experiences of a very hostile, very offensive client who won't admit to a thing. The only thing that he is going to admit to if you undertake to get to know him, I don't care whether this is as he comes out on parole or whether you are considering him for probation or get him on probation, is what he suspects you already know. He is not going to tell you anything new about himself. In a very aggressive, offensive way he is going to keep you at arm's length, keep you away from him.

We also get the kind of client who is subservient and obsequious. He will agree to anything. He is bowing and scraping almost from the time he walks into your office until he walks out. Another effective way to keep you away from any consideration of him as a human being.

In any event we are dealing with all different clients in each of these situations. We know that in our first contact with a client we do treat. In my own experience, it has not been uncommon the first time I set eyes on the offender, I am responsible for the pre-sentence investigation report. The client reveals to me some pressing social or economic problems that I must begin to work out immediately.

I am sure that we have all had experience with the client that is extremely upset, really very badly worked up by his appearance in court and by the fact that he has been found guilty and is uncertain of what is going to happen. He has become a part of this process. The process of corrections.

It does not take a great magician to discover that you have to have some real concern about whether this individual is going to be able to maintain his functionality or whether he will simply come apart. These steps of study, diagnosis, and treatment are certainly interwoven because I don't think that any of you don't have a client you are always thinking about.

I don't want to spend a great deal of time on study in a very formal sense. It is covered in pre-sentence investigation work. This has been covered with you in

separate sessions of your training programs. The material that you can read in this one source of study is the book by Paul Keve, a probation officer in Minneapolis. The book is entitled "The Probation Officer Investigates", and it is published by the University of Minnesota press. I want to scan this whole aspect of study with only a few comments.

A social history on the offender is important. It is important because life is not a series of independent incidents. Life is a combined process in which cause and effect relationships may be found. It is our task to discover what these cause and effect relationships are as we undertake to study the offender. There is a grave danger that a routinized history taking is going to prevent us from understanding the offender and the problems that he has. There is a great danger that we can simply follow an outline that has been prepared for the administrative office or appears in some book and follow it slavishly. We will simply crank out report after report. All of which sound very much alike because our history taking has been pretty routinized.

We have got to be in touch with the social and economic realities of life as we undertake to study the offender. Out of my own context in the city of Chicago, the probation officer has got to know of the life in the black ghetto if he is really going to understand and undertake to help. I don't mean that he must experience it himself. But he has got to understand what the pressures of life are. What the pressures of life in this environment are. He has got to understand what some of the subcultural deterrents of behavior are. Out of this comes the standard of norms.

All too often we have made the mistake of labeling something as sick behavior when as a matter of fact in terms of the subcultural group from which the individual comes, it is perfectly normal behavior. In this research project we find it rather easy to categorize and label.

We became aware of this fairly early when we got a large number of men who had been picked up on a narcotics raid in the United States Post Office just outside Deleuth. The hard-core element of this group of men were never given any consideration for probation. They were sentenced immediately to prison under the Narcotics Control Act of 1956 which eliminates probation as a consideration, as an alternative for anybody prosecuted under the Federal Narcotics Control Act. This is for pushing, for selling for transporting narcotics.

However, there was a number of men involved in the fringes of this who were indicted under a section of the law which didn't allow for probation. These men were by and large indicted under a section of the law that said they had failed to pay a transfer tax on the marijuana. Most of the dope involved in this particular incident was marijuana. Without exception these men were Negroes. They were poorly educated.

The United States Post Office is one of the last vestiges where hundreds of men are employed in manual labor. These men were employed simply because they had good strong backs and were capable of heaving 100 pound mail bags from one truck to another for eight hours a day. Several of these men were functionally illiterate. They could read only at the third-grade level. They could not read a newspaper.

When they were working in the Post Office, they made good money. They were making anywhere from \$2.25 to \$3 an hour depending on the seniority and longevity they had.

They all lost these jobs. It was very easy for us to see that here is another one of these depressed, immobilized Negroes out of the Post Office who are going to have one Hell of a time getting another job ar anywhere near the kind of money they were making at the Post Office.

They did have some comprehension that they were going to have some trouble getting another job of anywhere near the same caliber.

It was easy to label them in that and we had to work hard to see the individual's differences. To see the strength of their drives and to make some differentiations in their motivation and in how to tailor our approach to help them.

A doctor was concluding his lecture on cardiac disease. He told his students they knew all about cardiac disease. He went on to comment further that they would never see a case of cardiac disease. Obviously what he was reminding the students was that they were going to be treating patients and not problem entities.

So it is with us in the sense of these narcotics people out of the Post Office. We were going to be working with individuals with clients and not with problem entities, not with a large group of poorly educated people who are going to have vocational employment problems.

I think we want to pay particular attention as we undertake to study the offender as to how he manages that history. What are his expressions, his verbalizations? What are his attitudes? In Short, what are the total figurations of his behavior? If we can see this, we are going to get some important clues as to how he is going to accept the suggestions of the probation officer or the parole officer.

We can get the history in a variety of ways. I hope we can get it in a responsive way rather than in an illogical way. Let me illustrate what I mean.

We can be talking with a man about his marriage. He can report that he has a happy marriage. That he and his wife were happy and had many plans when they got married. We can believe him and go to asking for the necessary verifications that we have to have for the pre-sentence investigation report to prove they were married, etc.

Or we can follow the emotional tone of this man's comments. When he says they were happily married and had many plans, we can go on to ask him what kind of plans he and his wife had. And explore with him how these plans have worked out. And allow him to bring out for himself the fact that the marriage proved to be childless and this was extremely discouraging to both of them.

History taking--the gathering of facts is hard work because it is hard to catch the overtones of what the client is saying and to respond to it. A natural tendency as human beings, I think, is to cut across the client's words with our own and to listen with something other than all of us. While the client is talking, we are thinking about what we are going to ask him next. It is easy for us to intellectualize the discussion or formalize it in some ways rather than follow the emotional tone of his comments.

What I think we want to concentrate on today is reviewing the case material you have. We have to think here about diagnosis. About what it is that is wrong with Ray Lopez and how we are going to go about helping a guy like Ray Lopez.

The purpose of probation is not a second chance. If we think that probation is a second chance, then we are usually thinking of returning the offender to the same sort of environment to the same set of circumstances unchanged that produced his offense in the first place.

The primary purpose of probation is to protect society against further acts of crime. The taxpayer supports the New Hampshire Probation Department. The taxpayer supports the Federal Probation Department not because he has a deep abiding fundamental interest in the welfare of the offender. He may have some of this to be sure, but I think his major reason for support is that he wants to be afforded some protection from the offender committing another act of crime.

Secondarily, it is certainly our function to help him find a more satisfactory way of living to help him through a problem solving process. It must produce within himself changes in attitudes, changes in his behavior and changes in some of the emotional contents that underlie attitudes and behavior.

If we view our function as a helping process, if this becomes our definition of what we mean as treatment, then let us carry it one step further. When we view treatment as a problem solving process, then, I think, our diagnosis has to be some kind of an analysis of the person's ability to participate in that process with us.

Let's call this a dynamic approach to diagnose and simply define it as an analysis of the individual's present capacity to function with us and with our agency in the problem solving. We are asking ourselves what kind of a problem solving situation do we have with Ray Lopez? What kind of a problem solver is John Doe?

We want to contrast this with a clinical diagnosis where the focus is upon the elements within the personality that produces the problem behavior. This clinical diagnosis has great relevance to the psychiatrist particularly because he is going to be working with interpsychiatric problems many of which perhaps are unconscious. If we can accept the Freudian model, this is not the level that we are going to be working on. Unless there is an MD psychiatrist in this room, none of us are qualified to work with the unconscious motivation and emotions that underlie an individual's behavior. When this becomes the thing that we perceive must happen to the offender and he is a good candidate for it, then we have hopes we can refer him successfully to a mental clinic or state hospital.

I think the clinical model diagnosis has a great relevance. The Freudian model of human behavior has great relevance and it is something that we have borrowed heavily from in the understanding human behavior and human beings.

I think, in terms of correction, it is of more limited use. Many of the people that we deal with are hard to diagnose in a clinical sense. We have a great deal of difference of opinions from a psychiatrist as to whether the person is this kind or that kind of character disorder. I have witnessed too many times in my own experience the great texts that have little relevance to me.

If we label Ray Lopez, for example, a neurotic character disorder, moderate to severe, it does tell us one thing about how we are going to go about treating Ray Lopez. There is a model diagnosis understanding that we can have that will tell us a great deal more about how we are going to go about treating Ray Lopez as a probation officer.

We should also contrast this dynamic approach not only to the clinical approach but to the idealic approach which is simply a tracing of the developments of a personality problem of behavior. It is a developmental approach.

If you read many pre-sentence investigation reports that are twenty or thirty years old, this is what you get: an exhaustive analysis of the offender's alcoholism, for example. You also read about his father's and his grandfather's to explain why the offender has this problem.

It has been said that a diagnosis was meant for action. As case workers, as probation officers, as counselors, we tend to think about what we are going to do to try to help a person solve his problems. A dynamic diagnosis then becomes a judgment that is based upon the configuration of data that goes something like this.

First of all what is the nature of the present problem? What are the circumstances of the difficulty with which the offender is faced? What are the obstacles that he wishes to get over and the ends that he wishes to achieve?

Secondly, what is the significance of the problem? What is the importance of the problem to the prisoner, to his family, to the community, in the form of its psychiatric, social and physical welfare implications? What does the problem mean? What does it really feel like? How did the problem of the need come up?

Thirdly, how did it come up? What efforts has he made with problem solving before he ever got into the difficulty that brings him in contact with you? What has he thought about doing with regard to this problem? What does he wish he could do about the problem? What kind of resources does he have both within himself and without?

What is the nature of the solution that is sought from the agency? What is the conscious motive of the client in turning to you and to your agency for help? Why does he turn to the probation officer for help? What does he expect from us? What does he conceive to be his role and his relationship to it?

Is he saying, in effect, we are in this together? Are we going to work together? I want to work on this problem with you. I can't handle it by myself. I want your assistance. Or is he communicating that he wants to dump this problem in your lap? You solve it for me. I am going to tell you about it and then it is not my problem but your problem to solve. You tell me what to do.

Finally, we have got to give a great deal of consideration to the actual matter of the agency and its problem solving means in relation to the clients and to his problem. What can the probation officer and the probation office do to help in terms of its resources versus the resources that are needed? When the client refers a problem to us, do we have the resources in the probation office to help him solve the problem?

If we do, then what kind of requirements are we going to have to make of the client to utilize these resources? If they exist outside the probation office in the community in some other form, then what kind of requirements are going to be made on the client by you and by whatever other resources and agencies are involved in enabling him to utilize these? What is his behavior going to be in utilizing these requirements?

I feel that this might sound all kinds of theoretical and fancy. Maybe even rather difficult to get into actual expression in which is why I want to use the Lopez case. What we are really talking about here can be broken down into three distinct areas.

First of all, what is the client's motivation to solve problems and how do you go about analyzing them?

Secondly, what are the client's capacities for problem solving and how do you go about analyzing them?

Thirdly, what kind of opportunities exist for the client to solve problems and how do you go about with some analyzing of it?

We will now take a break to give all of you a chance to review the Lopez case. We shall discuss the case when we return.

S E S S I O N X A

Wednesday, November 13, 1968
7 to 9 p.m.

Representative Hall
State House
Concord, New Hampshire

Meeting Chairman -- Warden Parker L. Hancock, New Hampshire State Prison

Speaker -- Mr. Abraham Novick, Executive Director, Berkshire Farm for Boys,
Canaan, New York

This session included a reactor panel consisting of L. Wendell Knight, Jr., Federal Probation Officer, Concord, New Hampshire; Mr. John Meyers, Vocational Rehabilitation, Supervisor of Case Studies, Industrial School, Manchester, New Hampshire; and Mr. Walter Foster, Director of Cottage Life, Industrial School, Manchester, New Hampshire. After the presentation by Mr. Novick, the panel will react to his lecture.

Counseling

Behavioral patterns. Group control. How to deal with problems in counseling. Group supervision.

Mr. Abraham Novick -- After taking all day to come here due to the cancellation of a flight, we had to change plans. In dealing with the subject of counseling, we often have to examine what's involved in this whole process. We think of it in terms of an adult talking to a youngster or an inmate and we somehow lump everything with relation to this word counseling.

Does a teacher do counseling? A correction officer do counseling. What kind of differences are there in that kind of counseling and that does by a psychiatrist of psychologist of social worker.

Actually when we talk about the word counseling, we are primarily referring to disciplinary problems. You ask yourself, when do you do counseling? It is usually because you think of someone as being a problem. And we think somehow that just talking to the individual, something is going to happen, a change will take place.

I think we have to be conscious of a lot of things when we deal with delinquents, when we enter into this counseling relationship. And it's this area that I want to dwell upon this evening.

We know about individual problems. We know about the fact that the youngster's background, the area he may have grown up in, the culture of the area in which he is involved, that these create certain problems and we somehow try to relate to this particular person's background. We forget, however, that when the kid comes to an institution, that there are many kinds of problems that arise as the result of the institutional programs itself.

A lot of problems arise out of the group which the person becomes a member of and a good deal of these problems that arise out of the group cause the disciplinary problems which we are conscious of in our institution. I call these problems group psychological problems and we have to be aware of these problems before we are going to be in any position to help individuals.

Let me talk about some of them. One deals with group content. The bad scheduling of work, activities, in our institutional program which tends to lead to boredom, frustration, hyperactivity and so forth. You can walk into an institution and the inmates are sitting around twiddling their thumbs. There is lack of work for all of the inmates or there is a lack of recreational activity.

This group content can lead to many problems among your inmates which gives you a counseling problem. A certain deals with the interpersonal relations among the various members of the group which can cause a lot of emotional unrest. If you are a member of the group, you are bound to have some relationship to the others. It might be individual friendship; it might be tensions which can create problems. You have cliques, gangs and subgroups formations. And many problems arise as a result of these cliques. Each person plays a certain role in the group. You have a leader. You have a follower. And you have other kinds of roles that people play when their talking in groups.

Now this is fine. There is usually no problem. Everyone has his own role and that role is accepted by everyone else. If there is any disorganization of these roles, if the leader leaves and there is suddenly a fight on the leadership part by three or four others or they are trying for the same role you have all kinds of problems.

You can also have in this category many tensions between the inmate or trainee and the counselor or group supervisor. In this case, the person projects the difficulties on to the leader and he becomes an s.o.b. or what have you and you have problems.

A third category deals with disturbances that evolve out of the nature of the group climate that exists within the institutional setup. Every institution has a basic feeling problem. You can almost feel it when you walk into it which underlies the life of the group. The sum total, you might say of everybody's feelings and emotions. Within a group this becomes a hold. And you have different kinds of climates, especially in juvenile institutions. You have the punitive climate, where there is extreme pressure on the group. You do anything wrong, you get punished immediately. There is no leeway and a lot of fear of the supervisor. What happens in this kind of setting is you get two results. You get a group that hates, rebels, and fights back. And you have those that are completely submissive out of fear as long as the supervisor is present. You have a lot of underground manipulation, activities going on in order to avoid the so called structure.

You have a second climate in this area which is just the opposite. The Overprotective climate where love is all over the place. You get problems here too because you have to have rules and regulations and if anybody does as he pleases, you are going to have all kinds of problems arising. If you have younger kids in your institution and you have an overprotective climate, they will climb all over you and wreck the place.

The third climate is the competitive climate where everybody is competing against each other. The only time you get anything is as a winner. You have to be a winner in order to get a reward. This can result in extreme uncooperativeness on the part of the group. The only time they would cooperate is if they are going to get their lollypop. They don't learn anything about what is needed.

A fourth is a group identification climate. Now in most institutions and places, there is always an attempt to develop a weak feeling. And insome cases this can be brought to extremes. I've seen this in training schools, for example, where a cottage has not had a runaway for six or seven months and everybody has pride in the fact that they have not had any for this period of time. A lot of group

identification and then suddenly a kid runs away and it falls apart because everybody wants to kill the kid. The supervisor feels something has been done to him. He feels that the record has been broken. This kind of climate brought to an extreme does not help the situation.

A fifth category dealing with group psychological problems which can create disturbances and get people upset is our mistakes in group organization and group leadership. Most of our people who work in institutional setups are not necessarily expert but may become after years of service. They make lots of mistakes and mistakes can be of all types. You have too many rules and regulations under your supervision and when you have lots of rules and regulations, then there are more to be broken. You can have too few rules and regulations, no structure at all in your program.

You can give too little security to people under your supervision. There can be too high or too low standards of group behavior. You have people coming into your facilities who have lived in a certain way for most of their lives and you expect that they be perfect angels as soon as they step in without any leeway in recognizing that the way they are behaving is something that is normal and common and has been their experience for years. You expect them overnight to act differently. If you do that to an extreme, you are setting too high standards. If you give them some leeway and expect them to develop new kinds of standards over a period of time, you are giving some recognition to their behavior patterns.

Some people don't care how a person behaves. One of the things you find very often on the part of people who work in this field is they probably feel what the individual does in a group is directed against him personally. The person may have acted this way for years yet they look upon this as directed against them personally. I am the supervisor here and, therefore, they are acting this way towards me. Again this is part of the mistakes that are made in organizing the group. Some people hold on to grudges for years, someone has done something within the group, then forget it. Some people have all kinds of sensitivity. I call them personal sensitivities and allergies where you superimpose your own personal behavior onto the inmates under your supervision regardless of whether it fits. You may have standards regarding the language, things of that kind. Some of these people come in using certain language in their own homes for years and suddenly bellow out certain words and you go to pieces because they have used such words or their concepts regarding sexual behavior, masturbation, things of that nature. People get extremely upset about patterns that have been normal for these people for years. These are all part and parcel of the mistakes in group leadership which cause disciplinary and group problems.

Another area deals with emotional strain and sudden change which can cause group psychological problems. Kids, especially, get used to a certain routine, a certain process. If there is any major change in this routine, they can get upset and problems arise. You usually have this in juvenile institutions, for example, in parole periods, during examination periods, or you can have something hanging over the kids head for a long period of time. Change of staff.

Another area which can cause a group psychological problem deals with the actual composition of the group. Many places we assign an inmate to a bed or an empty cottage without taking into consideration the groups that you form when you put people together. There are problems that can arise out of improper grouping and they can be very contagious. You put too many aggressive kids in one area, and you are going to have a real donnybrook. You put extremes into one group, some withdrawn kids, some very aggressive kids, you are liable to have problems. So

that group selection or composition of a group can create many disciplinary problems. What does all this mean?

What I'm trying to do is point out that there are a heck of a lot of psychological characteristics of the group in which inmates find themselves in that will determine the nature of the problems which you are dealing with. These are the problems that you are going to counsel. Very often you are not aware by just looking at the surface behavior as to what is going on. If we are going to improve our ability to work with people and really give them an experience which they can use on the outside and not just have a holding operation, we are going to have to be conscious of these factors. We are going to have to develop some skill in recognizing the group interrelationships and the way the individual becomes part of the group.

The total life experience within the institution has to be a part and parcel of any counseling process or any treatment process and when we do so we have to be aware of many certain things. We should not be fooled by the surface behavior or surface appearance of disciplinary problems. What the person does may not be the problem at all.

We have to analyze the problem that is faced by each of us by asking the following questions: What did the behavior mean? The particular behavior which you saw. To what extent was this behavior produced by the background of the individual? And to what extent does it also contain some of the elements of the group psychological factors which I talked about before? And which of the most frequent group psychological factors producing problem behavior are involved and to what degree. This doesn't mean you do that when the problem arises. When the problem arises, you have got to handle the thing immediately. At least, if you want to become more skilled and more able to help people with this problem, you should be asking these questions as these problems occur.

What do you do about it? In deciding upon the technique which you are to use and to handle the situation, we must know what effect, what I do as a counselor, what effect will it have upon the individual and what effect it will have upon the group. We have to keep in mind that at least, it should be harmless to either fact.

If you have a situation in a cottage group in a training school where one kid starts throwing food around. How do you handle that problem? Do you pull him out and put him in a cell or do you sit down and start counseling him right in the middle of the group? Either of these approaches can have some bad effect upon one of these two factors. You throw him out and put him in a cell at that point. It may have an extremely negative effect. On the other hand, if you sit down counseling him, it might be very helpful to the boy; but it won't be very helpful to the rest of the group that is looking on. The techniques that you use at that point, for this particular problem, should at least have a positive effect and should be harmless to the group and harmless to the individual.

Another thing we have to ask ourselves when we are counseling or handling a particular problem is what we do is designed to change the surface behavior of the individual or is it designed to change basic attitudes? You can change the surface behavior by using a technique which is rigid, strict, so that the person may learn that this is forbidden right away and stop it. It may have no effect at all on changing the basic attitudes of the individual who has to return to the community and become a good citizen. We should be concerned about both things. The technique we use should at least be harmless to either category.

Above all, there is a constant need to evaluate the techniques that we utilize when and where and under what circumstances it was used. Very often we use a technique and forget about it. We think it may have worked, but we don't know. There is no analysis. It's very easy to follow just a set routine in our facilities. To keep out of trouble you just follow the orders and what have you and everything is fine.

There is very little opportunity and most of us don't get this opportunity to sit down and think about whether this technique worked. Why did it work? Under what circumstances did it work? In what situation did it work? Why? How could we use it again? What way should I modify it? Very often we use techniques which we are told by our friends or fellow workers. This is the best way to handle the situation. Sometimes we follow it and it falls flat on its face. The circumstances under which the other individual utilizes the approaches are not necessarily applicable to your situation.

I know that, for example, as far as teachers are concerned. The teacher has a group of kids in a middle-class neighborhood. All of the kids are attuned to going ahead in their school work. They are all kids who will probably be going on to college. Their parents are very much concerned about their education. Education has become a very important element. The teacher utilizes a technique where he punishes a certain boy because of his behavior or what have you, and the kid responds almost immediately and all the rest of the kids respond at the same time. He then tells his friend what kind of a technique he uses and that this is his way to handle it.

But this teacher teaches in a slum area. Kids are not very well oriented as far as school is concerned. He uses this technique and it falls flat on its face. In other words, the kind of persons you are working with determine the technique that you use. I feel very strongly that unless we get involved in this kind of program, unless we get involved in analysis, unless we do something about the individualization of our charges, unless we do get concerned about something more than keeping things quiet in our facility, unless we get concerned about getting our people to return to the community, hopefully, to function as better citizens, we are going to be in trouble.

We are going to be in trouble because our facilities are costing more as time goes on and the powers that we are asking questions about what we are doing? They want to know about results and they are concerned about recidivism figures. Counseling has been one of the major problems in the eyes of the legislature and administrators. So I think we should be very concerned about improving our techniques and trying to figure out how we can individualize our approaches and how we can do a better counseling job.

We will now call on L. Wendell Knight, Jr., Federal Probation Officer for his reaction to Mr. Novick's presentation. Mr. Knight:

I agree with what Mr. Novick has said. I have the greatest admiration for people who are involved in correctional work. I see many people here this evening whose experience extends over many years. Most of the techniques they have learned and employed, the things which they know will work and the things they know that failed have been predicated on only one thing--experience. Experience and perhaps as years have gone by a deeper appreciation of what the individual is expected to do under certain circumstances.

First of all, the acknowledgement that in order to supervise and become an effective force in an organization you must have a deep appreciation of your own weaknesses and your own strengths. Mr. Novick pointed out that people have very deep prejudices that exist through the years added to gaining momentum and they are very effective defenses which this individual uses daily in his treatment of the offender.

Treatment is the word today. I can remember in New Hampshire when we had the lock-step and the identifying uniform and maximum security and the place every one referred to as the "hole." Sanitary conditions were anything but acceptable by any standards. All of these are done away with and the word punishment has left. It has been replaced by rehabilitation.

We talk very effectively about the results of a particular situation in group therapy. The establishment of leadership, the acknowledgement of the limited capabilities of the people with whom we are involved, the appreciation of the fact that we must deal with them as individuals and as groups. It must be acknowledged that we are on the defensive, we employ techniques ourselves to justify our position.

We use words effectively, but what is the true meaning? In developing a technique, we must understand the terminology that goes with it. But in the basic everyday meeting of a problem in an institution, the employment of techniques within an institution are the vital factors. We strive desperately today to understand the individual, to work as hard as we can to evolve a series of techniques within the administration of the institution. If you do have success, you can't talk about it. But if you have failure, the whole world talks about it.

We will not call on Mr. John Meyers, Vocational Rehabilitation, Supervisor of Case Studies, Industrial School, Manchester, New Hampshire. Mr. Meyers:

In listening to Mr. Novick's speech, I couldn't help feeling that I had a great deal to learn from him. He did say one thing that I liked very much and it is something I have given considerable thought to, in fact, I would have to say that I live by it. That is the concept of self-evaluation. It is my opinion that we need very much to take a look at what we are doing, try to evaluate what the effect is and then go a step further, get somebody else to come in and criticize and defend our point of view, but only after we have been willing to listen to this person and get his point of view. This type of interaction is extremely important.

Another point that I would like to make is that in the evaluation, in determining the many needs of the individual, what kind of group he will go into and so forth, probably just an oversight, an evaluation of the staff. If a boy is going into a group, who is the supervisor in that group? Will this individual respond positively to this supervisor or negatively? All of us know that sometimes we have an individual that we get along with very well and we have a lot of success with them. Then we have an individual come in that we can't do anything with. He then will go into another group and another counselor and everything is fine.

Counseling can hurt. Maybe it should if we are going to get anywhere. If we do some counseling and we talk about problems and we make everything look rosy and go out laughing, they won't be a behavior problem but they will still have a problem. This is a problem which I think in institutions is critical because

frequently if the counselor is going to do a good job, the person ought to leave angry. Maybe they ought to leave ready to make trouble. Maybe they ought to leave unsettled. In this case, the custodial staff should be as aware of these situations as possible, know ahead of time what the counselor is going to do and what he expects the reaction to be. This is not to say that the individual can go out and act against the rules and regulations, simply that the custodial staff would be aware of the possibility and could very easily avert this kind of difficulty. But first he has to be aware of it.

I think that the staff has to be consistent between one member and another. All of us have to trust each other in our professional ability to do our job. If we do that, none of these things are a problem. Again I have had fortunate experiences in several institutions in which I could feel a complete confidence that the staff were going to do their job and do it well whether I was there or not. This kind of feeling means that I as an individual in doing counseling or trying to provide other services could feel free to do a great deal more. The final point I would like to make is that whenever an individual comes into an institution, we attempt to evaluate his problems, his needs, to develop an objective. What kind of program are we going to attempt to create or utilize that would better service this individual's needs.

The discussion held here today went into this to some length and many of the considerations that should be made in developing programs and making assignments. Sometimes this becomes so complex and there are so many things involved, we can't begin to consider every one of them, simply in terms of groups we consider if whether the individual is going into a work situation, where he can get along with the other inmates, whether they are all aggressive, submissive or one extreme or the other. Who the supervisor is and then we take a good look at the vocational aspects and decide if this is really something that is going to benefit him in terms of training. What are his values in life? Is his education meaningful to him or not.

By the time you get done, you may wind up with each person in a different slot. If you have two hundred people in your institution, you may have two hundred different slots. We can't meet all of these requirements. We do, however, have to come up with an objective and with a program. It is my contention this is a program which begins in the institution and ends with release from parole.

Our speaker was very interesting and very informing. I did not think I could be a good reactor because he was speaking about a lot of things I didn't know too much about. I thought I could add my own thoughts so I guess you would call that an additor. Thank you.

Mr. Walter Foster, Director of Cottage Life, New Hampshire State Industrial School, Manchester, New Hampshire.

Mr. Foster:

Being the third reactor on the panel I felt that the rest of the members would cover everything and that there would not be much left to comment on. Fortunately, Mr. Novick had so much material and presented so many good ideas here that I won't have any problems at all. I am going to skip around a little bit to some of the points I would like to elaborate on if could take a little leeway with your comments here and one of the first points, under group psychological problems, rather group content.

Mr. Novick mentioned sometimes the lack of programming where kids just sit around and talk about old days and such. There is a lot of this going on in correctional institutions. So what programming does is take up free time. It takes up dead time, boredom time, the same old thing year in and year out. The types of programs we set up are hopefully, interesting. The comment was made once, if you can do anything to tighten up an institution or facility, then you have done a lot toward treatment. If there is some way you can combat daily routine, daily boredom, that inmates or kids in our institution go through, you have then taken a giant step toward what we call a treatment facility.

There are several forms of employment where a person can get real excitement in his job. For example, our work is very exciting work. Whether you will change an individual in this area or not, I doubt it very much. I think the best method is to try to help individuals to get into areas where they can find this type of excitement that they are looking for and to help them reach this should be one of our goals.

Mr. Novick mentioned disturbances within the institution. I would like to comment briefly on some of the staff conflicts that we have where one staff member has it in for another one. We all have seen this. I have watched kids manipulate people very well in this area. They will go to Mr. Jones and say, "Do you know what Mr. Smith said about you?" This kid already knows that they have a real conflict going. Then the kid goes to Mr. Smith and says, "Did you know Mr. Jones said this and gives the other guy the needle. It goes on until they are ready to fight each other and the kid sits back and takes it all in. Anything for excitement and when we have personal conflicts, the inmates or kids are very soon to notice.

How we stop this is to be aware of what they are doing. There was a basic conflict that was touched upon by Mr. Novick in just a non-personal way between a custodial force and the treatment force. Mr. Meyers mentioned that sometimes it is necessary to stir people up, to upset people if you are going to make any progress with them. It is really hard that evening to handle these inmates that are in this situation. When the inmate comes back from going through an intensive counseling session, he can be a very upset person. He may be ready to swing at the guy in the group that called him an s.o.b. These things can really upset your institution unless you understand what is going on. I think that sometimes between the two--custody and treatment--that there is some understanding of what the other is trying to do.

The comment was made on some of the group organization and leadership where we have too few rules or too many rules and our tendency in the correctional field is to have too many. The inmate had a problem following a few basic rules in the community and here we have taken these rules and added a few of our own. We then wonder why he can't follow this and we get very upset with the person.

The comment was made that the staff takes things as personal. It seems the inmate or kid insults them or does something deliberately to them personally. The inmates came in with resentment towards any kind of authority. They are not mad at you as a person, but they have no respect for authority.

Another area Mr. Novick mentioned we do get into a hangup on whether we are going to handle this person on a group basis; that is, we may feel a counseling session with him will be sufficient for some type of offense but what is the rest of the population going to think. Sometimes what is best for the individual is forgotten and the best interest of the institution is maintained.

The point was made of the tremendous interest we have in this field to do some evaluation of what we are currently doing with the offenders, to research whether group therapy is effective and what kind of group therapy is effective. To research whether the individual work is effective and Mr. Novick said we have to know whom we are dealing with. What type of offender are we concerned with? Do we handle them all the same or does the doctor give a particular form of medication for all his patients? Of course, this isn't true.

What is effective? We need a lot of research on what is effective with what type of offender? Do you use the same approach with the homosexual as you do with the drug addict? You have to interpret each time to each individual and we are treating you differently. Treating you on the basis of what we think will help you to get on the right track to change your behavior and attitudes.

S E S S I O N X B

Wednesday, November 13, 1968
2 to 4 & 6 to 8 p.m.

Highway Hotel
Concord, New Hampshire

Meeting Chairman -- Mr. John King, Director, Department of Probation

Speaker -- Mr. Harry Schloetter, Deputy Director of Training, United States
District Court, Chicago, Illinois

Probation and Parole

Criteria for Probation and Parole - investigative techniques

Mr. Harry Schloetter - In any organization just about and we are taking the Probation and the Parole Departments, there are several characteristics that are universal. We have to be managers in this thing and to be effective managers there are three things that we must have.

One is a purpose. Every agency must have a purpose. Hopefully, you know what your purpose is. I am not here today to tell you what you should be doing as the purpose of your organization, but you should have a purpose. Try to imagine yourself in a purposeless organization.

Another universal thing that we have is people. As a group, you are here today on a common subject. Each organization has people. Without it we don't have any organization. I guess it might be desirable sometimes to eliminate people. And today machines have taken over a lot of the work but people are still needed to run the machines. So we then have two things so far, the purpose of the organization and the people.

The third thing that we all are aware of is a hierarchy. All organizations have a hierarchy. Some people are bosses and others are bossed. This is a fact of life. I have a boss. He has a boss. You all have a boss, up and down the line. Some people are more responsible in solving problems than others. That is part of the scheme of things in a hierarchy.

Think of these three things, purpose, people, and the hierarchy. How do we fit in in talking about probation and parole and specifically how do we fit in in revocations. Revocations by and large are probably a small percentage of your work. I would think that they are small. I don't know what the rate of revocations is in probation. Could you give me an idea of what it is in New Hampshire? About 81 revocations for a year maybe?

We are going to try and talk about some of the ways to bring the probationee back. On what conditions would you bring him back to court from probation? You can't just bring him back yourself. The judge has the final say in a revocation of probation.

We have a short film that we will show on this later on during the session to see what you would do in this one case. The film takes about ten minutes. Even though you are seeing the same thing on the screen, you will all come up with different recommendations of what to do with the fellow that we are talking about.

Let's talk about the three things of an organization, and think about what kind of officer you are. There has been a lot of work on the roles of a probation officers.

You may have read some of the work where they have talked about the punitive officer, who is guiding middle-class community morality. He attempts to coherse the offender into conforming by means of threats and punishments. His emphasis is on control to protect the community against the offender and systematic suspicion of those under supervision. This is a theoretical basis that they have come up with on the punitive officer.

Another one is the protector agent. He vacillates between protecting the offender and protecting the community. His tools are direct assistance, lecturing, praise, and blame. He is remarkable by his back and forth ambivalent emotional involvement with the offender and others in the community as he shifts back and forth with one against the other.

There is another one who is called the welfare worker. He has as his ultimate goal the improved welfare of the client. This is a condition achieved by helping him in his individual adjustment within limits imposed by the client's capacity. This welfare worker feels that the only genuine guarantee of community protection lies in the client's personal adjustment since external conformity will be only temporary. In the long run it will make successful adjustment more difficult.

Emotional neutrality permeates his relationship. You may find yourself moving around within these three types of officers. Sometimes you may be the punitive agent. Another time you may be a welfare worker.

Some of the questions that we are going to talk about and we can start thinking about are the following: How often should you or do you check on probationee's or parolee's drinking? Do you do this? Is this a role you have? Some people see useage as the way of supervision. I don't think this is valid.

How often do you check on selected probationees or parolees for possible association? What do you do with juveniles when they work together? Sobriety comes under this and the violation.

Here is another situation we can think about. Do you request a violation warrant when your probationee or parolee leaves the district without your permission? If he doesn't give you a satisfactory explanation and yet he doesn't violate any other of the conditions? How do you as an agent feel about this?

We are talking about three things so far that are written into your regulations. New Hampshire has a list of things which we have to, and every state has, see that they should not do this thing. And yet we are doing them. I agree with all of you in saying that because I wouldn't violate them either. Yet where does this put us as a part of the system? What happens if your superior says what's going on here?

Let's bring another area into this to think about. Do you request a violation warrant when one of your charges persists in living in an out-of-wedlock situation? Illinois doesn't have common law marriages. Does New Hampshire? Most of us are from the common middle class area of society. We have certain feelings that tell us how life should be run and regulated. Many of the people that we are dealing with do not have this. I don't know if you will ever inculcate that in them.

We have a federal district court judge who is Jewish and he feels that out of wedlock situations are disgusting. He makes people get married. Then they usually end up in divorce court three or four years later.

Does New Hampshire have domestic courts? In our situation on the federal level, if you would bring in some of these cases, the judge says that is not my job. I found this man guilty of bank robbery, or larceny, etc. Now he is living with someone else. They would just laugh him off the bench. He is not going to get into this situation. Sometimes you are going to get some judges who are very moralistic about the type of thing. They will not allow people to deviate in any of these areas.

There is disparity of sentences that they as judges work on. We know that. That is one of the problems concerning judges. There is disparity also in the revocation of probation and parole. The criteria are not uniform. They are not uniform in this room or in the New England area or in the entire United States.

They are different things. No two people think in the same way so there will always be disparity. Some set down that only the conviction for a new felony should be the basis for a revocation. That is the only basis for revocation now.

We will now recess and after the recess, we will show a film on a test case and have each officer write out a summary on whether he would recommend revocation.

S E S S I O N X I A

Wednesday, November 20, 1968
7 to 9 p.m.

State Prison
Concord, New Hampshire

Meeting Chairman -- John W. Geary, Project Director

Panel consisting of:

Robert G. Smith, Warden, Vermont State Prison
James L. O'Shea, Superintendent, Massachusetts Correctional
Institution, Concord, Massachusetts
Frederick E. Adams, Associate Warden, Connecticut State Prison,
Somers, Connecticut

Supervision vs. Surveillance

Supervision in the cell block, yard, shop, dining rooms, and during visits. What to watch for. Riot prevention and control. Drug, gun, and key control. Rules and regulations governing custody and obligations of officers and inmates. Discipline and disciplinary courts. Membership? Penalties -- minor and major violations. Right of appeal from excessive penalty. Constitutional rights of prisoners.

Warden Robert G. Smith - I particularly requested Lt. Geary to permit me to confine my remarks to the subject of "Rights of Prisoners," not because I have any extensive legal training, but because the subject intrigues me and because I have had some experience - both good and difficult.

As a probation and Parole Officer in and out of Court almost daily, I was conscious of certain rights afforded individuals appearing in Court. In 1953, I was transferred to the Prison and like many other I firmly believed that prisoners didn't have "rights" - particularly convicted felons. Viewpoints have changed over the past 25 years and today the courts, in sometimes not gentle ways, have pointed out that no matter what may be the humanitarian procedure or conditions under which one is committed, imprisonment necessarily entails a loss of real freedom and a loss of rights enjoyed by a large majority of our citizenry. However, while the loss of any unalienable rights in society at large is immediately labeled unconstitutional, the loss of many rights in an institutional setting were are one time blithely accepted as a necessary condition of discipline, security or rehabilitation, albeit not legally required. But now the widely growing concern for the rights of the accused is being reflected in a new interest in the treatment of the convicted. No longer is he regarded as the "slave of the State," as it was expressed by a court some years ago. The entrance of that concern has meant the exit of the virtual immunity from judicial review of the administrator's regulations, decisions and acts. While it is true that most courts continue to pay lip-service to the old doctrine that except in extreme cases, the Courts may not interfere with the conduct of a prison, its regulations and their enforcement or its discipline, what constitutes a sufficient reason for a judicial review today is a far cry from what it was just a few short years ago.

While lawful incarceration must necessarily withdraw or limit many privileges and rights, a prisoner should not be stripped of any rights other than those which would be detrimental to the administration and discipline of the Institution or the program established for him. More and more the administrators are being called upon to justify repressive measures.

RIGHTS

1. Right to know what his sentence is - be informed of available deductions for good conduct and work.
2. Right to have a copy of the mittimus ordering the commitment and additional copies at a later date if appeals are to be filed.
3. All prisoners are relieved of money and personal possessions at time of commitment. He has a right to have money deposited to his account and to have personal property properly secured with a receipt given for both money and property.
4. He has a right to fair and humane treatment.
5. He has a right to confer with his legal counsel, of record, at all reasonable times.
6. Right to prepare appeals and other legal documents seeking post-conviction relief. He may seek the assistance of another inmate in such preparation. It is generally agreed that such preparation will be done during the inmates' free time, unless there is a Court deadline for filing that makes it necessary to speed up the process. It is well established that the Administration should furnish law volumes, a place to prepare papers and the equipment to work with. Our experience with typewriters has been difficult, but at present does not present a major problem as our Courts will accept hand printed or even written documents from prisoners; however, we arrange for the necessary number of copies.
7. Generally the many forms of legal documents must be notarized or signed by a justice and it is the responsibility of the Institution to arrange for this service.
Until fairly recent years we were comfortable in the knowledge that mail, in or out was a privilege to the inmate and could be handled in a rather brusque manner. Not so today. At our Institution we have a rather interesting maze of regulations; Administrative orders and Post Office Department regulations regarding inmate mail. Basically, each inmate may write 4 letters per week and receive any amount of mail from the 7 approved correspondents on his list. Outgoing and incoming mail is "inspected," not censored. Mail between client and attorney is handled differently as indicated in the following Department Administrative Order:

"It is the department's policy that inmates be afforded such access to legal counseling as is reasonable in view of his incarceration in a state institution. Furthermore, it is the department's policy to regard the attorney-inmate relationship as a confidential one and to act accordingly. Therefore, as of this date, mail directed by attorneys to inmates of any department facility will be opened for the sole purpose of inspection for improper contents. Mail directed from inmates to attorneys will be processed without inspection provided the attorney's name and address on the envelope can be verified.

The department reserves the right to open attorney-inmate mail for inspection when there is reasonable grounds to believe that contraband or other institutional regulations are not being adhered to or when the subject of the correspondence does not involve matters appropriate to the attorney--client relationship. In all such cases, the need and results of the inspection will

" be documented and forwarded to the Commissioner's Office. Information relating to legal advice or concerning pending or prospective litigation included in such correspondence is to be kept in strict confidancy by the inspecting official."

The United States Post Office Department takes a pretty broad view as follows:

"The handling of mail addressed to inmates at institutions is governed by Section 154.61 of the Postal Manual, and that section is quoted below for your information.

"Mail ADDRESSED TO PATIENTS OR INMATES OF INSTITUTIONS, unless otherwise directed by the addressee, is delivered to the institution authorities, who in turn will deliver the mail to the addressee in accordance with the institution's rules and regulations."

The Post Office Department observes the right of authorities at institutions, especially jails, to censor or enforce other security rules concerning the delivery of mail to or from inmates. Once mail has been delivered to the authorities at an institution, it is no longer under the jurisdiction or responsibility of the Post Office Department.

The Opening and inspection of mail between inmates and those at liberty is an essential incident to the safe custody of prisoners. Letters between prisoners and their attorneys are not exempt from this type of control.

The recent Miranda case has on certain occasions given us all cause for concern. If you have an offense committed in your institution by a prisoner--arson, escape, assault--must you advise him of his rights before interrogating the suspect? This is a touchy area but it is still held that Miranda does not effect administrative and disciplinary matters within the Institution, but if you are contemplating prosecution that could make a difference. Our present procedure is to separately confine suspects and call in the B.C.I. representatives for interrogation and possible prosecution. In any event, the worst you can do is blow a prosecution and at times this is certainly preferable to permitting a serious plot to develop.

Additional areas that properly fall within the scope of any discussion on rights is the subject of Religious practices in the Institution, Physical Conditions, the Right to Sue for Injuries Within the Prison, and the big one - Medical - Dental - and Psychiatric care.

Today the Prison Administrator is no longer immune from scrutiny and he must at all times, be prepared to document that he is running the Institution as equitably as possible. As Correctional Officers you have the responsibility to be aware of the present trend. Don't fight it. The best answer is to be able to document anything and everything that happens.

Superintendent James L. O'Shea - First of all I'm very pleased to share with you people who are again the line officers of the penal institution. I'm going to treat this very informally. I'd like to get right down to cases and talk about the usual daily operation relating to security and some of the pitfalls and things that we have to watch for. Now in doing this, however, I'm sure I will be repetitive. Many of you have probably heard some of this time and again. On the other hand we never know. After our brief talk, I know we are going to have questions so maybe at this time we can get into the meat of the situation.

As you all know, our prime and fundamental responsibility in any of our prisons is custody. This is our main responsibility. As Warden Smith said we also have that of the rehabilitation of prisoners, but as I say you can't treat them if you don't have them. You have got to have custody. This basic responsibility is usually accomplished by two basic operations.

First of all that of classification. Now classification is an operation in an institution whereby people who are trained in handling human beings and being able to pry and again dealing with human beings not knowing precisely what their future actions will be but based on experience what they hope it will be. They can catalog these individuals into one of three prime areas of security and I'm sure all of you have heard these before.

Close security - which calls for the constant supervision in a secure unit.
Medium security - which calls for more flexibility of movement, even to working outside the walls under supervision.
Minimum security - which takes in your farms and prison camps where there is intermediate supervision.

This is the whole flux of it. Once we get a man placed under maximum supervision, we are really concerned with security. We should always be concerned with it even in the other areas as well. Once this determination is made of a certain individual requiring close custody, then every type of confinement under maximum security situation should be observed by all of those who are in contact with them until a later date when possibly classification will get around to allocating this man to a lesser degree of security needs.

Now of course, a lot of us don't see the forest because of the trees, if you will, we talk closely about supervision and custody. A good program for custody can be a purposeful program of activity within the institution. This is simply very helpful for security control because it helps overcome the unrest in an institution, which constantly threatens security. Close security controls by themselves only create a challenge to those who are trying to break that control.

Now just stop and think, if you will, about many cases where the deeper you bury these people so to speak, back in Massachusetts we have even in Walpole, our close security institution, another prison inside that which is our Department segregation unit where the small percentage of the 10% or 15% of our problem inmates in the institution are confined. In here, as I say, you have the hard-core inmate. You can tighten the security tighter and tighter but believe me they are going to try every means they can to beat you. I'd like to take a few cases and point without mentioning names specifically.

I know of a few people who are in this type of close confinement who suddenly, for reasons that many of us would prefer to keep to ourselves, were taken from this unit and placed in more of a minimum security environment. I have one of these people in our institution at Concord right now and we had a long talk with him. You know, we have had him over a year, and he has never caused us any type of trouble. He knows that threat is there. We made it very clear to him.

The reason I picked this out is we are going through a real trying time at Concord because we are building a completely new institution within the confines of the walls and operating with 440 inmates or more at the same time.

So it really poses many security problems to you. I point this out only to let you know that security in itself can cause you difficulty. You have got to think

of the other aspects of the opportunity for treatment, of the opportunity to reach the individual. There are some I am sure we will never reach.

Close security controls require a regular scheduled routine of inspection of the facilities. To insure this is being done written reports of the inspecting should be a routine procedure. I say this not to pin the responsibility on the officer, we are doing that, naturally; but there is also the provision to make sure that this area has been inspected, whether it be daily, weekly or whatever. Checking the bars, the brills, every area especially giving to the outside where a man might have an opportunity to work on a bar over a period of time. Knowing what to look for and how to look are important aspects of these inspections. It is all right to tell an officer to go and inspect a place, but he has to have some training to know exactly what he is looking for. A noteworthy characteristic that I feel is almost a must in a good officer is that he be inquisitive. I don't mean to the point of being overbearing but just being inquisitive about things that he is not sure of and to try to find out.

Anything that is not permitted in any part of the institution must be considered as contraband. There are many items of contraband that can be just as dangerous as guns, knives, etc., for the good operation of the institution. Your poisons such as cleaning ingredients, lye, etc., that we have in our storerooms, kitchens, etc., are materials that have to be carefully secured and when they are being used, it should be under supervision.

The elimination of outside sources of contraband such as checking on vehicles with supplies, visitors, etc., is a must in any institution. The proper control of tools, equipment and keys is another requirement of good security. I could devote a lot of time I am sure in going into the detailed control system that we would put into effect in any institution basically they are much the same.

In searching cells, every item in the cell should be thoroughly inspected, pictures, personal property, loose bricks, grills, etc. The thing I would like to point out here especially to the younger officers coming into the business. It should be remembered sometimes the best way to hide something is to have it right out on display. Now this may seem like a crazy statement, but I would like to give you an illustration of what I mean.

Not too long ago in our own system an inmate ingeniously made the wall down at Norfolk. Now that wall is surrounded by an electrical wiring system where any contact would cause electrocution. This inmate used a rubber mat after getting up on the wall and threw it over the wires. Everybody wonders how in the name of God could a man get a rubber mat, be able to carry that and throw it over the wires. He had that mat in his room draped over a table as a sort of decorative piece of refinery for his room. Of course, the inspecting officer probably thought this guy takes nice and neat care of his room. First of all, it was not an accepted item for him to have, as you know, all of us have our weaknesses. Well, the fellow seems to be doing all right, so what is wrong in having a rubber mat like that thrown over the table. I'm just using this as an extreme type of a case.

I have another case which we ran into in our own institution. A lifer who was doing a fairly good job in the institution. One day an officer making a search of his room saw what he thought was a very peculiar means of marking on a map on the wall. This was a violation of the rules so this is what attracted the officer's attention. This map was of the Vietnam area and he was apparently keeping close supervision of the movement of the troops and the like. Instead of the

usual thumbtack that a fellow might use, he has what turned out to be a dart about three inches long with a top hollowed out in the form of a cone about a quarter of an inch in diameter. Lying on his table was a piece of wood just a hollow piece of wood similar to what you might get from a chair and you know that in itself it didn't look too bad. But you take the two together and you have a real dangerous weapon, a dart gun. What his intentions were we really don't know, but we can assume that they might have been other than just playing games. Again these were laid right out there.

Many times inmates going from one area to another in an institution with a musical instrument case can be carrying contraband articles. So you stop him and check the case. In some institutions inmates are allowed to keep these instruments in their cells and carry them back and forth to practice. Inmates will watch to see which officers check these cases and when they find one who doesn't, that is the day when they will load the case.

Another thing we found they use many times and this is particularly true of the trustee, the clerk, that is around the office or place where pencil sharpeners are used or particularly in the hospital area. The key to the medicine cabinet, if he can fashion a key from some material, he certainly isn't going to carry it on him or hide it in his room. He is liable to hide it in the pencil sharpener in the sawdust. Many times even the janitor can be very nice and goes to the clerk and takes the pencil sharpener and empties it but never dumps the key.

These are some of the things that can happen but what I am trying to imply here is that you can never be too observant. There are many ways of camouflaging contraband items and again the only way is the inquisitive officer.

Security in the cell block requires that the officer be very familiar with the operation of the cell block, with the rules and regulations of the unit and insisting that these rules be carried out and observed by all the inmates. The officer must be familiar with the institution set up for identifying inmates. Most institutions have a number system. He must be able to tell the location of the inmates under his charge by the established procedures of the institution.

The officer must be sure that those inmates confined in their cells are in fact there and that the locking device is secure. Now, of course, every institution has different types of locking devices even different sections of the institution have different locking devices. We have a new section just having been built in our place, and we find that the locks are great as long as they are closed; we find that there are times when the officer can close that door, thinking that it is closed and find that the lock has not caught. We have alerted everyone to this and changes are going to be made. I am pointing this out to show that no matter how long you have been in the business, you find something different and new.

No inmate is to leave his cell or living area unless the officer is sure of the authorization. Any movement of inmates from the cell block must be orderly. The one thing the officer must be absolutely sure of is his count.

When making a count, he should be sure that he sees living, breathing flesh. Cleanliness and tidyness in the cell block and other areas can also benefit security. Of course, the officer himself should set the example for this tidyness by his own appearance. Officers on cell block duty particularly at night should never permit an inmate to leave his cell. Many times they will feign sickness, so no officer alone should allow an inmate to leave his cell. A superior officer should be present if this is done.

In the shop areas one of the first things we want to be sure of is the equipment and tool inventory. Again you can get into many systems for setting this up. The officer is the security man. The shop instructor may have some responsibility but that is not his prime responsibility. He is there to see that the work is done. The officer is the guy that insists on the security. He should, therefore, take over the responsibility for the tools and equipment. When an inmate is permitted to leave the shop, he should go only on a pass and the time should be stipulated on the check list. He should be searched. Many times an inmate called for a visit or such will walk out of the shop with tools in his pocket, completely forgetting, an honest mistake. The thing here is that the officer should make sure he doesn't. The tools should be checked out and checked in when he leaves.

Of course, all equipment charged for should be used under supervision of the officer in the shop. As you can well imagine, many devices for escape purposes are fashioned in the shops right under their noses. This is where a lot of these tools are fashioned. He picks up a piece of metal and the first thing we know he has a sharp knife, etc.

Any tool that is missing we should not wait until the next day to tell the foreman or somebody else that we are missing a tool. We should let the supervisor know immediately. We also have a responsibility of supervision of inmates in the shop by each officer knowing the inmates' assignments. The number of inmates in the shop from one place to another should be controlled and should be kept at a minimum.

You should, of course, always try to insure that there is little idleness. I know that it is difficult in the correctional field to keep work going steadily. This is a constant problem. Idleness is usually the effect of lack of work.

In the dining room. This is a very sensitive area. Usually in most prisons, they all congregate in one large dining room. This is a bad situation. The Norfolk institution has an ideal situation as far as feeding is concerned. They have 50 man units and a small dining room in each unit. The food is taken from the central kitchen into the small units through tunnels. This way you have no more than 50 men congregated in one place at one time.

The officer in charge of the large mass during the feeding has the responsibility of this job. He must make sure that the place is kept clean and the food handlers hands are clean and the utensils are clean. What does this have to do with security? Believe me, if the word gets out that you have dirty utensils in the kitchen or that the hands of these guys that are handling the food are dirty, then you wait and see what happens. All you need is a couple of guy to use this as an excuse. The first think that happens is that they walk by and don't take the food. They do this a few times and then, if conditions are not changed, you will hear from them.

This is an important aspect. Of course, any cleaning agents that are used in the dining room should be carefully stored and used only under supervision. You never know when some crackpot will get his hands on some cleaning agent and toss it into the food. You never know so the officers must be aware of this all the time.

When the inmates are being fed, the officers should make sure that each guy that comes by is given the same portion. If you leave it up to the inmates, you can just imagine what kinds of portions will be given out. His buddy gets the biggest portion. The guy that doesn't "pay off" gets nothing. You must have an officer at the line all the time, whether it is the kitchen officer or someone else who is responsible, whether it is his line officer or the steward. There should always be someone there.

When a disturbance occurs in the dining room, you must take care of this as soon as possible with the least disturbance and least noise. In the mass feeding situation you should always have an officer near an alarm button in case of a disturbance.

It is well to send the inmates from the dining room as soon as they eat. Every institution has a different system. They go through the line, sit down and eat, then go out. As they go out, some one officer should be responsible for seeing that they have utensils at least a fork and spoon and that everyone of these utensils is returned to the kitchen shelf. I don't have to tell you what a hazard these could be in the cells.

The other area of supervision is in the visiting room. Here is an area calling for a high degree of tact on the part of the correction officer. Tact and discretion. The officers here can add materially not only in fostering good public relations but also in maintaining the good influence that family visits can have on the inmates.

Most of the inmates (75% any way) will do their time with minor infractions. So these are the people that we are involved with. We sometimes weaken our defenses by thinking in terms of these people. But there are these few who take advantage of every situation. Now the officer who was tactful about having good rapport with a visitor also has to be on his toes all the time because of the guy who is going to take advantage of this situation. There will be all sorts of gimmicks.

Every institution again has different visiting setups, but we do allow the visitors in Massachusetts to sit in a chair opposite the inmate. There is no screen in between. There are other states that have a screen and there the security is not quite as difficult.

But in any event, if you have the type of visit that I have described where they can sit and talk without anything in between them, of course, there is always the possibility of contraband. The contraband is usually of the type that would be passed in a visit is either money or narcotics. It is quite difficult for a visitor to pass a knife or a gun. Most institutions have a device that will screen metal objects going through.

An officer in charge of the visiting room should be very careful and inspect that room even before the inmates and visitors come in. Make sure everything is in order. You never know how a runner or a janitor sets up something and has it underneath a table or a chair or something for a visitor to get a hold of and vice versa.

One gimmick that I have come across occurs in places where they have the benefit of candy machines and Coke machines for the visitors, right in the visiting rooms. If it's true of your institution, remember this gimmick. The officers in the visiting room never allow the visitors to give the inmate anything. You can imagine the situation on a hot day. The visitor buys a drink from the Coke machine and wants to buy one for the inmate too. There is no problem as it comes from the machine, right? They can always put a narcotic in this if they want.

The one gimmick that I ran across is with the candy bar machine. When a visitor comes in, he has a candy bar on his person with a file or what have you in it. This same type of candy bar is sold in the machine. The officer is asked if he can buy a candy bar for the inmate and one for himself. This, of course, seems

fine. No harm as long as it comes from the machine. The visitor pulls a switch and swaps the candy bars. The inmate says to the officer that he doesn't want it now so puts it in his pocket.

Now this is dealing with human nature. The weaknesses of human nature. Another thing is the women asking if the man can hold his baby and the baby is loaded with contraband. They go to all extremes. You have to be very careful in searching the inmates.

In final analysis, no institution can operate without good, observant, inquisitive, tactful officers. I hope we have a lot of them here.

Associate Warden Frederick E. Adams - In recent years there have been an unprecedented number of riots and disturbances in the prisons of the United States. Occurrences such as these are the concern of every prison administrator and his staff even though they may have taken place in a distant state. Failure to prevent riots and disturbances, or to control them with efficiency and dispatch, is a reflection on all penal institutions, for the public's knowledge of prisons is not extensive and its opinions of them are formed from reading or listening to the stores that are considered news--usually accounts of violent and dramatic events. As those of us who are actively engaged in prison work know, such events are far from representative of the normal prison scene. Yet, when mass violence does occur in prison, it is destructive of life, of property, and of the public's confidence in the penal program of the nation and of individual states.

In order to protect life and property, the administration of every prison has an obligation (a) to follow a program designed to eliminate the causes of riots and (b) to develop a plan to control riots with as little loss of life and property as possible, if they occur despite well-intentioned efforts to prevent them.

The first step in preventing riots is to keep informed of what the inmate body is thinking and how it is feeling. There are a number of ways in which the administration is enabled to keep its fingers on the pulse of the inmate body: the reports of officers and staff members are one means; the tabulation and analysis of disciplinary reports are another, because of the composite behavior of inmates is a good barometer of their morale and censorship of inmate mail is invaluable in this respect.

However, since knowledge without deeds is useless, the administration must do more than keep informed. Within the dictates of sound policy it must also act on its knowledge. Legitimate grievances must be corrected, just as baseless agitation must be prevented.

In an institution where there is fair treatment, adequate amounts of wholesome food, and an opportunity to participate in a constructive program of work or training, the majority of inmates want no part of a riot.

RIOTS - PREVENTION AND CONTROL

Some of the measures taken at this institution to minimize general unrest and disturbances are as follows:

1. Supervising officers have been instructed to be on the alert for and to report any unusual unrest in quarters, at work, on the recreation fields and in gymnasium or in the dining hall.

2. Officers have been instructed to report any tnesions or sullenness on the part of individual inmates or groups of inmates.
3. Close attention is given to the proper preparation, quality, quantity and serving of food as it is realized that improper feeding is a prime motivation of disturbances.
4. When rationing or reduction of certain food commodities is necessary, the reason for such reduction is explained to the inmates. A major percentage of the men are willing to accept conditions when the facts are made clear to them.
5. The Deputy Warden and the Classification Committee to be on the alert for men who have racial or religious prejudices. Assignment of such inmates is carefully considered to prevent friction.
6. Inmates who are known to have explosive tempers are not assigned to certain duties where their emotions might cause disorder.
7. Privileges and opportunities are the same for all, regardless of race or creed.
8. Requests for interview, no matter how trivial they may seem are honored. An unusual number of such requests, especially those seeking a change of quarters, is usually indicative of trouble or unrest and should be investigated.
9. Officers are continually counseled and instructed in matters of discipline. Unnecessary antagonism towards inmates creates a feeling of bitterness and resentment.
10. Recreational activities are encouraged and tournaments and contests are arranged so that idle hours may be constructively utilized to best advantage.
11. Efforts are made to segregate the "strong-arm" and more aggressive type of inmate from the more timid, younger, or stable inmate.
12. Frequent searches of quarters, shops and buildings are made to prevent the manufacture and possession of improvised weapons.
13. Because of the location of our arsenal inside the Gate House, precautions have been made to protect this important post.
14. Fire-fighting equipment is carefully checked to ascertain that it is ready for instant use.
15. Instructions are given in the proper use of keys, locking devices, grills and doors to afford custodial protection.
16. Tower officers may be alerted and all towers posted.
17. A group of twenty-five officers, selected for their judgment, leadership qualities, experience and ability in physical training and firearms, has been trained in the various activities and methods useful in subduing disturbances.
18. Provision has been made for outside assistance in serious emergencies from City Police, State Police and National Guard.

19. In the event, outside assistance is needed, call City Police first. They are to be used in controlling traffic and keeping pedestrians away from the institution and grounds.
20. The second agency to be called is the State Police. They will be used to augment our "outer perimeter" security, or in towers to relieve correctional officers for duty inside.
21. The third agency to be called is the National Guard. They would be used only if the situation was of long duration or was getting out of hand. They could furnish us with additional equipment, such as emergency lighting, walkie-talkies from communications, additional gas equipment or weapons, etc.
22. It would be necessary to station a correctional officer out in front of Administration Building to identify persons entering or leaving the institution. Under no circumstances are NEWSPAPER reporters or others seeking information allowed in the institution or around the adjoining grounds.

ALARM PROCEDURES:

In the event that it is determined by the officer in charge of the watch that a disturbance, beyond the ability of his available officers to handle, is in existence, the following instructions shall be followed:

1. Advise all towers of the emergency via telephone or intercom, and urge their utmost vigilance.
2. Summon key personnel (Warden, Assistant Warden, Deputy Warden, Custodial Supervisor, and Mechanical Supervisor) by phone. Obtain instruction from the ranking official whether to sound the alarm. Summon the remainder of the institutional personnel to the institution if their presence is required.
3. Summon key utility employees (electrician, plumber, engineers, and garage officer) to cut off, repair or replace utilities or equipment. The Storekeeper, Steward and Medical Officer should also be notified to report for the emergency.

CONTROL PROCEDURES:

The following instructions should be followed in subduing disturbances: the location, severity, the type of disorder and other factors will largely determine the appropriate procedure to follow:

1. Take initial steps to close off any avenues of escape with help available.
2. Take initial steps in quelling or controlling the disorder with help available. Attempt to ascertain the existing conditions before rushing in or ordering your officers into a situation that might result in you and your officers being taken captive; await reinforcements and have the required equipment to handle the trouble and know what you wish to accomplish before rushing in.
3. Consider the safety of employees and inmates if the use of force or defensive equipment becomes necessary. Such force or equipment shall only be used when ordered by the Warden or Acting Warden.

4. Protect utility cut-offs (water, steam, power, etc.) if such measures are indicated by the location or type of disturbance.
5. As assistance becomes available, the following strategic points and areas are to be manned and protected:
 - a. Man all towers and outer perimeter at night to prevent escapes.
 - b. Have emergency lighting in towers if power fails or is sabotaged.
 - c. Assign a clerk to maintain a time record of the employees entering or going off duty.
 - d. Additional help for all inmates' quarters.
 - e. Boiler room, kitchen, stores, arsenal, Gate House.
 - f. Custodial Supervisor should be sent to the trouble area to assume command of special groups of officers detailed to certain types of duties by the officer in charge.
6. Remove all inmates from Administration Building and lock them up in their cells; also lock up all other inmates as they become available.
7. Lock all cell blocks to prevent additional inmates from being released.
8. The Warden or his designated agent will proceed to the riot area to determine the type of actions necessary to regain control and to direct activities of the personnel in regaining such control.
9. The Warden will appoint a Supervisory Officer to remain in the Control Center to detail officers as they come on duty.
10. Place special equipment in readiness for instant use, such as mobile lighting equipment, portable public address system, fire hose, night sticks, gas and firearms.
11. If the use of force of defensive equipment is deemed necessary, members of the Riot Squad who have had training in the use of such equipment and in such activities should be used if at all possible.
12. If necessary, cut off utilities from the troubled area to prevent prisoners using such utilities in destructive action.
13. Order those prisoners in the disorder back to their quarters or to other areas isolated from the disturbance to prevent spread of the trouble.
14. Localize trouble, cut off access to other areas to prevent spread of the disorder and to prevent news from traveling to the other inmates.
15. Remove keys to gates and grills which cut off certain areas from the riot area.
16. Make it possible for all non-participants to leave the scene.

17. Endeavor to learn the cause of the disturbance by conferring with the rioters; urge the troublesome ones to select a spokesman to confer with the Warden and administrative officials.
18. Obtain the portable public address system to use in addressing the inmates, directing the non-participants to leave the area, to inform the rioters of the foolishness of their actions and to warn them of the consequences of their behavior.
19. Instruct the employees to closely observe the actions of the inmates to provide evidence later. Positive identification of all ringleaders should be made.
20. If force is used, direct it at the leaders and agitators of the riot. Have these prisoners removed from the scene immediately if possible.
21. When defensive equipment is to be used, take steps to prevent its being captured by the inmates and used against the personnel.
22. The members of the Riot Squad should be used in "Flying Wedge" tactics if fighting groups are to be separated or when removing the leaders of the disturbance.
23. When trouble is of racial nature, take steps to completely segregate and afford protection and control to both groups.
24. Officers on duty posts not in the disturbance area to remain on their duty posts until relieved.
25. If during the disturbance, some official or one of the employees is taken hostage by the inmates for escape purposes, any order given by that person under duress will not be honored.
26. Keep some officers in reserve for possible outbreaks in other areas.
27. The use of outside help (State Police, City Police, and National Guard) will be sanctioned only by the Warden or the next in charge.

POST RIOT PROCEDURES:

The following steps must be taken as soon as the disturbance is under control in order to insure that none have escaped and that the physical plant of the institution is custodially secure:

1. Have institutional count made.
2. Confine all participants of the riot and assign sufficient supervision over them to prevent a reoccurrence of the disturbance. Segregate the ringleaders and more aggressive inmates from the rest of the inmate population.
3. Continue a state of emergency by providing extra help in all quarters and in dining hall until it is ascertained that the disorder is completely subdued.
4. Depending upon the seriousness of the situation, curtail all work and recreation activities. Rearrange dining schedules so that it is possible to provide supervision over small groups of inmates during meal periods.

5. Render first aid and medical attention or care to those persons in need of such service.
6. Conduct an extensive investigation by interviewing each of the participants separately, and any of the employees involved or witnessing the disturbance should also be interviewed.
7. Determine the amount of damage done to the physical plant of the institution and make arrangements for repairs or replacements.
8. Determine the damage done to the custodial security of the institution and make arrangement for repair.
9. Prevent any form of retaliation or use of force after disturbance is over.
10. Return to normal operating conditions as soon as possible.

S E S S I O N XI-B

Wednesday, November 20, 1968
2 to 4 P. M.
and
6 to 8 P. M.

Highway Hotel
Concord, New Hampshire

Meeting Chairman - Mr. Robert A. Johnson, New Hampshire State Parole Officer

Speaker - Dr. Joseph Mazurkiewicz, Eastern Correctional and Classification
Center, State Correctional Institution, Philadelphia,
Pennsylvania

Group and Family Counselling

Use - Value - Techniques

The first thirty minutes of this session was devoted to a demonstration on group counselling. Seven juveniles from the New Hampshire State Industrial School in Manchester, New Hampshire, made up this group which was led by Dr. Mazurkiewicz. The purpose of the demonstration was to show how to lead a group and how to get it started. Members of the group explained how they got into their present difficulty and how each thought it could have been avoided. Others were asked to express their agreement or disagreement with the other group members. No effort was made toward direct confrontation. The presentation by Dr. Mazurkiewicz is as follows:

It probably was very evident, or so it seemed to me, that the group that we had here was probably a lot more receptive to the idea of group counselling than you might ordinarily get in a group that you are starting with. I think this was probably because they had some specific purpose in mind in their being brought together. I met with them a little earlier and one of the purposes was, of course, to get to know them, at least by name, and then to explain a little bit about what we were doing - what we were going to do. For this group I set a short-term goal - the idea that we were going to try to develop something that might be then looked at by the group who would be hearing them; that they were going to help me specifically to try to get some ideas across about what can go on in group counselling and that they would be specifically some help in terms of teaching a little bit about different things that can go on in a group process. So at least we set a goal for them and I think that, because they had a goal, even though it was a short-term goal, they felt that they could at least move into this particular situation. This may have been why the group did as well as they did. Some in the group have had experience with group counselling and I don't know whether they have found as much comfort in communicating in their groups as they had here. Maybe it is because their purpose here was a little bit clearer to them and they didn't feel they were really revealing too much of themselves at this particular

time. But they seemed to be able to move in together and I think that they felt comfortable moving in, being able to share ideas with each other about some of their specific experiences or their own feelings about certain ideas and I think that they at least indicated in a particular way some of the other dynamics that we ordinarily expect to see in any group process.

We didn't really attempt to get involved in a depth counselling relationship. One of the factors that I am sure the boys realized, as well as anybody who was observing, was that there wasn't going to be a possibility of a continuing relationship between the members of the group and myself. The idea of a stranger coming into the group and trying to work with them for some reason or another may or may not have been a negative factor or may have been a positive factor, depending upon how the individual boys felt about it. But because there wasn't a continuing relationship, we didn't get involved in any real function or a real group spirit.

I am sure that we all realize that in group counselling - or, if you will call it group therapy, directed group interaction, or whatever you label it - we are trying to involve a number of individuals in a process. For a long time I am sure a lot of individuals thought of group counselling or group therapy as a real easy way to do something that was necessary to help individuals. It was a cheaper way of doing it because you had one counsellor working with seven or eight individuals and it was a question of saving time and treating more people in this particular way. Most of our groups actually started out that way. But this is really not the basis for using group counselling.

If you are faced with a decision as to whether or not an individual is going to be able to profit more from individual or group counselling, you have to look at what group counselling has as its main purposes. The main purpose, of course, is to allow the individuals to come together and get involved in an interaction - an interaction in which there is an opportunity for change and an opportunity for the staff member or the person who is involved in this to play a different role than he ordinarily might play and, of course, for allowing the process of interaction to affect change rather than the individual counsellor affecting the change, as might be done in an individual relationship. One of the things that we were counting on was the idea that the group together had some basis for identifying themselves. They did in this situation because they came from the Industrial School. They might have had other reasons for identifying themselves or for feeling at least a part of a special group. One of the things that you would probably have to do if this were a regular group that would continue is to help them to accept the fact that they are there because they have a common problem or common problems. This is one of the points that I tried to bring out - that there were individual problems but that the individual problems here also had some similarities and we did try to work in an ordinary group counselling situation so that the group could deal with the problems and not the individual.

There is one thing that I failed to do with the group, and I think it was because of the setup for a lot of reasons. They were still pretty much talking to me in response to some of my questions or some of the ideas I set up. There was some reaction to each other and also some interchange. It was beginning, but it was not moving. Ordinarily, in a good group counselling process, I would have to move out after the class or session was structured and after they had some idea about what would be going on; the less that would be said by the counsellor and the more that would be said by the group, the better off we would be. That doesn't mean that the counsellor

would have to be silent. He would have to play a very active role in terms of trying to keep the group moving.

In trying to present some concept of what group counselling is supposed to represent, there are several characteristics - actually I label ten of them - which are essential before we can really call a process group counselling or group therapy or a group dynamic session.

The first characteristic I made reference to before. There must be a process of interaction among all the members of the group, including the leader. By this I mean that there must be more than a two to two exchange. If any one of the boys and I continued in a discussion throughout most of the session, there would be a two to two relationship. There would be relationship, but not interrelationship. So what I had to do, of course, was move around so that other boys would be pulled into the session.

The second characteristic is that there must be a recognized leader of the group. For all practical purposes, there was some recognized leader of the group and I am not talking about my own particular role. I am talking about the role of one of the boys. When I met with them this morning, I purposely concentrated on only one boy's name. I remembered the boy's name very quickly and the way he handled himself gave me the feeling that he could become the leader of the group. By giving him some recognition - I remembered his name - Bruce - he was in effect becoming the leader and, as you can see, he was doing more of the verbalization and felt comfortable enough to be able to disagree with what other people were saying, etc. In ordinarily developing his role, I would try to utilize him so that the strength of the group would not depend upon the therapist or the counsellor but would depend upon the inherent qualities of the members of the group.

The third characteristic is that there must be a specific and defined common purpose to the group functioning and for the group continuing. We did state that we would define our purpose as a teaching session and as a demonstration session. I tried to point out that there were different types of groups that these boys were exposed to; i.e., transition groups to the boys who are in the process of going out, so getting ready for the outside world would be a purpose or getting along better in the institution, etc. The group has to know why they come together so you must define this purpose immediately or else they are not going to have a common goal to work towards.

The fourth characteristic is that there must be definite pre-planning on the part of the leader - the external leader. There was some pre-planning on my part. It certainly was necessary in this particular situation, but even if this were a regular group that were to continue in an institutional setting or parole setting or probation setting, the leader must have some idea of what he is trying to accomplish. If he meets with the group just for the sake of saying he is counselling the group or developing group counselling or trying to work with youth around problems, etc., and doesn't have a specific concept in his own mind of what he is trying to accomplish, he is not going to be able to give effective leadership to the group.

The fifth characteristic is that there must be an opportunity for spontaneous activity and verbalization in the group. There was very little of it in this particular session. There were some comments made and I tried to encourage them to then explore these further. But in any real group, if the ideas or the thoughts or the concepts or the subject matters were directly controlled by the external leader, you wouldn't have a real group counselling session - you would have a classroom situation with a lecture type of atmosphere. Until the group itself feels free enough to bring up what they want

to talk about, sometimes by posing a question - "Well, does anybody have any idea about this or that?" - and letting them then develop a concept or an idea, unless they can feel comfortable in this particular situation, this is not their group. It is important for them to feel that this is their group - that they are really the ones that are involved in the group - that they are, in effect, running the group and that they are, in effect, benefitting by the group.

The sixth characteristic is that there must be a development of cohesiveness or a group spirit or group attitude. This is something that is very difficult to do in such a situation but was something that I was attempting to do by trying to show how they were affected by peer relationships, trying to point out that perhaps they had common problems of reacting in terms of stress, in negative ways, problems with family, or many other things, giving some basis so that for the one boy who didn't feel he had problems with his family, he could identify with other members of the group on the basis of having similar problems and by this identification process, the group certainly started to develop cohesiveness and a group spirit and a group attitude so that eventually they could band together and exert enough support and enough pressure to affect changes. I asked them if they felt that the group could make somebody change. The group, of course, is so splintered at this point, that they said, in effect, no. What we are really trying to do is to affect the group in such a way that group pressure will produce changes in the individual. For them to accept this at this particular time, I think, would have been phenomenal because they are operating as individuals and certainly are not aware that they will be affected by group pressures, that they will behave in certain ways, that they will make resolutions to certain conflicts - not so much because of their own choice but because of the group's pressure on them to behave in certain ways. We did bring out the fact that they were affected by their friends and when we talked about the group affecting them in terms of therapy, they didn't seem to feel that they would be affected so much - they could help you solve your problems, but they didn't feel that they could react to pressure from the group because at this point they were not a solid group.

The seventh characteristic is that there must be a resolution of conflicts or disagreements by group action in decision. There was some attempt made when we asked one of the members what he thought. We didn't have any real conflicts or any decisions to be made. If we developed any, we would have the group then try to handle it and the counsellor or the therapist would stay as much away from it as possible, except to permit the group to make their own decisions. They were told earlier today that, if they didn't want to participate, they didn't have to, so that, in effect, they made individual decisions. This was the only decision they made. We couldn't really get them to a point of making a group decision because there wasn't a period of unity or cohesion that is essential before the group can reach this point. The group must be able to make decisions as a group and the conflicts among members of the group must be settled by group action; that is, by somebody in the group interpreting, somebody in the group stating the concept that might explain the behavior and then the group agreeing that this might prevent it and then dismissing the conflict as being unimportant because they understand it. Some of this type of process has to go on before you can really see any change taking place.

The eighth characteristic is that there must be a common recognition between members of the group of the boundaries and structural limits of the group in their position and function in relationship to those of larger units or groups. In other words, they have to know where their group begins and

ends and what their group really is intending to do or to accomplish, how their group might be related to other groups, and what the limits of their operation can be. Because it was a specifically structured group, I didn't have to define limits. Ordinarily, we would have said that anything we say in our group should remain confidential and that we don't ordinarily use any of this except when we feel that it is a threat to the security of the institution or the well-being of any one individual in the group and, of course, that they are free to say anything that they want to say and that they are free to behave in any way as long as they won't physically harm each other or damage any property. We would set the rules with which they would have to abide by. The game, in effect, would have rules and, of course, we would also point out how this experience is similar or dissimilar to other experiences - groups, perhaps, as opposed to gangs; this group as opposed to that group which is operating on the outside, etc.

The ninth characteristic is that there must be a flexible quality to the group in that it can absorb new members or lose members without any damage to group integrity or individuality. Theoretically, if the group is voluble and members are able to function effectively in the group, it should be strong enough to accept somebody leaving the group and having a replacement and quickly move on making that new member part of the group. Certainly they would be seen with distrust; they would perhaps be rejected at first; but if the group has any real movement, if there is any strength in the group, they can deal with this effectively, usually by trying to get to know the new person very quickly and trying to point out how he fits in or how similar he is to other members of the group.

The tenth characteristic is that there must be a movement or process in the group which can and must be utilized by the group leader - the external group leader. This movement or process must be guided and utilized to affect internal personality changes and behavior manifestations of the individual members of the group, not only as a result of any effect of the therapist, but as a result of their participation in the group process and as a result of the group process itself. In other words, the movement that would have to continue on in all the subsequent sessions would have to relate the entire change that might take place - not to the therapist, not to the skills of the therapist as a therapist, but to the skills of the therapist in manipulating the group to produce the change. In an interpersonal relationship, that is, in a one to one, individual therapy relationship, this assumes that the therapist and patient, because of the sacredness or the integrity of their interpersonal relationship, are able to at least affect each other - there is the quality of rapport and, as a result of this rapport, the therapist does affect changes within the personality of the client or the patient. Here the therapist is important, not as an affector of change, but as a person who is a catalyst, as a person who permits the change to take place, as a person who is the umbrella under which the change is taking place.

The group process of getting involved with one another, the sharing of life with one another, the experiencing acceptance from one another, the reacting to group pressures, the developing of insight --- all of these things within the group process are the things that are supposed to produce the changes in group therapy, group counselling, or any other such group dynamic phenomena.

One of the points that I think has to be made at this particular point is that, because of the considerable amount of emphasis being placed on group counselling and group dynamics in our current thinking, we fail to remember that group counselling or group therapy is not always the best technique for

treating every type of problem or type of disturbance or type of individual. Group counselling can work with a large variety of problems and group counselling can be changed to meet specific needs. For instance, we may get a group that is basically directed group interaction; that is, a forced type situation in which the counsellor plays a specific role of trying to make the members of the group get involved in interaction by confrontation. Or it may be an activity group in which the group is involved in a process in which they are working towards a specific concrete goal so that they can develop group relatedness and then from this move on to something else. Perhaps they are trying to move into their problems. Or you might have an orientation group in which we primarily want to help an individual become aware of some problems he may be facing and perhaps become aware of some of the ways he may deal with these particular problems so that what we are talking about is the general concept of group counselling; but then again, there are the specific areas which make group counselling for the most part a treatment of choice in many situations for most individuals, but not always the best.

Selection of members for a group sometimes has to be a very delicate process, a selection which would involve bringing individuals together who, although they are not necessarily similar, at least are able to communicate at about the same level. If you have somebody who is extremely withdrawn or extremely mute, you are not going to be able to effectively work this individual into the group process. Or if you are dealing with set types of individuals; for instance, one of the specific groups that we are dealing with now is a rather novel type of experience for us. It is a group of ex-hospital patients - adults who were all in a correctional institution, became psychotic, were diagnosed as schizophrenic, sent to a mental hospital for anywhere from one year to six years and then were found no longer to be psychotic, and were returned to the correctional institution. They were still pretty disturbed, but not actively hallucinating. They were selected in this particular situation because of their common frame of reference. The amount of verbalization differs with these individuals, but the common framework brings this type of group together.

You always have to have at least three members of a group if you are to have any effective group counselling taking place. Certainly two members will permit a personal relationship; three or more will permit an interpersonal relationship. Two members will only react to each other; three or more will interact so that anywhere from three to seven or eight would probably be the ideal situation for a good group counselling situation.

One of the important concepts in group counselling is the role of the counsellor in the group. In teaching the skills in group counselling to a number of psychologists, caseworkers and correctional counsellors in our own institutions, we find that it is very difficult for them to be able to move in and assume the proper role of a group counsellor because of the setting. The common framework is that they are all dealing in an authoritative setting - they are dealing in a correctional setting. And this probably is the common framework for all of you - you are all dealing in an authoritative setting, whether you are working in an institution for juveniles or whether you are in probation or parole, etc. The dynamic of authority has to be used as part of the total process.

The counsellor has a specific responsibility to constantly maintain control of the group. We talk about the counsellor as allowing the members to function as independent members of the group. He is supposed to be objective. He is supposed to remain outside of the interaction of the group. He is not supposed to become involved in the actual process. What we are really saying,

is that, if the leader is supposed to be effective, he must not allow the group to change him because then he is using the group as a way of changing himself or perhaps benefitting himself in some particular way and he certainly is not going to be objective. He will not see what is really happening to the group because he is changing or being affected by the group. He must remain objective. He can participate in the group to the extent that he is moving the group ahead, serving as a catalyst, perhaps making interpretations, etc., but maintaining control of the group. Once you become involved in the group, you lose control. By maintaining control of the group, it is not meant that you rigidly set up a structure and then push the group in a specific way. You set the limits in which the group can operate. If the group is moving in a way that is not in keeping with your purpose, then you have to bring them back. You have to remind them of the purpose of the group to begin with - why they are there.

The group naturally has a lot of inherent anxieties. Anxiety is necessary if change is going to take place. If there seems to be no real recognition of the anxiety, if there is some way that the anxiety is being overshadowed by the way the group is operating, you have to create anxiety so that the group is able to cope with the created anxiety first and then allow the anxiety that is within them to come out and then become a part of the group process.

The counsellor must constantly face the problem of being pulled into the group by its members. They will ask him personal questions; they will ask him what his feelings are or what his opinions are. He must try to avoid being pulled into the process of the group and allow the group to develop its own solutions. It is not a democratic process. Group counselling can never be a democratic process and we are not allowing the group to operate completely independent of the counsellor. The group must be allowed to arrive at its own solutions. If the solutions seem wrong, then the counsellor has to call their attention to the fact that these solutions may not be the solutions that they have to work toward, that they may be creating further problems for themselves. The group is told that they can talk about any subject they want to talk about. They may spend the session talking about baseball, or about football, or about soccer, or about anything except their problems. The counsellor must remind them that their purpose is to look at their problems and to come to some understanding of each other - that the more they get involved in these other things, the less likely they are to be able to affect any change or succeed in getting anything out of the group. He has to bring them back to what their purpose is and what their goal is.

The leader must preplan. We say the group is allowed to prepare its own agenda - they are able to talk about anything they want to talk about. It is not a democratic process, but with any type of process, there must be a hidden agenda in the hands of the counsellor. He must have some idea of what he would like the group to talk about. If he wants his group to move forward, to become more cohesive, he has to work in this particular area so that the group will become more cohesive. If he sees the group as a bunch of individuals, he may have to set up an artificial situation in order to evoke this cohesiveness. He has to be able to think in terms of what his specific purpose is as far as each session is concerned, what his total purpose is, and how he is going to achieve it through this process. The process is still developed by the members of the group, but it has to be developed within the framework he sets up.

Spontaneous activity and verbalization by the group is important. It can be cut off if the group leader is too dominant and it may not take place unless the group leader stimulates the group. Sometimes the group will hit a low. Silence can be a very damaging thing to a group unless the counsellor

knows how to use the silence constructively. If the silence is just tolerated, if it is not dealt with, if it is not interpreted, if it is not brought out and looked at as a matter of resistance or evasion, the group will be damaged. The counsellor must play a role where he has to permit spontaneous activity to generate from members of the group. When he feels that there isn't anything happening in this area, he must stimulate the group so that the activity thus followed will keep the group process going.

The development of a group spirit and attitude is very essential for an effective group counselling session to take place and for a whole series of sessions to work toward changing an individual. The counsellor has to keep his mind focused on the elements in the members of the group, the productions of the group, and the content of the group that he can capitalize on in developing this group spirit. The spirit may be developed on the basis of some negative thing that the counsellor may have to do. For instance, he may have to attack one of the members of the group verbally to allow the others in the group to come to his rescue and in so doing recognize the fact that they are supporting one member in opposition to the counsellor. Then the counsellor has to interpret this - that his attack was really an indication that there is something transpiring among the members of the group that they need to recognize and that once it is recognized, they can now utilize it in terms of further movement in the group.

We mentioned the resolution of conflict or disagreement by group action. If the solution is to be meaningful, it has to be expressed in terms that the group can understand, can deal with, can effectively apply to their own particular life. The group itself is being led or is being directed by the counsellor. The counsellor will try to work for the point of solution being arrived at. When the solutions appear to have some specific merit, then he may have to help the group to reinterpret this. He may then act as the interpreter of what is going on. The group is going to produce change that takes place within the individuals of the group so that the individuals themselves may not be aware of what is happening within the group. The individual is a part of it, he is sharing in it, he certainly is responsible for what is happening; when it comes to his really realizing what is happening in his own particular life or applying what is happening to his own life, the counsellor has to play another particular role in that he has to act in effect as an interested non-participating member of the group.

The group becomes a group center and develops a group narcissism. The counsellor is not a part of this group center action. He is somebody who is pushing the group towards this particular point. As a pusher or as a ruler who keeps the group going, he plays a subtle role. His role must be subtle because if he does get involved in this, then the group itself is built up around him and not around the spirit that has to develop within the group.

The group leader has several tasks that he has to concern himself with. One is communication. Communication is one of the common problems of all offenders. The counsellor, because of his specific role, has to be able to affect communication. Ventilation of feelings is certainly needed if the group is going to have any value. Many times there isn't an opportunity for members of the group to really ventilate because of their fear of retaliation - retaliation by administration or by members of the group. Sometimes the counsellor has to be able to take a dramatic role and force one of the members to actually explode - explode within limits so that he can feel free to ventilate and see no retaliation. This pattern of expressing feelings, regardless of what they are, is important. Feeling itself is not the problem, but translating your feelings into actions.

The attitude changes that do take place within the group have to be brought up periodically and the idea of reviewing with the group the changes in members of the group is certainly an important concept because of the reinforcement value. There is nothing more meaningful to a member of a group than when he hears from the other members of the group that he has made some changes. He will become more involved in the process because it has become more meaningful for him.

Periodically the counsellor has to have the group review and look at what has happened - progress that has been made - by the group and individuals in the group. The counsellor has to let the group answer this. The counsellor isn't allowing the group to go without a rudder, but he is allowing the group to operate within a framework in which the counsellor has set out in his own mind as the specific areas and limits in which he wants the group to operate, keeping with his intended purpose for the group.

I will now terminate at this point and open up for questions.

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The other topic that I am to cover in this presentation is that of family therapy or family counselling.

I think that most of us realize that, by its term alone, family counselling is directed towards the treatment of families as a unit; in some instances, trying to incorporate a number of families into a single group and trying to do, in effect, multiple family therapy or multiple family counselling. The case of trying to treat the family or counsel with the family as a unit may not seem very novel, but, for the most part, it has been customary in the past to work with individual children of the family who may be disturbed and perhaps have another person, perhaps the counsellor or a case-worker, work with the parents or work individually with one or the other of the parents and then the staff themselves would try to bring together the problems that the family was experiencing and would try to resolve them at different levels. But the trend now is to bring the individual members of the family, especially when there are several members - children as well as parents - together for this type of experience into one specific setting and then to try to deal with the family as though it were one single individual and yet as though it were a group of individuals. In other words, instead of looking at the individual members of the family and saying that each of these individuals has a single problem or that each of these individuals needs a special type of care or a special type of help, we diagnose the family problem and the family problem is usually a reflection of each of the individual's problems, so that, to this extent, it is something similar to the group counselling we were talking about where we look at the group dynamics and try to see the problems of the individuals reflected as a part of the group problem, rather than as individual problems.

In most of these family situations, the main problem is the breakdown in communication, so that bringing the members of the family together serves, first of all, to establish a basis for communication. The unit, of course, becomes integrated because the members are seen at one time and the leader or the counsellor or the therapist in this particular situation has the purpose of not so much treating individual members, but treating the family as a whole so that the family can function more effectively, so that the family can survive any problems that are perhaps separating it or tearing it apart,

so that the family can work out the solutions to their problems. The family is seen as a unit developed out of peers. It is pretty difficult for a mother and a father, an older brother or an older sister or younger brother or younger sister to regard each other as peers - as equals. But the parents, as well as the siblings (the children), have to accept the fact that they each have an equivalent contribution to make to the pathology of the family, to the breakdown of the family, to the disturbance of the family. And to this extent they have as much right, as much responsibility, as much opportunity, to express themselves as anybody else so that the parents really are not in control and the children are given as much opportunity to freely express themselves regarding problems in the family. Certainly the counsellor in this particular situation tends to play a more protective role because the parents will become more defensive at something like this, especially when their mistakes are being pointed out by their children. The therapist has to sort of protect the children, as well as reinterpret what the child is really saying. Perhaps he is not just venting his hostility; perhaps he is not just being critical - maybe he is trying to tell the parents something in his own way that has been blocked because of the damage in the family relationships. Communication is the main goal, of course, with discussion, mutual understanding, and freedom of expression as ancillary parts of this specific main goal.

The children in any family that has pathology or has disturbance will ordinarily act in some way that they may be able to obtain attention. The attention may be obtained through withdrawal, through emotional problems, through delinquency - through any number of ways that would present some challenge to the family, some concern to the family. It may seem like they are really not trying to get attention, but that they are trying to punish the family at times. This may be part of their purpose, but their attempt to punish the family is not just because they feel hostile towards the family - they feel the rejection of the family. They want to be a part of the family; certainly they want to be accepted by the family. The only way they feel they are going to be noticed by the family and to get what they feel they should get is by creating some type of hostility, some type of acting out behavior which, of course, will get them the attention. As they move into something like group counselling with the family as a unit, many of the symptoms begin to disappear. The child needs no longer to force attention because attention is guaranteed by the fact that he is in a counselling relationship. The counsellor helps assure this. The family starts to see the child and any other member of the family as a related individual; not just related by the fact of bond, etc., but related in terms of different types of problems that have common references. The child begins to give up some of the specific areas in which he formerly forced attention from the family.

The individuals in the group begin to interact under a specific setting. We ordinarily think of any family as logically the place where children interact with each other, where children interact with parents, and where there is always a relationship going on - an interpersonal relationship. This is not necessarily true because they may live together and they may even talk together, but there is no guarantee that they are really getting along together, that they have any real value for each other in terms of a positive influence, in terms of somebody who is valuable to them, in terms of an emotional feeling, because they are not giving anything to each other. But within this particular type of setting, the individual, whoever he is, begins to experience this because the family has to share with each other as they do in a group - there has to be some attempt to solidify the family; to diagnose, of course, the common problem, then to see how the family can be united regarding the solution of their particular problem.

A joint resolution of the conflict or of the problem or problems has to be worked out. Here the attempt is not to make decisions for the family, but to facilitate the family in making decisions for itself. The counsellor plays a less dynamic role than he might if he were doing counselling with a group of delinquents or neurotics or some other type because his main purpose is trying to utilize the inherent strengths of the family. The family may bring up problems - he may see difficulties, he may see a lot of the damage, he may see a lot of the illness in the family - but his main focus should be what the strengths are and how he can bring these strengths to the fore, how the strengths can be capitalized on and how they can mean something in terms of coping with the problems that the family has been experiencing.

When the decisions are made by the family, there has to be support by the family. The family has to agree to accept the decisions as meaningful and as something that they are going to work towards. Sometimes it means that the parent has to seemingly give up a little bit of his or her independence in the process of family counselling, only to reassert not only their independence, but their superiority as parents. For a while they may act as though they were really peers; they may be dressed down in effect by the children in the counselling session, only then to have to assume an alternative role and become real parents outside of this particular situation.

Frequently you deal with families in which one or maybe two of the children are more disturbed than anybody else. In working with these particular children, you see that the only way that anything can be done for them is to think in terms of the family in which they are going to live. The parents may be law-abiding citizens; from all appearances they may be pillars of the community; they may not present any real overt sickness; some of the older boys or girls in the family may be doing very well and you don't see anything wrong with the family except in terms of the specific child or children you are working with. When you start to work with the child, you begin to see that his problems relate to his family so that he is not reflecting necessarily his own problems, but a problem family and that there is something wrong within the family that is not ordinarily observable. This is where you try to bring the family in and make them a part of the treatment of this one child and make them a part of their own treatment. The common ground for coming together is their concern for one child and then their concern for trying to solve any dilemmas or conflicts within their own relationships that are producing conflicts within the one child and perhaps in other children as well.

In many ways the process that goes on in family counselling is similar to what we have covered in group counselling, with the exception of the subjects who are members of the group and the way in which the group is organized. In family counselling, it is important to bring in everybody who plays a significant role in the family relationship; if an aunt or an uncle or a grandparent lives in the family, they have to be involved. Brothers and sisters may have to be a part of the family counselling if they reside in the family home. Brothers and sisters, if they have left the home and are married and on their own but have had some meaning or some effect upon this one particular child, may have to be brought back in. In order for family counselling to work, we have to have the full cooperation and the full participation of all of the members of the family. This is not necessarily as potentially successful as it might be with some of the types of children you may be dealing with because families are not always easily brought together - sometimes there is an absence of a father, a separation, a divorce, etc. - so that these groups can't really constitute a whole family. In these cases you have to work with a part of the family, but the same process would appear

to apply. Perhaps the counsellor in this particular role is trying to assume an alter-ego role; in effect, temporarily acting out the role of the absent member of the family. This would mean that, under these circumstances, the counsellor might be able to get more involved than he might in ordinary group counselling or in a situation where everybody who is important in the family is present.

Limits have to be set. There has to be a basic understanding of what family counselling is all about - what the rules are. The counsellor has to do a lot more understanding, a lot more studying, of the family. He has to develop a greater understanding than in any type of individual situation because it is not only important to know what the problems of the family are as a group, but how much each member of the family contributes to and affects the problems. A member of the family may be directly responsible for the problem or maybe by his effect upon one of the other members, he is the responsible person, so that there might be pseudo relationships that have to be explored. The attempt to set goals based on a specific understanding of the problems has to be developed. Setting the limits in the same type of situation is as important as it would be in any type of group counselling.

One of the best ways that a family can show that it is no longer in need of counselling is when it feels it has to exclude the counsellor from its decisions. When the family starts to report that they have met certain decisions or that certain things were handled and the counsellor was not consulted - where they would bring a problem up and would discuss it prior to a session on their own - they are starting to show their own health and their own stability and the beginning of their independence. The counsellor then can start utilizing this to start breaking the dependency relationship that may have existed and terminate the sessions of the family counselling.

I would like now to return to a few of the comments that we were going through this afternoon in group counselling and then turn it over to discussion.

We are trying to bring attention to the process that is going on. One of the processes that the boys brought out was that of the way in which they dealt with their problems - either clamming up or withdrawing or acting out. Generally, in group behavior, we find the same thing - groups will deal with problems either by fight or by flight. This is a process that has to be dealt with directly by the counsellor. Of course, the same process occurs in a family counselling situation because the family may band together immediately, even though they are not united in terms of any real feelings - but they band together to fight the counsellor, to defeat the counsellor. In many group counselling situations, this is frequently the situation. The group may band together to fight the counsellor or run away from the counsellor by resistance, by not getting involved. When we see this, we sometimes feel that it is cohesion in the group or that something is happening that is good in the group, but if the basis for their getting together is to fight - fight the therapist, fight the counsellor, fight the process, or to resist, to run away from - then this has to be dealt with because this is really not affecting cohesion; it is just allowing the group to not have any real efforts towards utilizing their resources constructively.

Interpretation of resistance - resistance of any type or nature - or the resistance more specifically referred to as "fight or flight" must be done by the counsellor. The counsellor must always refuse to accept any responsibility for the group's using this particular technique. In other words, the group may try to blame him for being responsible for their not

moving or by blaming him in that he is the one that is causing some ill feelings and is making them tense and nervous and that this is why they are aggressive, etc. He has to deny that he is responsible, at least to himself, and try to point out that something in the group is probably responsible for this because, if he can accept the blame and allow the group to focus the blame on him, then they are not going to effectively utilize him. They are going to use him as somebody that they can rally against and they will not allow him to enter into the relationships that are established - interrelationships - and the counsellor won't be able to manipulate the group process.

We talked about some of the other functions of group counselling, such as reflecting the group attitude or group feeling or group interaction - trying to allow the members to see what is happening in the group and interpreting what it is about so that it is not only important to interpret what anybody is saying and trying to establish communication on this basis, but to help the group to understand what is happening among them as members. When the counsellor sees that there is a union developing, that there is a feeling of closeness, he has to let the group know that it is an indication of their moving together. When he sees that there is a splintering of the group, he has to deal with this because he is interpreting not only content but process - content in terms not only of what he sees, but what it means to him in terms of his specific goals.

Many times the counsellor is pushed into assuming responsibility for directing the activity of the group or for suggesting how the group is going to be able to function. He has to be able to do a little bit of this without getting himself pulled into the situation because, if he does come in and he does take over a leadership role to the extent that he denies any leadership potential from emerging out of the members of the group, he is not going to have any real group process going on. The group will never utilize their own resources. They will be dependent upon the counsellor; they will be frustrated by the counsellor using this particular role rather than tossing it back to the group.

Many times there is a need to restructure the group - to tell the group again and again why they are here, what the purpose of the group is, or if what they are doing is in keeping with the purpose of the group. Restructuring is an important process that has to be done periodically by the counsellor, not only because the group may move away, but because sometimes the group needs to be reminded of why they are together and what is happening to them in this particular process.

I mentioned something before about recognizing and utilizing catalysts for potential group leaders. Some individuals are natural leaders or emerging leaders - they will emerge on the basis of interaction and they can be used as catalysts. They can be used to help move the group. The counsellor can work with them or work through them - he can bring the group to solidifying, unifying, integrating, and, of course, moving, into this particular process.

Reviewing various processes and progresses of the group is an important thing to consider in dealing with any type of group counselling because the group has to know how well they are doing. In general, this covers the main areas that are assigned responsibilities for any group counsellor. We have tried to establish that group counselling is really a working process - a process which develops because the counsellor specifically recognizes his own role and then sets about carrying out that role through manipulation of

the group. The group is involved in a working process because they have to become involved with each other, they have to allow certain things to happen, if there is going to be any success as a result of this group counselling. They have to then keep the process moving.

Group counselling has specific goals which may be set by external administration or by the counsellor himself as the overall goals that have to be established so that the counsellor can be prepared to handle each session as a separate session. It might be well to point out that there is a continuity of processes among any of the sessions that has to be followed, but we don't expect that the group is going to be able to sustain any specific discussion from one group to another without some break in this particular process. Many times it is important to pick up where the group wants to start and then try to bring the group back to this continuity so that they can see a continuous relationship.

So much for the presentation. Let's turn into the discussion now.

S E S S I O N XII-A

Monday, November 25, 1968
7 to 9 P. M.

New Hampshire State Prison
Concord, New Hampshire

Meeting Chairman - Mr. Robert Lethbridge, Superintendent, Merrimack County
Farm and Home, Boscawen, New Hampshire

Speakers - Mr. Lars V. Hendrickson, Deputy Warden, Maine State Prison,
Thomaston, Maine
Reverend Robert Dutton, Protestant Chaplain, Massachusetts
Correctional Institution, Norfolk, Massachusetts

Roles of the Treatment Specialist in Corrections

Purpose and function of the specialists in corrections - psychologist, psychiatrist, chaplains, counsellors, teachers, therapists, and business managers. Their relation to custody and security. Medical and religious privileged communication in relation to administration.

Mr. Lars V. Hendrickson:

From the prospectus of this training project, my task is to talk to you about the purpose and function of the treatment specialists in corrections - psychologists, psychiatrists, chaplains, counsellors, teachers, therapists and business managers. We are to concern ourselves with their relation to custody and security as well as the questions of medical and religious privileged communication and relation to the administration.

No matter how we view the purpose and function of treatment specialists in correctional institutions, we are, in some respects, talking about people who are in such short supply as to be in some areas virtually non-existent. For this reason of shortage, it would seem that the role of the treatment specialist is not to treat the inmates, but to work directly, if you will, with institutional personnel. Because of the massive problem of behavior modification and the limited human resources available, the treatment specialist must necessarily bring his talents to bear in a consulting role with his fellow workers in corrections. The treatment specialist may be a consultant, but the effective treatment agent has to be the correctional officer, for he is the person who deals with the inmate on one level of human interaction or another for twenty-four hours a day, seven days of every week, of every month, of every year that the inmate spends in prison.

Of course, it is recognized that the traditional role of the officer is to guard the prisoner and the habitual pattern of the inmate is to try and beat him at his job. It is certainly true that this basic division in the purposes of officer and inmate undercuts all well-meaning attempts to have the officer assume a therapeutic role. The traditional barriers between officers and inmates based on the custodial responsibilities of the officers and the anti-social patterns of inmates are real problems. The wall that must be around a maximum security prison necessarily comes between the people who live in it and the people who work in it, but it can be bridged by projects and work in which there are common goals. Officers who work closely in concert with inmates, such as shop foremen or crew chiefs, who, together with these inmates, solve particular work problems, tend to develop the kind of relationships which are personal, intense and constructively

influential. If an officer with his personal commitment is able to involve the inmate in points of view outside of the inmate peer group (certainly the inmate peer group is the most intense group experience the inmate undergoes), the officer can serve a therapeutically corrective function. Paradoxically, this may be done only secondarily to the task at hand, which might be manufacturing license plates or cane bottom chairs. Of course, when the officer's responsibilities are primarily surveillance and custody, it does not seem that he can develop with an inmate such a community of purpose that would promote real interaction and constructive influence.

Most treatment and correctional institutions hold treatment as being done by so-called treatment specialists. I feel that enlarging the role of the correctional officer and redefining some of the qualities of treatment can bring the correctional officer into the process of treatment more clearly than he has participated before. The realistic needs of society to modify inmate attitudes, goals and behavior (and this is what treatment means) necessarily dictates that the correctional officer has to be enlisted as a treatment agent, in collaboration with the treatment specialists.

If we talk about the division between officer and inmate, which is traditional and perhaps inescapable, we can also frankly talk about the division between correctional officer and treatment specialist - the division between the screw and the egghead. This can be a real problem when the treatment specialist sees the custodial people as un-enlightened and repressive and the custodial people see the treatment specialists as impractical and permissive. It seems that these differences are more superficially apparent than basically real. It is necessary to hold the subject before he can be treated, whether this is a psychiatric patient, a criminal offender, or a chimpanzee with a flat foot. The reality of the situation is that custody and treatment are inevitably part of the same process and those correctional institutions serving the goals of community protection and inmate change. Most of the struggles that take place between custody and treatment are power struggles between individuals and have nothing to do with their respective beliefs, values or goals. It seems that if individuals act with integrity in regards to colleagues in other areas, these conflicts do not arise.

We all know that correctional work does not have the precision of a science, but it is approaching the status of a profession with a professional level of standards. A professional adheres to the notion that the individual human being has dignity and worth, not merely that he has a potentiality for improvement. A professional wants to increase human knowledge about his own area of work and protects the welfare of people in expending that knowledge. By this I mean he doesn't use inmates as guinea pigs. A professional does not allow his position or his relationships or his services to be used by himself or by others for purposes that don't jibe with the higher values which he seeks to serve. This means that a professional, bluntly, doesn't play politics, either with the institution or outside it, but does his job without a venal self-interest. A professional has the courage of his convictions and accepts the responsibilities that speaking his mind out entails. He says what he thinks and is able to back it up. A professional doesn't claim competence in areas of ignorance. That is, he doesn't try to control people or situations, processes or technical matters of which he is not informed. He recognizes his limitations and respects the competence of other people in their particular fields. A professional is objective, which means that he isn't personally involved in a selfish or egotistically committed way when he advances an opinion or initiates an action. This does not mean that a professional is a self-satisfied, morally superior individual who thinks, says and does no evil, but it does mean that he has standards by

which he must measure himself. Modesty, scientific and personal caution, and due regard for the limits of his own and human knowledge characterize the statements and actions of professionals who are committed to ethical standards.

Of course, the professional is concerned with the welfare of the persons or groups with whom he is working. If a professional engages in a therapeutic or counselling relationship with a prospective client, he informs the client of the important aspects that might characterize the relationship, specifically in terms of confidentiality. A professional respects the rights and reputation of the institute or organization or institution with which he is associated and this, of course, refers to correctional institutions as well. A professional has responsibilities to his clients as human beings which he must balance with; but not against his responsibilities to the organization for which he is working. To safeguard confidential information about an individual is an obligation. Information received in confidence, however, should be revealed when there is a question and a danger either to the individual or to society or to the institution. It should be revealed to appropriate professional workers and to institutional authorities. Discretion should be employed in relating intimate details about human beings and idle gossip should be avoided. Any undue invasion of individual privacy is anti-therapeutic, since sometimes unobjective people will be unable to accept unpleasant details about inmates' transgressions. Written notes on confidential matters should be kept secured by professionals who have a responsibility for the ultimate disposition of the records that they handle. It is important that inmates understand the nature of the confidentiality of relationship and the degree to which this confidentiality can be breached. It is important that inmates do not feel betrayed or informed on through the release of information of a personal nature and similarly, professional workers must not suppress in the interests of supposed confidentiality information which can be useful or critical from a custodial point of view. There are real differences among the different states with respect to privileged communication. In Maine, the inmate can invoke privileged communication to prevent testimony in a court action, in cases where psychologists are involved. Otherwise, psychologists are permitted to communicate their findings directly, irrespective of what has been said.

I have been in communication with several New England states in respect to privileged communication and will convey some of their policies.

In New Hampshire, "communications between psychologist and client are privileged." New Hampshire Revised Statutes Annotated 330-A:19. Presumably, client would include inmate. However, communications between physician and patient are not privileged. State v. Davis, 108 NH 45.

There is no clause or statute in New Hampshire on communications between clergymen and penitent. Presumably there are none because at common law there was none. Probably the question was raised rarely and in those rare cases, the Court was able to avoid the question. It would appear that such communications generally are considered privileged, even though the privilege is not provided by law.

There is no doubt but that communications to social workers, although confidential, are not privileged.

Under Connecticut statute, relative to contact between a psychiatrist and a patient, information obtained by the psychiatrist is confidential and is not to be disclosed unless authorized by the patient. In the past, the Attorney General of Connecticut has held that inmates of correctional insti-

tutions in this state are entitled to the benefits of pertinent statutes.

The extensive shortage of professionals in the mental health field is well documented. Corrections as a stepchild compared to mental health is likely to have continuing problems in recruiting psychiatrists, clinical psychologists and psychiatric social workers. The number of trained psychiatrists who are being turned out by the entire program of medical and psychiatric training is increasing only by minute increments. With the slow rate of growth that has been demonstrated elsewhere, we can expect to fall further and further behind, not only nationally, but particularly in the area of corrections. As far as clinical psychologists are concerned, we must look upon the existing manpower pool of these people as only a distant future potential source of added recruitment to the field of corrections, but cannot expect any immediate response to meet our very real needs. Similarly, psychiatric social workers are not being trained at a rate that would meet the needs of the entire country, not even considering what services should be offered in the field of corrections. One potential new source of personnel is the so-called older person. This is one source of manpower which will increase steadily as our population gets older and to which we will have to turn. Not only is life growing longer with the advances in our standards of living, but it is also growing healthier. Today, people are more active at 50 or 60 than they used to be at 30 or 40. We, therefore, have a vast number of healthy, really mature people who are retired or semi-retired and have behind them the successfully concluded experiences of child-rearing and a continuing experience of marriage. These people can bring to the study of living and correcting behavior the advantages of having lived and having guided others. Although our immediate manpower resources are limited, if we search creatively, we can find enormous potentials that are yet untapped. This is fairly realistic optimism, but it is fantasy if we ever expect that there will be sufficient numbers of medically trained psychiatrists or Ph.D. level psychologists or M.S.W. level social workers to meet the therapeutic counselling and re-educative needs of the clients of correctional institutions. Without lowering critical standards, one might also be made aware that it is an erroneous assumption that only the highly educated can deal successfully with people. The importance of character and the qualities of resourcefulness, moral courage, and personal reliability are matters which are of more significance perhaps than the elegance of course work in universities. But this is not to convey an anti-intellectual bias, since this would be alien to personal values, but to every thinking intellectual (and the term is not a redundant one, since not all intellectuals really think) there is a crisis of relevance when one is faced with the real problems of human significance, i.e., fundamental behavior change and the expectation of the hope that one could deliver anything of significance above and beyond a palliative measure and a cathartic release for the person in the counselling process.

For it is counselling which is the common process through which all the treatment specialists converge on the individual inmate, each in his own fashion. There are many definitions of counselling, but it is usually seen as a relationship in which one person tries to help another come to some understanding of his problems in order to find a solution to them. It is different from advice or admonition in that it involves a mutual consent or a motivation, at least on the side of the person being helped, and, of course, on the side of the person offering the help. In a sense, counselling involves the one-to-one or the group relationships developed between inmates and personnel. Counselling in practice ranges from crisis intervention, in which there is an attempt to deal with a specific personal problem, to more long-range efforts at increasing self-understanding in maturity within the context of the relationship. Counselling is obviously part of the professional bag of tricks of the psychiatrist and the psychologist and the social worker, but

it is also very much a part of the teacher's work and also the work supervisor and the group supervisor. In any institution the work supervisor and, to some degree, the officers involved in housing arrangements, have an extensive contact with inmates and exert influences which can be properly called counselling, even though in the performance of everyday job functions, the counselling might be done quite informally or even casually. Normally, counselling takes place in a voluntary situation for the offender, but there are some institutions which use group counselling of a mandatory kind, particularly in Patuxent in Maryland. Institutions can make productive use of a program of counselling which employs educational, custodial, industrial and other operational personnel in this capacity to provide individual attention for inmates. There is a considerable untapped potential in large numbers of institutional workers who can have a major impact on relieving inmate tensions and contributing to ultimate social readjustment of offenders. The most effective informal counselling consists of intelligent and harmonious reviews of the personal relationships between staff and inmates in the operation of day-to-day assignments in the institution. In every correctional institution there are a few personnel who are natural counsellors and have a considerable influence on individual inmates and who may develop an interest. This individual counselling effort should be supported and provision made for consultations with staff who have undertaken individual counselling relationships.

Another individual who is, of course, directly involved in the counselling process is the vocational counsellor who has a technical specialty within the general counselling field relating to occupations, vocational potentials, aptitudes and interests and conditions of employability in the community. This type of resource person is particularly useful in the initial classification study of the inmate and can contribute to his effective assignment in training in the institution.

Another professional who can make a contribution in perhaps larger institutions is the librarian, whose counselling in the area of biblio-therapy can be a meaningful contribution, despite this jaw-breaking word for helping people by giving them reading assignments.

What are some of the characteristics of the counselling relationship that correctional workers of any category should be familiar with? To begin with, people differ both in their need for counselling and their capability of profit from it. Some people are not capable of getting close enough to others to open up, either emotionally or intellectually, and cannot talk about their problems in any kind of contact that requires a degree of psychological closeness. In addition, despite the fact that the majority of offenders are people who are over-assertive, they generally think of counselling as something being done for them, rather than with them. These passive expectations are not unusual misconceptions about counselling, but dealing with them are part of the initial problem of orientation that the counsellor has to clarify in the process. People undertaking counselling don't normally expect to make any major changes in their ideas about themselves (self-concept) and, in this connection, don't normally want to give up their usual modes of approaching and enjoying the environment. To this degree, of course, there is an in-built resistance to behavior modification. Most people who will enter counselling think it is a basically informational process in which they will learn more about themselves and their capabilities and defects, but little understanding that a personal re-orientation has to take place with the context of the relationship. Whatever optimistic and humane values we may hold, we have to recognize that there is an undetermined but irreducible percentage of inmates in correctional settings who may have requested counselling or who are sent for counselling on the basis of obvious needs who, nevertheless, either lack

the necessary motivation for any sustained counselling or have character disorders that preclude fundamental success. People have different kinds of problems that require different kinds of help and counselling isn't always the treatment solution. Progress, of course, could be made with people independent of any formal counselling relationship. In this connection, there are serious problems of communication when there is a marked discrepancy between the counsellee and the counsellor in terms of socioeconomic or socio-cultural levels. These discrepancies can contribute to insurmountable or unbridgable gulfs between the inmate and the people who are trying to work with him.

There has been a great deal of discussion in recent literature about total institutions, such as correctional institutions, as being tradition-bound, authoritarian settings which tend to deny the value of the individual and value conformity in the status quo and, thereby, create situations in which individual growth would be stifled - in which innovations and individuality and initiative would be unencouraged. In this fashion, it has been implied that correctional institutions are anti-therapeutic in their atmosphere and that to create a therapeutic milieu or setting it is necessary to change the atmosphere of these institutions. This may be true for certain types of individuals, but the problem which most inmates have is behavior control in a responsible fashion and it seems that many of them, in fact, seek out situations which furnish external controls for them; the most significant type of situation, of course, being the prison community, which provides not only the discipline of the administration's authority, but also the controls which are imposed by the inmate peer group.

This paradoxical need of criminals for structure is only evidence of the anxiety which many offenders' outwardly cool and casual exterior seeks to deny. The obvious resentment of authority in the community and in the institution reflect a concept of the world as a hostile one. As you surely have become aware, inmates are very sensitive to expressed and particularly unexpressed hostility. The hostile and self-defacing picture the inmate has of himself comes from many sources, but its expression can only be ameliorated through corrective, emotional, and intellectual experience that can modify his outlook. The development of self-respect calls for developing the conception of one's self as a worthwhile human being in a setting where respect for people is demonstrated externally without necessarily indulging individuals in their whims. The treatment goal of every correctional institution and every correctional officer should be to alter the inmate's self-concepts of rejection and hostility through a compassionate but unsentimental, committed but objective, creative but judicious, relationship with inmates. Correctional staff must like people to reach inmates. They need drive, enthusiasm, confidence, and, furthermore, patience, since correctional workers have to wait long and settle for small gains and few thanks from their inmate clients.

Reverend Robert Dutton:

I thought you might like to hear about some things that we have had a chance to do - some things that I would say go right into this massive problem of behavior modification with limited resources.

We have not been able to mobilize some resources from the churches and it has just recently grown; we never planned it that way because I went into the institution eleven years ago as a chaplain to do normally what I would expect a chaplain to do - to minister to individuals - and now I have become more of a dispatcher, a kind of organizer. I think of myself as an enabler to bring the institution and the community together. I come here certainly now realizing that I am just one person on a team and that we do hammer out

our gains very, very slowly. Nobody has all the answers.

Norfolk was started about forty years ago. I had the advantage when I went there eleven years ago in that, as a student for the ministry, I had a quarter of clinical training at Norfolk. At that time, in 1935, I got to know an inmate very well who was about my own age and I followed him for about nine more years. At the end of nineteen years in Massachusetts institutions, he was released to his mother in New Hampshire, but spent the first week with my wife and I in 1944. So my wife met this man in 1944 when he came to our house after nineteen years in Massachusetts institutions.

The institution's purpose for using the resources of the churches in this non-sectarian, people-to-people program started as Protestant and eventually became non-sectarian. We used to meet nine times a month. We now meet in general session five times a month and we have a more sophisticated program in which the same inmates and the same outmates meet twice a month - sometimes they go four Tuesdays together. Then we have a long Saturday afternoon for another group. They just sit and talk over various humane concerns. We call it social education. I suppose that it has its group psychotherapy aspect, but it really isn't that - it is just people getting together, sharing. This is an inside-outside follow through. I had to learn the hard way in some of this. We work under supervision and this supervision gets fairly close sometimes in what we do with our outmates. We have to have some financial support to come along on this.

It is a massive problem. What do you do? How do you reach people who have been so thoroughly damaged? I was telling some people who came in the other night that these are inmates and these are some of their deep problems. "What do you do about it?", said one of the young ministers. I said, "That is where you come in. It may be that you can reach the person that won't listen to one of us and there aren't enough of us to go around." At Norfolk we bring in the outsiders, some of whom have been with us for years, and they sit down and meet in small groups. They get to know inmates and then the inmates go out and the outsiders continue to know these men after they are released. What an exciting thing for the inmates to have this response from the community! It has been an exciting experience for our outmates, also.

Just today I picked up this book called "The Secular Congregation", written by a man named Robert Raines, a Methodist minister in the Philadelphia area. One of the strange coincidences of life - I had a letter saying that our fellowship program was mentioned in this book. I had had no contact with this man Raines, but I wanted to get the book and I had a chance to today and here is a quotation from it: "What a difficult thing it often is to utter the name of Jesus Christ in the presence even of a brother. There is a clue to the answer for our question. In a remarkable program that is being carried out at the Massachusetts Correctional Institution, Norfolk, (this program where he mentions that we do these things) one of the outmates writes, 'Our interest is not on conversion in the old sense, but honest fellowship with men on the bottom of the social totem pole.' For those outmates who become involved, the strange thing is that they begin to find the meaning of the New Testament in prison, rather than on the outside, and for those whose lives have been non-Christian, rather than with the righteous ones."

We have something that is working. People in churches can be found to do this thing if you set it up right and work hard enough at it. You have to look hard at it because we figure statistically that we process about 100 outmates from the churches through our program of orientation - coming to meetings - to get ten who will stay with us on a regular basis. It is

a little more glamorous to come inside the institution and visit than it is to do the hard work of following through on the outside bit after bit. Lay people come in from the community and minister in a people-to-people, non-sectarian program in which the man who has been troubled in life, who got in trouble because he has difficulty in his personal relationships, has to change to relate to people who are a little more healthy. I figured that I have available today, as directing this enterprise, about 100 hours of volunteer service a month, which is a very considerable thing. This we put to work. It has been a very exciting development. It is a very challenging thing and sometimes outreaches us. I have four ministers accredited as assistant chaplains on a volunteer basis and the state has given me a social worker who spends half time with the counselling service and half time under my direction.

Questions of confidentiality among our own staff come up. We have said on this matter to our inmates, "Don't tell an outmate anything you don't want the chaplain to know." Chaplains come in - they are assistants; they are volunteers. Do they have the right to the confidentiality with the inmate that doesn't extend to me? We have looked into this and the same thing is true with the social worker. This is just within our own framework. I have come to see that we have got to lay this on the line very clearly. I am saying to these assistant chaplains, "Don't accept the burden of confidentiality being placed upon you. For one thing, we need to be able to discuss these matters. We have to, for protection of the inmate. For another thing, you will easily be conned because the inmate will come to you and say, 'Reverend, the chaplain is a pretty awful guy and you certainly understand better than the chaplain does.' Then he is going to be conned and then we can't do business and the fella, if he has a problem, can't talk to me. Probably it is a problem in his relationships with people that needs to be faced." This is one of the questions on confidentiality that we have to deal with. In terms of my own experiences with confidentiality, it has not come up. Nobody has ever put any pressure on me. It is a sort of respect for the clergy. I try to understand the problems of the administrator; I share things with him and I haven't gotten into any problems that way. Sometimes we have problems with inmate clerks. I think that, in the religious role of the minister in the institution, one of the most important relationships is that with the inmate clerk. When I started my job at Norfolk, I got some of my guidance in that institution from an inmate clerk. This is one of the things that a chaplain does. We have problems because we have to work with a staff - I have four men assigned to me on a full time basis just to keep the machinery of these things going. This creates some problems, too. I think I do understand the problems of the officers, too, and I might say a word about this because you might be concerned, when we bring three dozen inmates in when we are having all this from the outside - what about the question of supervision? You couldn't run a program like this if you had an officer sitting in on every meeting. We have done it very slowly and because we have done it very slowly, there have been no difficulties with it.

Sometimes the program gets too big for us. Recently we tried something in a massive sort of way with a man who was very talented, who could earn a good living in many different fields. I will read a couple of sentences from a letter that he wrote, dated November 20th. But before I do that, let me tell you a little something about him. He has had four felony convictions. He had four when he went out full time the last time and we put him in a community and appointed at least a half a dozen people to be his guides, to work with him closely. He couldn't stay out of trouble. For one thing, he got behind about \$1,500 in the first year he was out and he couldn't keep away from a certain place. That eventually got him in trouble. After he had been out a year, although he hadn't done that well, it was the longest he had been out in a long time. They threw a party for him at the home of

a woman where he had arranged for an apartment. There was a little cake with a little candle on it - one year out. He left in a taxi to go to the next town. He was compelled to get there. It wasn't very long later that the mother, the woman he was going to see, got her daughter to come in and testify that he had molested her. He was arrested and brought to court. I saw him after his preliminary questioning. I said, "Carl, if you get convicted of this, wouldn't you think the world is against you?" And I said this in the presence of one of the outmates that was working with him. "You may be innocent of this, but you asked for it." He was somehow compelled to get into this situation. This guy was very talented, but very bull headed; you just couldn't get to him. Even to get him to take a job when he went out, instead of starting a business on \$200 capital was very tough. This letter came from the House of Correction in New Bedford just after he had been sentenced and with four felony convictions, he got a two and a half to three year sentence. Our Deputy Superintendent said, "I think maybe the judge had some doubts. He could have been framed; I don't know."

In his letter, the offender said, "I would like to go back to Norfolk as soon as possible to get some obviously needed help. You can help me. Maybe in time you can work some sense into this head of mine." And that is apparently what he feels now that he is able to do at this point. Whether he will be well after he has been in for a few weeks I don't know, but this is the thing you have to do. Wait and wait and stay with it and wait some more. And don't give up.

S E S S I O N XII-B

Monday, November 25, 1968
2 to 4 P. M.
and
6 to 8 P. M.

Highway Hotel
Concord, New Hampshire

Meeting Chairman - Mr. L. Wendell Knight, Jr., United States Probation
Officer, Concord, New Hampshire

Speaker - Mr. John Manson, United States Probation Officer, New Haven,
Connecticut

Investigation Techniques

How to go about an investigation. What to look for. How to gather
information. Use of available community resources.

Mr. John Manson:

The value of a pre-sentence report to all courts in the United States has been amply demonstrated time and time again. There is little doubt that this sentencing tool has taken on common use since it was first established by the court as a report for its own use. I think that one of the major reasons that it has taken on such common use is this very feature of it. When the report was first used, and for the first many years of its use, its sole purpose was as a report to go to the judge - only to the judge - as a sentencing tool; not to the prisons, not to the reformatories, not to the attorneys, not to anyone else. Later, the use of the report was expanded when many of the courts forwarded the pre-sentence reports to the penal institutions. In more recent years, with the courts' increasing concern with the protection of the defendant's rights, there has been a tendency towards revealing some or all of the information contained in the report to defense counsel and to defendant. While a large majority of the work in probation holds for maintaining the confidentiality of the report to the extent that it is seen only by the court and the penal institution, it would definitely appear that the trend of making the pre-sentence report available to the defendant will continue.

A probation officer often frames his objectives to loosening the confidentiality of the report in terms of his desire to protect the dignity of the defendant, citing the harm to the self-esteem of the defendant which occurs when the pre-sentence report is a public record, as it is in several states. Of at least equal concern, however, is the desire of the probation officer to protect himself against challenges by the defense counsel - challenges which he rarely has the opportunity to answer. In addition, the probation officer often cites his concern over maintaining open avenues of information from community sources. In actual practice, there are almost as many variations of disclosures of pre-sentence material as there are states in the union. In the federal courts, the degree of disclosure is left to the discretion of each court district. In many districts that report is seen only by the sentencing judge. In others, the report is read aloud in court. The degree of confidentiality often has a direct influence on the tone and content of the pre-sentence report.

The story comes to mind of a defendant who was convicted in the federal court in which I was stationed. He had recently entered the state court in the same city on another offense and had been convicted there. In the federal court in my former district, the pre-sentence report is seen by the judge, and only by the judge. The prosecuting attorney does not see it; defense counsel does not see it, as such. In the state court, just down the block, the pre-sentence report was seen by both the state's attorney and the defense counsel; in fact, it was a standard practice that when the probation officer dictates his report, it is typed up and copies are mailed to defense counsel and to the state's attorney. Here we had a defendant who had recently been convicted in a state court; a week later he came into our court and a pre-sentence report was ordered. This has a very interesting effect on the type of pre-sentence report that the probation officer puts together because the lawyer who had handled this particular defendant had also handled him in the state court. He went to the judge and suggested to the judge that the federal court adopt the pre-sentence report that the state court had used. And he did this with very good reason. The individual on whom this report was prepared was the most notorious racketeer in the New Haven area. His name was synonymous with union bribery and this type of thing. I knew it - our federal judge, who was from the Stamford area, didn't know it. But, on the other hand, there was very, very little that the probation officer or anyone else could document about this individual, although his reputation was notorious. It was all in the area of police feeling and community feeling as to why this person was notorious. As a result, the probation officer in the state court just couldn't get it down on paper; he just didn't want to be challenged by the defense counsel in the state court. At any rate, when the federal judge asked me what I thought about the idea of adopting the state report, I suggested that we go ahead and do our regular pre-sentence report and then I would also get a copy of the state probation officer's report so that he would have both to compare. I did this for good reason. We had been toying with the idea that the defense counsel, the county bar association, and the state bar association, had been trying for some time to get us to loosen up on the confidentiality of our reports. At any rate, I completed my report, showed the judge the pre-sentence report from the state court, and heard nothing about it until after sentencing, when I got a little cryptic note from the judge saying that it just couldn't be the same individual. And, of course, the reason for it being that the defense counsel did not peruse my report; I could get community feeling, I could get police opinion, I did not have to be cautious about saying that this was a notorious individual.

Of course, there are some drawbacks to this that you all know about. What then is the best procedure to follow in making pre-sentence disclosures to individuals and institutions other than the court? A good case can be made for maintaining strict confidentiality. There is no doubt that the trend towards liberalization of disclosure will continue. The defense counsel should have a general idea of the contents of the report. This information can probably best be given in conference with the probation officer prior to sentencing. However, in order that community sources of information will not be jeopardized, the attorney should not have access to the names of individuals interviewed by the probation officer. In effect, the defense attorney should probably have access to all of the objective material contained in the report.

The evaluative remarks of the probation officer, which are usually made in the closing summary, and the probation officer's recommendation, if he is asked to make one, are directed specifically to the court. There are

no questions of fact involved. It necessarily follows that the attorney should not have access to this type of valuative material.

During the attorney's conference with the probation officer, he should be cautioned about the public or even private use of information made in the report which offends the dignity of the defendant, violates the confidence of psychiatric, psychological or social agencies, or makes known personal information of which the defendant has no knowledge, such as birth out of wedlock, infidelity of his wife, etc.

So where do we start? The opportunity to begin compiling pre-sentence information often begins during the initial contact with the defendant and his attorney after the defendant's guilt has been established by the court. Too often, however, the attorney is not invited to provide information which he has on the background and the present circumstances of his client. To overlook or fail to encourage the defense counsel to provide such information eliminates a valuable informational source which can prove to be embarrassing to the probation officer if, at the time of sentencing, the defense attorney presents information to the court which the probation officer did not develop during the course of his investigation. Defense attorneys can be encouraged to provide information to the probation department through more formal but equally productive means.

Several months ago the chief judge of the federal court in the district to which I was assigned organized a seminar on criminal justice procedure for the benefit of the attorneys in the district. He gave a unit on pre-sentence procedure, covering the work of the probation officer from plea to disposition. Attorneys in the audience were made aware of what information was particularly essential in preparing the report. Attorneys were urged to make arrangements to discuss their clients with the probation officer prior to sentencing. There was a resultant substantial increase in defense counsel - probation officer conferences. It is particularly important to get this kind of information to newly appointed members of the bar. Often this can be done in written form at a time most appropriate in the career of the attorney. Several years ago I authored an article in the "Connecticut Bar Journal" which examined the relationship between probation officer and defense counsel. While the information in the article got to the existing members of the state bar, it was relatively inaccessible to new members. It was decided to mail reprints of the article, along with a congratulatory message, to each group of newly admitted attorneys. This was found to be a highly successful public relations device as well as an information giving one.

The prosecuting attorney is usually contacted prior to interviewing the defendant in order to have available beforehand the circumstances of the offense and some idea of the extent and nature of the defendant's prior criminal record. Too often, however, the prosecuting agency prefers to make available a brief statement of the offense. While this is adequate in that it provides the essential elements of the offense, it focuses on the evidential details which enable prosecution and conviction and rarely provides any insight into the way in which the crime is a part of the total picture of the defendant. Ideally, the probation officer should have access to the entire file of the prosecutor, including the defendant's statement. Only when he has this can he provide the court with a statement of the offense which gives the devil his due, including any mitigating circumstances connected with his participation in the offense, providing information to the court on the extent of his cooperation with arresting and prosecuting authorities, citing the relative complicity of the co-defendants, and, when

co-defendants have already been sentenced, giving the sentence which they received. In addition, the experienced probation officer is familiar with the leads and social background often contained in reports of the prosecuting agency.

DEFENDANT

The most important interview the probation officer conducts is with the defendant, not only because of the range and depth of social and attitudinal factors which are developed from the interview, but also because it can be a crucial initial step in the treatment process. Too often, unfortunately, we forget that, in many instances, especially with the juvenile and youthful offender, the pre-sentence contact is the first significant contact the defendant has had with a professional correctional worker. The impression of the probation officer which is left with the defendant can be long-standing. While the probation officer should present himself as an individual who, while understanding individual differences and personality strengths which make some more susceptible to crime than others, does not leave the impression that he condones the anti-social acts of the defendant. If the probation officer does not sincerely regard the defendant as a person of some dignity, it is likely that his attitude will come through no matter what he says to the defendant.

Many of us in corrections should seriously re-examine our prejudices in relation to the professional role which we take. I recall with quite a bit of embarrassment an incident which happened not too long ago - maybe six or seven months ago - and I hate to admit this, but this happened with a fellow federal probation officer. One day I was at one of our then county jails and one of the correctional officers approached me and said, "I am very much surprised at what happened with one of your associates the other day." I asked him what had happened. He said, "Remember last week sometime we had an incident where a dozen inmates waiting sentence jumped on a guard and darn near tore his back apart and one or two other inmates came to his defense and pulled these fellows off and saved him of pretty serious, even fatal injury?" I said yes, that I remembered that very well. He said, "Well, this federal prisoner whose pre-sentence report is being worked on now by one of your associates --- the probation officer was here for something else the other day and I brought to his attention the fact that this particular defendant was probably instrumental in saving one of my fellow guards from being seriously injured or killed. I wanted him to put it in the pre-sentence report to give whatever credit this fellow should get. And what did he say to me but, 'No, I am not going to put it in the report'." And the reason I gave was this: This probation officer's bias must have been a pretty deep and a pretty strong one. This particular defendant had informed on one of his co-defendants, which made him an informer or a "stool pigeon". And the reason that the probation officer gave to the guard whose fellow guard probably had his life saved by this fellow is that he just didn't like "stool pigeons" and he wasn't going to put that particular information in his report - he was keeping this type of information, which was pretty important, from the judge because of his own personal bias as it concerns informers. It didn't happen twenty years ago - it happened six months ago.

It is important that the defendant is advised in detail of the purpose of the pre-sentence report and the function of the probation officer in the process. The probation officer should honestly set forth his role and method of operation in the sentencing process and should avoid setting traps which he springs on the defendant during the interview. It is unrealistic to expect

the defendant to bare his soul to the probation officer during the relatively brief contact which he has with the defendant while making the pre-sentence investigation. Too often, however, we expect the defendant to offer us confidential information which is more appropriate to an advanced therapeutic setting where the relationship is voluntary in nature. While the defendant should be given credit for an honest, candid evaluation of his own limitations, it does not necessarily follow that the probation officer should dramatically point up in his report the distortions of biographical material presented by the defendant. Aside from the basic statistical material, there are no clear-cut facts which make up the social history of the client. All is relative to the perception of the individual experiencing life situations. More often than not, it is the experienced, manipulative offender who tells it to the probation officer the way he knows the probation officer would like to hear it. Be fully aware that much of what he tells the probation officer is or will be documented anyhow. We must remember that the statements made by the defendant to the probation officer are not Sunday School recitals. The probation officer is a stranger whose function will have an important bearing on whether the defendant is released or imprisoned. Under these circumstances, shouldn't we expect that much of what the defendant tells us will be self-serving?

The probation officer's contact with the defendant is generally the most important assessment tool in the pre-sentence work. From these contacts we not only obtain the necessary biographical material, but also have the opportunity to assess personality strengths and weaknesses which help us to attempt to predict future behavior. Rarely if ever can the probation officer feel comfortable dictating his report without re-interviewing a defendant. The second interview enables the defendant to clarify and explain information obtained from other sources which may be in conflict with the information provided by the defendant. The second interview may help the probation officer to resolve any differences or to lend proper weight to them in his evaluation of the defendant.

COMMUNITY INVESTIGATION

Rather than discuss in detail the entire panorama of community investigation, I will make a few comments of particular significance. The first concerns the defendant's prior record of arrest. Too often we continue to see pre-sentence reports where this section, covering previous criminal record, is obviously nothing more than a verbatim copy of an F.B.I. or state police arrest sheet. The judge that reads such a report must attempt to decipher abbreviations of offenses with which he is rarely familiar. He reads through various entries of army enlistment or fingerprinting for federal employment. Often as many as three or four entries apply to a single conviction. How can we justify subjecting a judge to such shoddy material as this? While a rap sheet in effect overstates a defendant's record of conviction, at the same time it rarely tells the whole story of his previous difficulty with the law. In order to obtain this story, it is necessary to check local police records in each town of defendant's residence during his adult and young adult lifetime. Especially in the case of youthful offenders, it is often necessary to go beyond this point. By going to the local police departments, we are able to secure for the court a narrative of each prior offense. To tell the court that the defendant has a prior record, including a crime such as conspiracy, is to tell the court nothing at all about the nature of his prior conviction. A careful presentation of the defendant's arrest record is particularly important for the advent and increasing use of treatment sentences - practices which enable the court to commit certain offenders, such as drug dependent people and alcoholics, to institutions staffed and programmed to offer special treatment. Eligibility for commit-

ment to treatment programs of this kind is often denied to defendants with prior records of felony convictions or convictions of crimes of violence. In such cases it is particularly important that the investigation develop in detail the extent and nature of the defendant's prior record of conviction. Unless this is done, questions arise at the time of disposition of the case which often results into a continuation of the case until such time as the court has available the necessary information which enables the court to determine whether or not a given defendant is eligible for commitment in these cases.

The use of standardized forms to obtain information from community sources has taken on increased use in recent years. By using forms such as these, a stenographer in a probation office can elicit information from the school, from the armed forces, from several prior employers, with one run of the typewriter. These specially designed forms are time-saving and convenient to use and the use of such forms is justified, especially when forms elicit impersonal information such as military records and prior employment in the distant past. Of course, the danger with the use of such forms is that the probation officer, attempting to meet an imminent deadline for his report, will utilize such forms in place of personal interviews which are necessary. Perhaps the best practice is to use such forms only to secure information from distant past sources; in effect, using the forms as a sounding board to be followed up by personal interview when there is an indication, after evaluating the response, that the contributor can offer additional valuable, insightful information through a personal interview.

THE EVALUATING PERSONALITY
INTELLECTUAL AND EMOTIONAL COMPONENTS

Usually the probation officer will provide substantial information in his report covering the defendant's intellectual and emotional makeup when there are psychological and psychiatric summaries available from which he can draw his information. However, when there is no information of this nature available, this section of the probation officer's report often says little more than the fact that there has been a psychiatric referral or a psychological testing. While the court cannot expect a comprehensive psychological evaluation of the defendant in the absence of professional diagnostic facilities, the probation officer should appraise personality factors within the limitations of his training by covering the following material based on his interviews with the defendant and information supplied by community sources:

- 1) An Assessment of Intellectual Resources and the Degree to which the Defendant Utilizes his Abilities - This would include a rough assessment of intellectual ability, assessing this through defendant's vocabulary level, his general mode of communication, and from an analysis of the degree to which he has been able to successfully handle jobs in a project requiring particular abilities.
- 2) Mode of Handling Affect - Does the defendant's life still reflect impulsive acting out of emotions, or does it suggest that he is able to control and defend?
- 3) What Major Defenses does he utilize and how adequate are these defenses?
- 4) Self-Concept - How does the defendant perceive himself as against what he would like to be? How do others perceive the defendant?

- 5) Interpersonal Relationships - The degree to which the defendant is able to form close personal relationships, the role taken in relationships with others. For example - Is he passive? Is he domineering? Does he seek the center of attention?
- 6) And finally, the Evaluative Summary and Recommendation - The importance of the evaluative section of the report cannot be overstated. While it may be considered by some to be an overstatement of fact, it is safe to say that the objective gathering and recording of personal data is a task which could be readily handled by a probation clerk. The training and experience of the probation officer enables him to glean the evaluative material from objective information and from self-analysis of the defendant which assists the court in determination of sentence. To do less is to assume the role of probation officer under false pretenses. In terms of format, the evaluative summaries should take the form of a summarization and a statement or two of each of the most significant sections of the report as they apply to a given defendant. This is followed by the drawing together of a composite picture of the defendant from the statements. This evaluative should give the court some insight which, in effect, attempts to predict future behavior of the defendant.

The problem of recommendation of sentence is directly related to the attitude of the sentencing judge as it concerns the recommendation. Some judges strongly resent and will make it quite clear to the probation officer that they are not interested in recommendations. This is understandable in jurisdictions where the pre-sentence report is available to the defendant and his attorney. In such instances, if the recommendation is not followed by the court, the judge is placed in a position wherein he is in disagreement with his expert on sentencing - the probation officer - and may feel that he must take extra pains to justify his sentence. On the other hand, the court may well feel that the probation officer is put at a disadvantage in his relationship with the client when the probation officer recommends commitment and the court, for whatever reason, utilizes probation instead. The recommendation is, in effect, the gist of the purpose of the report and should be included in the report unless the sentencing judge expressly forbids it. Often the experienced probation officer develops an objective feel about the ability of a given defendant to function under a probation framework which is not necessarily consistent with the social history of the defendant. The court should have the benefit of this second sense. This is not to say, however, that the recommendation should not also be supported with valid arguments or that the probation officer should feel resentful if his recommendation is not followed. In these days of varied and complex sentencing alternatives, it is particularly important that the probation officer call to the court's attention a given sentence which is particularly appropriate with a given defendant. The probation officer who deals exclusively with the criminal offender often is more familiar with sentencing alternatives than is the judge who may devote a small percentage of his duties as a jurist on criminal matters.

The pre-sentence report is probably the most significant development in the disposition of criminal cases since the work of John Augustus. Its use by the court continues to increase throughout the country. Many judges con-

sider it an indispensable part of the sentencing process. However, it is only as good a sentencing tool as the officer who prepares it. As such, it deserves the very best effort from all of us.

And that is what I call real timing, because I've finished!

S E S S I O N XIII

Wednesday, December 4, 1968
7 to 9 p.m.

New Hampshire Industrial School
Manchester, New Hampshire

Meeting Chairman -- Parker L. Hancock, Warden, New Hampshire State Prison

Speaker -- Dr. Robert Levinson, Federal Bureau of Prisons, Washington, D. C.

How to Handle the Offender Including the Difficult Offender

How to handle the offender keeping in mind to avoid making him a difficult offender. Discussion regarding some types of problem offenders encountered in correctional work with some reference to various types listed in the Correctional Officers Training Guide; examples are the indifferent, nervous, hot tempered, aggressive, shy, etc.

Dr. Robert Levinson - A number of years ago there was a famous shipwreck case which involved a badly overloaded lifeboat. It was clear that all lives would be lost unless some were sacrificed; the crew member cast the surplus passengers overboard. When the survivors were rescued, the members of the crew were indicted for murder and were convicted--though their sentence was relatively light. Judge Cardozo, commenting upon the case, said: "There is no law of human jettison."

While this may well be the view in many areas of life, society--seemingly--has declared differently in the case of corrections. That we in corrections deal with society's rejects is a well established fact. This, coupled with the limited resources which this same society makes available to the correctional worker, suggests to me that we are indeed dealing with human jetsam.

The purpose of this talk is not to decry corrections lack of resources--though this is clearly the case. Rather, the opening account is illustrative of the type of individuals we cope with as part of the daily routine. How we deal with these people, and the degree of success of our efforts, is the focus of this evening's discussion.

If one looks back in history, philosophers, theologians, jurists, teachers, scientists, medicine men and tribal chiefs have struggled with the problem of dealing with those who violate tribal code or civil law. Millions of individuals have been pilloried, exiled, branded, tortured, imprisoned, or executed--all in the name of punishment, retribution, deterrence; all in the hopes of achieving penitence, conformity, and morality in those who violated contemporary standards.

These have all failed. This is attested to not only by the current public concern about the problem of crime and delinquency, but by the very title of our meeting here tonight.

When someone breaks one of society's laws, we throw them in jail. When someone in prison breaks one of the rules, we throw them in segregation. It would appear that the only method we have to change unacceptable behavior is punishment--in the form of some type of deprivation. I suggest you that just as depriving an individual of his freedom has failed to solve society's crime problem, deprivation of privileges fails as an answer to rule violation in prison.

Now I don't think, if we each examine our own experiences, that this should come as a surprise to anyone who has worked for any length of time in the corrections field. If you work in any institution, you soon come to know that there is a certain segment of the population which is forever appearing before the Adjustment Committee or Disciplinary Court. Time after time the same men appear over and over again. We say to ourselves, these so-and-so's just don't learn from experience. Well the fact is, when we engage in this sort of a game with the inmates, we aren't learning from experience either!

If every month the same prisoners are disciplined, then it is evident that the approach being taken isn't working. I sometimes think we persist in using this deprivation approach (1) because we hope it will work--if a week "in the hole" doesn't do the job, maybe two weeks will straighten out the difficult-to-manage inmate; or (2) because we don't see any other alternative.

I think there are other alternatives; other approaches which research has demonstrated do work. Before discussing these alternative approaches, there are two points I would like to make--and these are related to each other.

First, I want to make clear that what I am suggesting is not the answer. This is not the case. I seriously doubt that there is any one solution which will work for every one. Perhaps it is this search for a panacea, for a single all-inclusive solution, which has led to past discouragement when new program ideas have been attempted. Someone has wisely said, what we may be doing is applying effective programs to the wrong people.

For example, take group counseling. A number of correctional systems across the country have invested heavily in this type of program. In particular, the direction has been using correctional officers as the treatment agents. Generally, what has happened is that someone at an institution has tried this treatment approach on a small scale and it seemed to work. If group counseling is good for this group, then it should be good for everyone--right? Wrong! Just because an elephant grows large and strong by eating hay, doesn't mean this type of food will have the same effect on a mouse.

And this leads to the second general point, just as all animals are not the same, all prisoners are not the same. Not only do inmates commit different offenses and have different backgrounds, but they also have different personalities. You all know the "square Johns", the "dukes", the "lames", the "dings" and the host of other labels that get attached to particular inmates. At least one of the problems with this kind of typology is that after an inmate has been labeled, you still don't know what is the best way to try to help this individual. You may have a better idea of what kind of behavior to expect from the man, but this really isn't our job.

If we are only interested in anticipating what kind of deviant behavior a prisoner may display, then we are in the custodial business. Our primary interest becomes running a smooth operation. Trying to keep the lid on. In this type institution decisions are based in large measure on what's the easiest and most effective procedure from the point of view of the management.

Rather than the custodial business, I think we are in the corrections business; that we are in the people changing business. And decisions should, in the main, be based on what are the most effective techniques to bring about modifications in behavior.

For the purposes of emphasis, I have discussed these two points of view as if they were separate, but as you well know, there is considerable overlap. Certainly you can't hope to correct a prisoner if he isn't around. So custody enters into corrections. The other side of the coin is also valid. If your primary interest is confinement-warehousing prisoners--then you can expect to achieve little in the direction of correcting offenders.

Well, this has been a rather long preamble to get into the discussion material for tonight. I don't apologize for the foregoing, however; because I think it demonstrates the complexity of the subject matter.

The approach for handling the offender, or the difficult offender, which I offer for your consideration is not new. Taken in its several parts, it's the kind of thing that some of you do some of the time with some of the inmates. If there is any part of it which is innovative, it is the putting together consciously the separate elements and applying them in a consistent fashion.

This approach--My Bag, as they say--is called Differential Treatment. Now what does that mean? The term Differential Treatment means a number of things as I understand it.

It means: having some system for classifying inmates which has specific treatment implications.

having some system for assigning full-time correctional counselors so that each of these men works with the type of inmate he is most effective with.

designing treatment programs which are suited to a particular inmate's needs and employing techniques in administering this program which are calculated to have the greatest degree of success with inmates in each of the categories.

having some system whereby the inmate clearly knows how well he is progressing and towards which goals he is heading.

developing a system in which the inmate participates in the management of his own case.

having length of commitment depend on progress made rather than type of offense committed.

making the society inside the walls as much like the outside world as possible.

It means other things too, but this will do for openers.

Let me illustrate what I have been suggesting here by getting down to some specifics. In the course of this, we'll also come across some principles which I think should be general guides to the ways in which we handle inmates.

Let's take the case of the indifferent inmate. I'm sure you can spot this fellow as well as I can. He just wants to be let alone. "Just leave me be and let me do my time" is his philosophy. He doesn't want to take part in anything; won't attend any programs on a voluntary basis. All he wants to do is get released; he doesn't even want parole (sometimes) then he'll have to report to somebody. OK, what do you do with this fellow? How do you motivate him?

We've all heard the statement: you can lead a horse to water, but you can't make him drink. But that really isn't so. If you feed the horse salt, not only will you not have to lead him to the water, but you can rest assured that when he drags you there he'll do plenty of drinking. What I'm saying is that it is possible to set up the conditions so that an indifferent inmate will want to do the things that we would all agree might help him "make it" when he is released.

For example, suppose we think that this man should be going to school. But he doesn't want to go. He doesn't like school. He's failed there in the past and he expects to fail if he goes now. From his point of view he has nothing to gain by going to school. However, the Classification Committee thinks this man could profit from going to school. So now what do you do?

No matter how indifferent an inmate might be, there are some things that he likes better than others, there are some things that he likes to do. Let's suppose this inmate liked to watch television. And let's suppose further that there are certain specific television programs that he really likes to watch.

As things now are, we give the inmates television. Suppose we changed the system. We put the TV in a separate room and the inmates can only go into that room by paying admission fee. How do they pay for it? With points they earn in different jobs around the institution. How does our indifferent inmate pay for his TV? With points that he earns each day by just showing up on time in school. OK, so he shows up in school to get the points, but he doesn't do any work. Well, how do you think we decide what program will be on the TV? Right, an inmate can "buy" a certain program. But this takes more points, more money. We set it up so that the amount of points our indifferent friend earns just for going to school pays enough to get him into the TV room. If he wants to see his special program, then he's going to have to earn more points. And that pay off comes from how well he does each day in each class. Having seen a program such as this in action, I can tell you that your indifferent inmate will change.

Let's take a look at what we've done here. We've changed the rules of the game--given the horse some salt, you might say. Instead of free TV, the inmate now has to earn his TV time. Isn't this more like the free world where people, we hope, learn to earn the things they want rather than connive or steal to get them.

We've set up a system of immediate reward. One of the things about prisons is that they are fast on punishments but slow on rewards. But the population we deal with, for the most part, are people who need immediate rewards. Do "good" now and we'll parole you in nine months has little impact on these individuals.

We've set up a reward system which the inmate, himself, sees as rewarding. If we see something as positive behavior--go to school and improve yourself--but the inmate doesn't see it that way, then for him it is not rewarding. Remember it is his view of things which leads him to behave the way he does. So it becomes necessary for us, at least temporarily, to adopt his point of view to get him to do something which we want.

Having set up a reward that's meaningful to the inmate, make the way to get that reward something over which the inmate has control. If you tell him, go to school because that will impress the parole board and they will release you, the inmate knows that he may go to school day and night and still not be released by the parole board. But if we say, every day you show up for school on time you'll get five points, and any time you want to see TV, provided you're not on restriction

(let him know the whole picture), you can get into the TV room for five points. Then if he wants to see TV, the responsibility is on his shoulders to get to school on time.

Of course this means that we have to be consistent. The inmate should absolutely never be allowed to get around the rules of the game--if he has no money (points), he doesn't get in--even if it is his birthday or any other reason he may dream up. In other words, no tickee, no TV. I think you will have motivated your indifferent inmate.

What about the nervous guy? The inmate who always wants to talk to you about some real or imagined problem? What do you do about this type of inmate, who can really be a pain in the neck?

While some of things that I mentioned for the indifferent inmate would also apply here, I do think this is another type of individual. One who probably needs a different kind of approach.

First of all, I think if he has real problems, then there should be someone that he can talk to about them. Who he talks to should depend upon the type of problem and on who is available. But certainly there should be someone available to help the man who has real problems.

The fellow who has imaginary problems for your point of view, it should be remembered has real problems from his point of view. The easiest thing for us to do is to say something like "You're just imagining things. Why don't you just forget it?" While this is easy, if you have tried it, you also know that it doesn't work. He can't simply put out of his mind whatever it is that's bugging him; and sooner than later he'll be back bugging you about it again. Now what do you do? You probably get loud and tell him in short clear terms "remove yourself from my sight" or words to that effect.

I suggest to you that it takes a staff member with a certain type of personality who can deal effectively with this kind of inmates. Every institution, I'm sure, has somewhere on its staff the kind of person who doesn't get irritated with this type of inmate, who can listen to all kinds of complaints and still keep his equilibrium. Sort of a fatherly type of person who can take these whinney type inmates under his wing. If he does nothing else, at least he gets them out of everybody else's hair.

Once this type of staff member has been identified, and is allowed to make himself available to this kind of inmate as part of his regular duties, (I emphasized that last phase), then other things become possible. Regularly scheduled meetings can be set up for each inmate of this type; a system of paying points to see the staff member can be set up, if you want to go that route; initially the inmate could be permitted to see the staff member as often as he wanted and then gradually, weaned away. Any number of things could be tried, but the critical element is getting the type of staff member who just seems to know how to work with these kinds of characters. If this sounds like matching staff members with the kind of inmates that he works best with, one of the points I mentioned in a Differential Treatment approach, that is precisely what it is.

Let's skip over the hot-tempered individual and get to the aggressive fellow who presents some very real problems. This is the potentially dangerous inmate. He may be assaultive towards staff or towards other inmates. He's the kind of guy who

is always stirring up trouble. If there are any rackets going on, he's in the middle of it. Maybe he's sort of a negative leader among the inmates who gets someone else to do his dirty work, or maybe he takes care of this things himself. He's defiant, resistant to authority and presents a whole host of management problems. How can you handle a "bad actor" like this?

I think we can get some helpful suggestions for dealing with the aggressive type of offender from some of the recent literature. Increasingly, the literature contains studies which deal with violence and aggressive behavior. Not only the literature in corrections, but also in fields like psychology, psychiatry and social work, not only literature which describes the characteristics of this type of individual, but also studies which describe programs which have attempted to try to modify this kind of behavior.

If you read the psychological literature, for example, you learn that this type of individual, the aggressive inmate, likes novelty, change, and excitement. He very quickly becomes bored with routine tasks. He has a very short attention span; and a sense of time which is very different than most of us. He doesn't respond to verbal praise and has great difficulty in relating on a person-to-person basis. He is action oriented and words have little meaning. Clues such as these suggest avenues of approach to the aggressive inmate.

For example, in view of this type of inmate's limited ability to tolerate routine, maybe his job assignment should not be the laundry where he is expected to do the same pressing operation eight hours a day; he needs the kind of job where he does a lot of different things during the working day. Since we know that this inmate doesn't respond well to a verbal approach, counseling these fellows holds little hope for success. His is an action-oriented world, so type of therapy which involves more doing than talking might be effective such as psychodrama. Because he has difficulty in relating to anyone on a personal basis especially to an authority figure, if we want this type of inmate to go to school, perhaps a programmed learning approach is needed rather than the more traditional teacher-pupil type classroom. Since verbal praise has little meaning for these inmates, a more tangible type of reward system, one which can be given immediately, needs to be established. Because these fellows are often expert at conning others and manipulating their environment, the personnel dealing with them should be the kind of people who permit no bending of the rules. Every single time this kind of an inmate does something against the rules, the consequences (which he has been informed about before hand) should always follow. Since these fellows are quick to blame everyone else for what happens, this conditioning approach may get through to them that it is their own actions which are bringing about the negative consequences.

What I am trying to point out here by these examples, is that there are a wide variety of things which might be attempted to modify the behavior of the aggressive inmate. The thing is you have got to get to know what kind of a person you are dealing with. We all feel that we are out there in the wilderness, trying to do a good job; but having to work at it alone. This is not wholly the case. Admittedly, we are working with a difficult population; a population which many professionals who are quick to give advise as a consultant would never dream of taking on as treatment cases. The point I want to make, is that there are other people who are also trying to find out what makes these birds "tick."

Recently in one of our Federal institutions, we designed and ran a program which tried to put together the kinds of things I have mentioned here. We were dealing with a younger population than I believe you have here; but I think the results were impressive. For example, after six months we were able to demonstrate a 42% decrease in the average number of days spent in segregation and a 50% decrease in the average number of assaultive offenses per inmate. A report on this project is currently being printed by the Federal Bureau of Prisons as a brochure and should soon be available.

So you should become familiar with the kinds of programs that others are trying to develop. Read the literature even if the studies are not reporting on projects attempted with a correctional population. Maybe a program that was worked out to help another group of people, say hospital patients, could be changed to fit your particular institution. Try it out. You never know. It might work. Even if it doesn't, it might make your job a lot more interesting.

I could go on and talk some more about a program we tried out with the aggressive offender which was recently written up in the National Council on Crime and Delinquency Journal of Crime and Delinquency. Or we could talk about the hot-tempered inmate, or the shy guy...But I think you pretty much have a general idea about how I think these people can be approached. Perhaps the best thing is to stop now and see if there are any questions.

S E S S I O N XIV-A

Wednesday, December 11, 1968
7 to 9 P. M.

New Hampshire State Prison
Concord, New Hampshire

Meeting Chairman - Dr. Warren W. Burns, Superintendent, New Hampshire
Hospital, Concord, New Hampshire

Speaker - Dr. G. Donald Niswander, Director of Psychiatric Education and
Research, New Hampshire Hospital, Concord, New Hampshire

The Difficult Offender

The assaultive and suicidal offender; the extremely maladjusted offender who may be a threat to the safety of himself or others - what signs to look for - what to do.

I am not sure that I know just what the difficult offender is, because I think any offender that any of us are in contact with, in whatever our role is in taking care of these people, have difficulties and there is no blanket list of rules and regulations on how to handle these people. I have spoken to many groups before about a treatment program for the mentally ill, but one of the primary points in any good treatment program for the mentally ill individual is that you are dealing with a person. Although all of us who are here tonight have many common characteristics, including the shapes of our noses to the way our liver handles protein metabolism, we are all individuals and in spite of the fact that aspirin is probably the common medication for this group for headache, probably not everyone here tonight can take aspirin because somebody here who takes an aspirin tablet might be allergic to it and have a reaction. So we can't really get down to the nitty gritty of saying, "This is what you do for this difficult offender" and "This is what you do for the next difficult offender." We don't have any categories. We have to generalize and we have to have some rather broad base principals in taking care of these people.

Warden Hancock mentioned the fact that frequently you have inmates from the prison that have to come over to the New Hampshire (State) Hospital for periods of care ranging from a few weeks to a few months; some of them come over and never come back. I would like to sort of take off on this point for a moment before I get into the other things that I wanted to talk about. In taking care of the mentally ill, and I think this has some direct bearing on how you would take care of the inmates in a prison, we use our best clinical judgment of what to do with a person from time to time in the course of his program with us at the New Hampshire Hospital. I know that many of my colleagues at the Hospital and elsewhere consider me to be one of the most lenient individuals in taking care of patients at the Hospital, particularly those who are there because they have been in trouble with society and have been committed by the superior courts. I feel as though, from a psychiatric standpoint, we are forced into a position where we have to use our best clinical judgment as to when these people are capable of taking more responsibility for themselves. In exerting this clinical judgment, many times we at the Hospital are wrong in granting privileges and things of this sort, but this is part of the treatment program for these difficult offenders that we have at the Hospital. We don't have them all coming from the prison or from the county jails; we have them coming directly from the superior courts, also.

When you hear that we have goofed at the Hospital, I would be the first one to admit that yes, our clinical judgment was erroneous, that we allowed a patient a privilege a little too early, but the only way that we can tell how we are progressing in our treatment program - and this is the point that I want to emphasize to you - the only way that we can make a judgment is to use our clinical judgment to see if a person is able to handle more responsibilities. It is just as you do at the prison in giving a prisoner more responsibility and putting him more in a trusty capacity. Taking care of these people is not the easiest job. We have a lot of responsibility, not only to society and to the public, but also to the individual institutions that we represent.

As I said, I am not quite sure what the difficult offender is. I think that all of us would have our own definitions. But in thinking about this, I ran into a report of a recent study which was made by a doctor at the New York Psychiatric Institute in New York City. The study was made in one of the prisons in the State of Kansas and the psychiatrist's name is Dr. Augustus Kinsel. He has studied a group of so-called violent offenders as compared to a group of non-violent offenders. He selected a group of prisoners in this Kansas state prison that would fall into both categories. From his observations and from his work, he has come upon one basic definition of what each of us has about us. This is a term that he has called a "body buffer zone." This "body buffer zone" that you have and that I have and that the people at the prison and that the people at the New Hampshire Hospital have is defined as an area of the body or an area surrounding the body within which anxiety is produced if another person enters into it. That simply means how much we are threatened psychologically by contact with another person. This is very important in your daily dealings with the people you are taking care of. What this definition means is that there is a circle about which you can safely approach people. This "body buffer zone" will vary, as he found in his study, from time to time and from day to day with the individual person. For example, in the work that he has done taking these violent and non-violent individuals and putting them in a 24-foot square room and making various approaches to them, he has found that, for the most part, the so-called violent group at this "body buffer zone," this area, this distance, is twice as great for the violent person as it is for the non-violent person, which means in another way that you can get twice as close to the non-violent person as you can get to the violent person. For whatever reason it might be due to, he has found that, in relation to the violent person, the larger distance is behind him. Psychiatrically, this might have some sexual implications with the male - a fear of some sexual attack from behind; whereas the larger distance for the non-violent person is in front of him, which Dr. Kinsel finds is pretty much normal and is probably a manifestation of this "body buffer zone" for normal people in what he would call normal anxiety of approaching another individual. In his studies he has found that this zone, whether it is from the front or from the side or from the back, will vary from time to time, particularly as the individual perceives the person who is approaching him as being a friend or a foe. I think this is very important for us to think about and to get a point from as we are approaching somebody who is disturbed, somebody who is anxious, somebody who is afraid.

Some people have equivocated that the reason that the aggressive person or the difficult offender, in his aggression, is striking out is really because he is afraid of attacking himself. Frequently, we must bear in mind that the person who is threatened, who is afraid, who has an idea that he is being attacked, is going to strike back at you. For example, if you have any aggression in your approach to the person who is upset, you are probably going to be very ineffective and you are going to be very much in danger of

that person striking back at you. I think a good example that I can give you of this was something that happened to me years ago when I was an early resident in psychiatry and it might happen to me again tomorrow. This gives you sort of the reverse of this - of not being an aggressive person, but of losing one's ability to cope with an anxiety situation. This story has a good lesson for two reasons. Back when I was a third or fourth year resident in psychiatry, I was on duty as the executive officer this particular weekend in the hospital where I trained. It was early in the afternoon on this particular Saturday when two men arrived with a young man and they came into the executive office and said that they had a young man and they had commitment papers and they wanted to commit him to the hospital. They introduced the young man to me and, of course, I didn't know who he was. He was just another young, healthy-looking, 21-year-old, 6'3" or 4" ruggedly built young man. I asked where the papers were and one of them sort of looked in his pocket and said he didn't have the papers and the other one said that he thought the other one had them, so neither of them had the ten-day temporary commitment papers that they use in Massachusetts. They said that the doctor who filled out the commitment papers was over in Cambridge. "Do you mind, Doctor, if we leave the patient here for you to talk to while we go over to Cambridge to get the commitment papers?" And I said, "No, not at all."

Because there was a Harvard football game that day, the trip to and from Cambridge took approximately forty-five minutes. I sat and talked with this young man and found out a lot about him, certainly as far as what was bothering him, and I knew immediately that he was grossly mentally ill and that he needed care and treatment in a mental hospital. We got what we call in psychiatry a nicely established rapport between the both of us. He wanted to know about the hospital, where he was going, etc. I explained to him that he was going to go up on a locked ward where he would not have all of the freedom that he had been experiencing, etc., etc. There was also on duty that day our chief male aide who was a man who liked to be very alert and liked to know what was going on and he drifted in and out of this office on a couple of occasions. I found out in the course of interviewing and talking with this young man that he was a professional boxer and that he was well known in the professional boxing area of Boston and New England at that time. I had no particular fear of him in his psychiatric thinking at that time. We went through the admission procedure in another office and the head male attendant came and took him up to the ward.

Within fifteen minutes of the time that he got up on the ward, the emergency bell rang. I ran up to the ward to find out what had happened and here was our newly admitted young patient who, as I walked up to him, looked at me and said, "You double-crossed me, you didn't tell me all about this," etc. Arriving almost simultaneously was a woman psychiatrist who was on duty with me. She arrived on the ward and we stepped into one of the offices. The patient continued to rant and rave, venting his hostility at me about double-crossing him and in not being truthful with him and telling him what the score was, etc. Just seconds previous to this I had a very good rapport with him. In this tirade of hostility he suddenly drew back as if he was going to hit me...I ducked...That was the worse thing I could have done. And immediately I knew that what good relationship I had had with him I had lost. There was only one thing that I could do and that was to get out of the situation. It wasn't because he was going to hurt me - it was because he knew that I was afraid of him and afraid of what he might do by the way that I had reacted. Fortunately, this woman was able to take over and talk with him and get his equilibrium temporarily established.

Here is where I became ineffective as a doctor and as a psychiatrist in training. It was a good lesson for me because I have used it many times since

then when I have become afraid, and this does occur in our work with the patients that we are taking care of. It was a lesson that you have to be on guard not to allow yourself to show your patient or the person that you are taking care of that you are insecure about a particular situation at a particular time.

The second lesson was a good one. This male chief aide, out of all good intentions, recognized who this young man was and he had alerted the ward that "Killer So and So" (this was how the young man was known professionally in the ring) was on his way up to the main admission room. So when this young man arrived on the ward, the personnel that were on duty that day were as stiff and as rigid and as afraid as they could be. And this was reflected also in the patients because they saw that something was happening to our personnel, that something was going on, so that he arrived in a ward situation that was tense and fearful and, of course, when the chief aide on that ward asked him to go into the shower room and take off his clothes, you can imagine when he objected to it what happened to our personnel on the ward, to the patients and to everyone else.

Our example has many things about human behavior to think about. One is that you have to think about your own personal reaction to the situation and when you find that you have become an ineffective individual in the situation - get out of it - you can't do any good. You are risking yourself and you are risking any control that you can have for your person. The other thing is that you don't alert people that you've got a bad customer coming on, particularly in a hospital situation. You don't alert in any situation where you have a cluster of people that you have a dangerous person coming in. This young man told me later on, "Doc, I don't hit anybody except in the ring. I wasn't going to hit you that day." And I said, "Look, I didn't know whether you were going to hit me or not." As he tried to explain to me, they have a code of ethics also and in spite of the fact that no matter how psychotic he was, he might threaten, but he was not going to hit me. But this was how he responded to my own anxiety when I became fearful of him.

I want to talk now about the suicidal person. I want to skirt the issue of what to do with a person who is threatening violence. The ones that we have at the Hospital are under maximum security - we can lock them up. We can give them medication, which we do, and consequently this helps us to help them control themselves. The threatening violent individual that we have at the Hospital today is very easily taken care of. The handling and treatment of the threatening and violent psychiatric patient in a mental hospital today has changed so since 1954 when tranquilizers first appeared that it is almost unbelievable. Tranquilizers help us to help patients control themselves. We have patients who have to be in seclusion at the Hospital. They are in quiet rooms for one reason or another. But the extent of seclusion rooms and the number of hours that patients spend in them at the New Hampshire Hospital today, compared to 1954 when I first came there, has probably reduced a good fifty or sixty or seventy percent and it is all as a result of drugs. Our ability to take care of people who are threatening and who have a tendency to be violent is very easily handled with tranquilizers in a hospital situation. This may not always be available to you in a setting such as a county jail or a prison.

The suicidal individual is another matter. To get into the general area of suicide, I want to speak to you for just a few minutes about suicide here in New Hampshire. As some of you probably know, at the present time we have a two-year federal grant supporting a suicidal study here in the State of New Hampshire. We have a few things that I don't think we should be exactly proud of in New Hampshire, or in New England, but one of those

things that strikes us in the face is that suicide in the three northern New England states - Vermont, Maine and New Hampshire - ranks very high throughout the nation. These three states will rank in the first fifteen in the suicide rate per 100,000 capita from year to year. The year before last we sank to fourteen, but last year we came back up to eleven. I am not sure where Vermont and Maine rank at this time, but they are still in the top fifteen. In fact, Vermont is constantly competing with Nebraska for first or second or third slot in incidence of suicide per 100,000 of the population. This prompted a group of people in the field of mental health a few years ago to start some dialogue with some consultants in the Public Health Service Regional Office of Mental Health in Boston, and consequently, out of this dialogue there came about three conferences on suicide with individuals in Maine, Vermont and New Hampshire.

We started out with essentially a group of sixty people from each state and we wanted to keep the same sixty people in each of the conferences because the conferences were spread out over an eighteen or twenty month period. Actually, at the end of the third conference, we had eighty-five percent of the same people attending the third conference that attended the first. We selected individuals from all professional categories that worked with mentally ill people. We had a few psychiatrists, a few psychologists, a few psychiatric social workers, a few clergy, a few state police officers, a few local police officers, and other individuals who were interested in the problem of suicide. These conferences were very rewarding. The first conference was based mainly around getting everyone oriented to what the problem of suicide was, not only in New England, but in the country. The second conference was concerned mostly with studying some completed suicides - successful suicides, people who had met their own demise - and doing a post fact search on what had gone on in their immediate life before they killed themselves in whatever way they used; to try to reconstruct as to where we failed or why somebody didn't get help to them. The third conference was on what to do to try to prevent suicide.

Over the course of this time period, a few of us here in this state began wondering about our problem, how we could really try to get at the grass roots of it, what we might do as far as suicide prevention services were concerned. Consequently we came upon an idea to research the suicides of New Hampshire for a two-year period before we tried to institute any suicide prevention services. This had never been done before.

At the present time there are between forty-five and fifty suicide prevention centers throughout the country. In not one area where these services have been set up has a research been made of what the suicide problem was to begin with. When I say "to begin with," I mean that, for example - in Los Angeles County in California, where the first suicide prevention center was set up, they have approximately 1500 suicides a year (That is per capita, 100,000 people). Here in New Hampshire we have between 80 and 100 suicides per year. That is a lot of people taking their own lives in a state of 640,000. In any event, Los Angeles finally let it be known that in their suicide prevention program, less than one half of one percent of those people who were taking their lives in Los Angeles County had ever contacted the suicide prevention center. This was further emphasized by the suicide prevention center in the county that the City of St. Louis is in, which two years ago revealed that only two percent of the people in this particular area that had committed suicide had ever contacted their service. I don't mean to give you the impression that these suicide prevention centers are not providing a service, because they are. What they are providing is a priceless intervention to people who get in a hot spot, either thinking about

suicide, thinking this is the best way out; they have heard about the center and they call, and services are set into operation to take care of their problem. What this does imply is that it looks like the centers are not reaching what we call the high risk suicide individual. Why aren't they seeking help? Why aren't we identifying? Why isn't something being done?

Our research project was designed to study suicides in New Hampshire for two years to try to identify who the high risk suicide in this state is and then come up with an idea of how we can institute a statewide suicide prevention service. This is what we are doing at the Hospital at the present time.

The suicidal patient, the suicidal prisoner, the suicidal individual that you might be handling, the person who is threatening - what do you do? What do you look for? Again, we have no 1-2-3-4-5-6-7 rules for you. It just isn't that easy. Let me again generalize. Does the person who talks about suicide do anything about it? Yes, he does. He is the most likely person to do something about it. There is an axiom that I learned very early in my psychiatric training from one of my tutors and that was that if a person comes to you and says, "I am afraid of what I might do to myself," this is the person who is skating on thin ice. And if he says to you, "I think I better get under cover" or he implies this, you had better get that person under cover. We had a man at the Hospital from the prison the other day and I think he expressed to some of you that he didn't know how he felt but that he had a funny feeling and wasn't sure he wasn't going to do something to himself. This is the type of individual that we must be very much alert about and give him that extra protection he is asking you for because he is very apt to do something, either impulsively or planned.

I thought I would just make a few comments. Why do people get like this? That is asking a big question. Why do people get mentally ill? I think we can best say that why people want to commit suicide is that, whatever their problems are, they have become so overwhelmed that they see that there is just not any other way out for them, they feel trapped, they feel hopeless, and they feel that this is the only way that they can settle their problems. This is true for most people who have become preoccupied with or become fearful of doing something to themselves.

There is another type of personality who makes suicidal gestures that I must make particular mention of. Some men threaten suicide because they recognize that they can threaten, "I am going to cut my wrist" or "I am going to kill myself" and they use this as a part of their manipulative behavior in relation to part of their character disorder, the character disorder being the reason that they are in trouble with society - they just use bad judgment, they are impulsive, they don't learn from punishment, and this is the type of individual that we call the sociopath, or the psychopath, who wants their cake and they want to eat it and they want it when they want it and they can't understand why they can't get it, they cannot stand controls, etc. Many times these individuals will find out that they can manipulate you and me by suicidal gestures and they will make suicidal attempts - they will scratch their wrists. I am not saying that everybody who just scratches their wrist is a sociopath because many of them will make these half-hearted attempts who are grossly psychotic because they are not really convinced. But the manipulators are the ones who try to get their own way by threatening you or me by making a half-hearted suicide attempt.

This gets me into another area of people who do complete the final act and who become listed on vital statistics records as successful suicides. These people can accidentally kill themselves. But I have a point that I

want to emphasize here for you and for me and for the New Hampshire Hospital and that is that everybody who is thinking about and threatening suicide doesn't belong to us down at the Hospital just simply because of the fact that there are so many in this category. You have to keep an eye on them, and you have to know that they are trying to manipulate, and you have to protect them because what they will do is accidentally kill themselves at times. This is also true of the person who is grossly mentally ill; they really probably do not want to end their own life, but they will make gestures at it. The most common example is the spouse who knows that her husband arrives home every night from work at 5:30. He has done this for twelve years. He has never been late, Monday through Friday night. So she puts on the oven and sticks her head in at twenty minutes after five that night, knowing that he is going to walk in the door at 5:30. Well, this particular night at 5:20, ten blocks from home, he has a flat tire, and he changes the tire and he doesn't get home until 6:00 and the spouse is discovered dead. This happens, not only here, but all over the country and these are suicides but obviously, as you study them, they are individuals who probably did not really mean to kill themselves, but this doesn't mean that they are not pushing a panic button or showing a danger signal or a flag. These people are very much as sick as the individual who doesn't do something like this but takes a revolver and puts it to his temple and pulls the trigger, which is usually a pretty final type of death.

S E S S I O N XIV-B

Wednesday, December 11, 1968
2 to 4 P. M.
and
6 to 8 P. M.

Highway Hotel
Concord, New Hampshire

Meeting Chairman - Justice William A. Grimes, New Hampshire Supreme Court

Speaker - Mr. Ben Meeker, Chief Parole Officer, United States District Court,
Chicago, Illinois

Criteria for Probation Selection

How to decide whether to recommend commitment or probation; factors to consider. Conditions. Optimum caseload. Interstate Compact. Supervision of probationers - minor, major offenders.

I would like to talk a little bit about the subject of selection for probation and some of the criteria that go into selection for probation. I think it is always well for us to keep in mind what I think is maybe harder for some of us who are older and have been in this business for a long time to realize - that we are seeing a younger group all the time coming into our courts. Crime has always been pretty much a phenomenon of youth, but certainly in the last decade or two it has become a spectacular problem.

Much of the material in the F.B.I.'s "Uniform Crime Reports" needs to be carefully interpreted because I think it is sometimes misleading the way it is presented, but the facts are usually quite responsible and certainly their review of the age groupings is of interest to us. I noticed in this report that the median age for all felony arrests is twenty-five. I think this is a significant factor to consider. This report also noted that most auto theft is being perpetrated by youngsters under age seventeen. The majority of larceny, burglary and auto theft arrests, which comprise two-thirds of all of the serious crimes in this country, are being perpetrated by youths under the age of eighteen.

I think we need to take a look at how the F.B.I. defines serious. I think that they need to change their definition because I don't think they have changed their definition of serious crime since the '30's. When you talk about a serious crime as a theft of over \$200, I am not so sure that we would consider that a serious crime these days. Actually, I think that \$200 now in relation to the value of \$200 in 1935 is probably one-third of the value. These things need to be looked at before we take these statistics at face value. The point is that we are dealing with this young age group.

The "Uniform Crime Reports" also note that most of our violent crimes now - robbery and rape - are committed by persons under twenty-three. The great majority of our narcotic violators now are under twenty-seven. Certainly in our major metropolitan areas this problem of narcotic addiction and the use of various solvents and barbiturates, etc., has posed some new problems with which we had very little exposure to when I first came into this business.

As I look back over the kinds of pre-sentence investigations we used to make for the courts in the latter part of the '30's and early '40's in Chicago,

compared to what we are getting now, especially in this area of the younger offender and the narcotic violator, there has been a significant change. A narcotic violator, for instance, in the '30's - and I used to handle a good many of them - were mostly men and women over forty. Most of them were either morphine or heroin addicts. All of these other drugs hadn't even appeared on the scene yet. We had the mainliners. These were the fellows who were using the so-called "hard drugs" now - morphine and heroin were the only ones we heard much about - there wasn't any marijuana and hardly anything involving all these new drugs. We have seen this constant change in the incidence of age that is involved in these kinds of offenses.

I think that those of us who are older in this business have to revise our thinking all the time to consider what some of the selection factors are in who we do or do not grant or recommend for probation and age factors are one of the major considerations.

We might go back for a moment and just review what the objective factors are that tend to control selection for probation and parole. We have to look at the law. What kind of a law are we working under? As I looked at your law, I think that you are working under a good law in New Hampshire. It is a broad law that doesn't, if the section that I saw is up to date, put many restrictions on the selection for probation, in contrast to say, for example, my own State of Illinois, where there are a great many legal exclusions for probation. Unfortunately, the law was written at a time when concepts about the use of probation were quite different and they excluded a whole category of crimes. If the robbery was in excess of a certain amount, or if a gun was used in an offense, certain kinds of sex crimes and a variety of others are automatically excluded, so the judge has no discretion in those cases.

In the federal courts there are only two or three major exclusions. One is narcotic violators, particularly for a second offense - we cannot grant probation or recommend to the court probation under that code. Armed robbery of a postal sub station is a crime barred to probation. These reflect, as you can imagine, that somebody is lobbying for a particular piece of legislation somewhere along the way and if there is a very serious or sensational postal robbery, the postal inspectors and maybe the F.B.I. or somebody got behind this particular section of the law. There is no rationale for the difference between an armed robbery of a postal sub station and an armed robbery of a bank, but bank robbery is eligible for probation under this statute. At any rate, we can hope that our legislators, in their wisdom, would not restrict our hands in the courts and in probation by placing a lot of limitations. Probation should be a broad opportunity, a broad disposition which all offenders, regardless of the offense, are potentially eligible for.

An additional criteria we might want to look at which I think has a good deal to do with selection for probation is the policy. Right now in our federal service, Selective Service violators are not, by and large, ever granted probation. It is very exceptional for a federal judge to grant probation to a Selective Service violator. I think you can understand that, especially at a time like this when we are fighting a war that I guess we aren't even supposed to call a war. We know that there is tremendous resentment among many of our population, not only our young people, but at large, over this particular war and in any time of war, courts are reluctant to grant probation to persons who avoid the draft. That is set by policy, not by law. If you would examine the dispositions in federal courts around the country, you would find that these are pretty much standard because there is common understanding between the prosecutor's office and the judges that Selective Service violators generally will not be granted probation.

To a lesser extent, there is another area of probation exclusion which include some of the white collar crimes, particularly income tax evasion. Many of the federal judges do not like to grant probation to income tax violators. It is somewhat the same story as you have with Selective Service violators because there is a tendency for many people to avoid their taxes and the courts feel that these are areas where deterrence is pretty important. We can't argue too much about this because we do know that for the fairly normal, well integrated person whose ego is intact and who is pretty well in the normal stream of life, deterrence is a very powerful motivating factor, much more so than with many of the offenders that we deal with. We are not sure how effective deterrence is to many of these people; bail is no great threat and there isn't the social stigma, there isn't the amount of concern over some of the sanctions of the law. For the upper class and middle class, I think sanctions are still quite deterrent. We could identify a number of other areas where policy tends to control.

Then we move into the area of attitudes. This is a very important area. How much do our attitudes and the attitudes of the courts control who gets probation and who doesn't? You can take a look at the law and identify the various categories that are prohibited from probation and you can also take a look at policy, but it is not so easy to identify this problem of attitude.

I think we can start with the attitudes of our judges and courts because we know that every judge comes with his particular set of values and he may consciously set some policies for his particular court. I remember when I first went to work for our court in Chicago as a field probation officer, there was one particular judge on the bench who would never grant probation to anybody who had any connection at all with a sex offense. This was just a pride area that he had. Yet, as you look at the sociological studies in the field, you discover that often the best risks in terms of low recidivism rates are sex offenders. Of course, you've got to take a look at the categories. You probably would eliminate the assaultive type that commits rape. This type would come under the same category as robbers and others who have aggressive, assaultive tendencies. But I noticed in a recent study of violence in which rape was looked at perhaps somewhat more carefully than in the past that the violation rate for this assaultive group was even lower than had been expected. I have known judges who would never put counterfeiter on probation because they had a feeling that this is a crime beyond the pale.

I am interested in a study along this line that is being prepared in Canada. I wish I had the results of it; but I am going to try to get them when they become available. I had a prospectus on what the study proposes to do and I don't think that there has been much of this type of thing. It is not an easy kind of study to undertake.

The Center for Crime under the law school auspices at the University of Toronto has a major appropriation. I think that perhaps because it is under law school auspices it has somewhat more entree into the judicial structure of Canada. The study is well along now. The purpose of the study was to examine what it is that primarily influences judges in making dispositions. What are the factors that judges bring to this business of who gets probation and who gets prison, etc.?

Why don't I read just a little bit to give you the flavor of what this project proposal sets forth. Incidentally, I had a chance later on to talk to the Director of this project after they had been into it for a year or so and he told me that they had had remarkably fine responses from judges. They expected a good deal of resistance, but actually, I think the way they are

conducting it, they are not putting any judges on the spot. They are really trying to go in and observe how a judge functions, talk with him about his sentences and discover what the primary factors are that he is using.

The courts are now faced with the problem of attempting to achieve a multitude of purposes, purposes not any one of which is necessarily accorded the same weight by all who sentence and which indeed reflect deep contradictions within our society in regard to the offender. I think we would all agree to that. I don't know of anything more controversial than the offender. I think we have all been in this business for a long enough time to know how it is sometimes difficult for us to interpret our work because of stereotypes about the offender. I think the tradition of retributive punishment still demonstrates the lay man's attitude to a large extent and in an individual case may well be in direct contradiction to one another. The purposes which are formulated in general and abstract terms are of little guidance to the courts until translated into specific and concrete purposes in relation to particular offenses and individual offenders.

They go on to say that the problem of defining the objectives and evaluating what goes on in selection is very difficult. It says here, "There was little agreement among judges and magistrates or among social psychiatrists as to how certain objectives, once defined, are to be achieved."

They go on to talk about our limited knowledge of crime causes. We like to know something about cause if we are going to try to treat its effects, not profound it. There is a paucity of reliable information about the results. This is something that I think we all would agree with - we take for granted a lot of things - we take for granted in our culture that prison is a sort of dominant pattern - this is the panacea - this is the stereotype that you see on TV. Sending people to jail is so ingrained in our culture that in every western show and so many of our dramatic efforts there is always a jail scene and I think this reflects this kind of attitude.

Then it goes on to talk about the variety of sources that magistrates receive information from. This is Canada, but I think it is very applicable here. I think their personal observations have a lot to do with how they see the accused in court and how he functions may have something to do with whether they grant him probation or not. Of course, the evidence and the trial is very important, as is the kind of offense, the criminal record, the sort of presentation made by the defense counsel, the probation officer's report and maybe on occasion they have a psychiatrist's report. They are trying in this study to find out what relative values are given to these sources of information by judges. You and I would agree that there has been very little of this kind of research.

There are eleven judges sitting in the Federal District Court in Chicago and my staff is doing pre-sentence reports every day because all eleven judges sit in criminal matters. I could not generalize about what the policy of that particular court is in terms of who is selected for probation. I would have to say that there are some variations because of judicial attitudes. Some judges grant probation much more frequently to certain kinds of offenders than other judges. We have been studying this scientifically and I would like to see more of this done and I would be anxious to see what kind of results we got. It would also help in that other study to get more scientific information about what goes into your reports if you are working in probation and you are doing pre-sentence investigations - they are going to examine these and find out how the values and the judgments of the probation officer affect the findings.

It would appear that the most significant contribution to existing knowledge of the sentencing process would be made by concentrating on research efforts, specifically on decision-making in sentencing - what goes into your decision-making or goes into the decision-making of the judges. The main purpose of the study would be to identify the precise factors considered by individual magistrates and probation officers. They mention other persons who have some impact, such as the prosecutor, his attitude, whether he is adamant in opposing probation, and the defense counsel, what kind of a job he does, perhaps in influencing the court for or against probation, ordinarily for. They dramatize for us the need to take a look very carefully at this possibility of attitudes.

Now we move from the judge into the realm of the probation officer. How do our values affect our evaluation, our recommendations, for or against probation? We bring to our jobs some of the stereotype notions. I get this in our work with students all the time. We have graduate students working in the courts. They come from three universities for about nine weeks graduate field work, sort of internships, and it is interesting to work with them and to discover some of their preconceptions. Most lay people coming into a court come in with a great many stereotypes about offenders and about delinquency. It is interesting to see the changes that go on in the course of a year's work with these graduate students, just as you see it with new officers in a prison. You see how he changes some of his points of view about who should or should not be granted probation. We could spend a good deal of time on this matter of attitudes. We have to become objective and we have to accept these people as they are; we can't change them overnight - we have to see their strengths as well as their weaknesses and try to evaluate who we think might be most successful on probation.

I would like to come at this from another point of view that I think you are going to be hearing more about and I am sure that this is the trend of the future. Some of you are familiar with the work of the American Law Institute. The American Law Institute is always coming up with model laws, model statutes, etc. They don't get adopted very often, but at any rate, I always feel that the American Law Institute is in the vanguard and things that they were talking about ten years ago that we thought were radical are now accepted and things that they are talking about now which some people think are pretty radical will perhaps be more accepted.

One of the things that the American Law Institute is proposing in this business of selection is that we should move from our presumption that prison or incarceration or punitive sanctions are the norms and we should consider probation as the norm. It will take a bit of time to adjust the community - it may even take a bit of time to adjust our thinking to this approach. As we look at offenders under this notion, the presumption would be that every offender is eligible for probation unless there is very serious evidence that he wouldn't make it on probation. I think your courts here in New Hampshire are more liberal and more progressive in the use of probation than in many states. I find that the percentage of probation grants in many areas that are supposedly more progressive are way behind in the incidence of grants than here in New Hampshire. It may be that we are seeing this trend. We have worked in the last twenty-five or thirty years to sell the concept of probation and more and more I think communities are accepting it. The American Law Institute feels that this should be the standard. We sometimes unconsciously assume that the offender is probably a person that we are thinking about first of all in terms of how much confinement he needs. Rather than that, let us think of him as a prospect for probation.

Another supportive evidence of this trend is that you are beginning now to see some court decisions which are in a sense reprimanding lower courts for not considering probation. Probation was considered, in its original conceptualization, strictly a privilege; it was considered a matter of grace. You can go back and read the early statutes on probation and I think most of them still are phrased in this kind of terminology. Probation is not considered an exercise of leniency exactly; we have tried to get away from the notion that probation is leniency because leniency doesn't connote any responsibility toward some kind of future conduct, but probation does; probation puts limitations on behavior and requires certain standards. There is some leniency if you look at it just in terms of the disabilities and the problems that flow from confinement.

At any rate, in a number of recent court decisions in just the last few years (these are usually appellate court decisions) the lower courts have been urged to regard probation in much more routine fashion. For example, there was a case in California in which a couple of people were involved in a store robbery. There was a woman who sat in the car and I don't know whether she was to drive the car - it is possible that she did drive the car; at any rate, she was a kind of a lookout. They had a trial and they were all convicted of armed robbery of this store and she was convicted as an accomplice. The judge sentenced all of them to prison and in sentencing them, he made the statement, "This crime is so serious" (this woman's counsel was making an appeal for probation), "that I will not even consider probation." It is the words, "I will not even consider probation." They appealed this case to the court of appeals in California. The appellate court reversed the lower court and ordered a retrial on the grounds that the judge should consider probation - there was no finding of error in sentence, there was no finding of error in the substantive evidence, etc.; the sole issue in that case apparently was that the court had declined to even consider this woman for probation and the court of appeals said that it was incumbent upon the court to at least consider her for probation, that she was entitled to that consideration. It was almost as if the court was saying that this was a right. I think this may point toward a trend.

We had a case in our court not long ago before the chief judge. It was a rather aggravating case. There were three co-defendants. It was an embezzlement-fraud type case, rather serious, and two of the defendants plead guilty and one plead not guilty. The judge granted two of them probation and sentenced the other man who had plead not guilty on this charge and his counsel made the same point - he appealed to the court to consider probation and to at least give the man the benefit of a pre-sentence investigation. The court denied his brief and he appealed it to the court of appeals which reversed the district court decision and sent the case back with the recommendation that the district court consider probation. Again, there was no error pointed out in sentencing, no error in substantive evidence, merely that this man, because he had plead not guilty, had fought the case, and had put the state to the expense of the trial, was being denied an opportunity for consideration. The court was required to review this and to assess a penalty following an investigation.

I think there was another case in Pennsylvania somewhat along the same lines. These usually are where there are more than one co-conspirators. In the Pennsylvania court they felt that the punishment was excessive in this particular case and ordered the court to review the case and to consider the matter of probation.

I just mentioned these as some evidence in the changing of the concepts and thinking in probation. Perhaps in the next decade or so we will see more

of this sort of interpretation to the point where some of my colleagues in the legal field believe that eventually the presumption for probation will be uppermost always in the disposition and the court will look at the offender as a potential probationer, not as a potential candidate for prison. This may be a little ahead of our current status in this regard, but I think these cases that are coming into the courts are in evidence of that. This is the first time I have seen these kinds of decisions.

Then we get to the more subjective basis for considering probation - we get into looking at specific factors in selection for probation. One of the factors is certainly age. We know that the age of adolescence is the most unstable and the most difficult and we frequently are hard pressed to know whether to recommend for or against probation with this adolescent group. We need to consider that all our statistics show that probably the most relevant factor in terms of recidivism is the age factor. This is very obvious. As you look at tables of recidivism for probationers and parolees, you find that, as the age goes up, the violation rates go down. I don't think we can argue with that in our experience. The older offender is more mature, less irrational, less unstable, and tends to be more conforming. If we worked on a predictive instrument, we could say, well, knowing this about age, we could deny parole to a large group of this lower age group because we know there is a higher incidence of failure here. We have to guard against this because, beyond this age factor, we have to look at a great many factors involving the emotional and behavioral patterns of these youngsters - whether the kind of delinquency we are seeing is symptomatic of basic family maladjustment, school failure - all kinds of problems are reflected in the delinquency of adolescents.

But there are still the old line factors that we have always used - the age, the prior criminal record, and the nature of the offense. In terms of prior record, I think we are more and more beginning to look at this not only in terms of how many arrests and how many convictions a person has and say that on the basis of this there is an indication against probation, but I think we are beginning now to look at something else. How much of an investment in a prior criminal record is there? I think this is something you want to look at because I see this in some of the big cities where there are a lot of arrests behind the names of some of these youngsters, but you have to look at their neighborhood to see that there are sweeps through the neighborhood. Almost every kid on the street gets arrested because they are out after curfew, so you might have a lot of arrests and yet there is not very much indication of any real investment in a criminal career.

We are seeing a good deal of gang activity in Chicago. We are beginning to see some of these adolescents who have developed quite an investment in a kind of organized crime. This makes a difference in what we think about our selection of this youngster who is not just a gang member. Being in a gang has always been part of the pattern in delinquency and we know that gangs or groups serve a useful function. But we are beginning to see somewhat more sophisticated behavior in some of these gangs. This matter of investment relates primarily to the older offender when we are trying to discover whether the kind of crime you are dealing with is really a situational offense. A group gets involved in stealing off a dock and none of them are really criminally inclined but the first time it happened, someone dropped a box of watches and they broke and someone knew the insurance company was going to pay for it so they took some watches and then pretty soon somebody drops a box on purpose and pretty soon you have a whole group and yet there is really not an involvement in major criminal activity in contrast to the burglar who has an investment in burglary tools and who is committing offenses on a high professional level.

We could identify a number of other factors that go along with the nature of the prior record, the type of crime committed - whether it was an assault with a gun - etc., but these are areas that I am sure you have already explored carefully.

I think the time is approaching now for a coffee break.

S E S S I O N XV

Wednesday, December 18, 1968
7 to 9 P. M.

New Hampshire State Industrial School
Manchester, New Hampshire

Meeting Chairman - Dr. Michael Morello, Superintendent, New Hampshire State Industrial School

Speaker - Mr. Henry Foderaro, Bureau of Narcotics and Dangerous Drugs,
Boston, Massachusetts

Misuse of Narcotics and Dangerous Drugs

Drug problems. How to recognize and handle the drug offender. Treatment in the institution; supervision in the community.

A few years ago when we heard the term "drug addict" or "drug abuse" we often thought of a standard type person born and raised in the slums, generally from the ghettos, often connected with a criminal background, generally uneducated. Today the problem of drug addiction and drug abuse affects teenagers and adults from every conceivable walk of life, every educational background, every social background.

During the period from 1963 to 1966, the number of marijuana arrests in the country more than doubled. The amount of marijuana seized more than tripled. As a result of the tremendous problem also involved in the use of the amphetamines and the barbiturates, Congress saw fit to pass what is known as the Drug Abuse Control Amendment of 1965. These amendments were put into effect on February 1, 1966. As a result, they established a new bureau - the Bureau of Drug Abuse Control. The Bureau of Drug Abuse Control is primarily concerned with the enforcement in three categories of drugs - barbiturates, which are depressants - amphetamines, which are stimulants - and hallucinogenic drugs.

From the period 1966 through and including April 8, 1968, almost every investigation that we went out on overlapped with heroin and marijuana. As a result, on April 8, 1968, Congress merged both the Bureau of Drug Abuse Control and the Federal Bureau of Narcotics. We are now known as the Bureau of Narcotics and Dangerous Drugs and we are under the Justice Department. We control every drug on the market, whether it be an amphetamine, a barbiturate, a stimulant, a depressant or a hallucinogenic drug.

All drugs fall into three basic categories. You have depressants, which include all the hard narcotics, with the exception of cocaine which is a stimulant, and marijuana which is a hallucinogenic drug. Also included in the depressants are barbiturates. These are the pills, when properly prescribed by a physician and properly taken, are extremely medically useful pills. However, when abused, they present a more potential danger than heroin. The barbiturates are both physically and psychologically addictive. The individual can and will build up a tolerance. He can start with one and work his way up to as many as thirty a day. Unlike the heroin addict, who can withdraw without a physician in attendance, a barbiturate addict cannot come down all at once. If he starts to withdraw and a physician is not in attendance, he can and will lapse into a coma and die. Barbiturates

are the number one cause of poisoning in this country. Every year they estimate approximately 5,000 deaths - whether accidental or intentional is not known. A combination of the barbiturates and alcohol will result in death. This is very common now with the teenagers and high school kids. They are going out and picking up four or five pills for fifty cents or a dollar each, picking up a six-pack of beer for another dollar and a half, and for \$5 or \$6 they are getting high for four or five hours.

The second class of drugs is the stimulants. They are just the opposite of the barbiturates - they stimulate the central nervous system. Very popular in the stimulants is speed, which looks just like heroin - white crystalline powder dissolved in water and injected right into the vein. Over a prolonged period of time, it can and will induce death. It is primarily used for the curbing of appetite in overweight persons. As a result, the person who gets hooked over a period of time, say six months to one year, is referred to as a speed freak - and if you saw him, you would know why. He tends to lose excessive weight, is pale and very sickly looking. These pills are very commonly used by truck drivers over long hauls because they keep them awake. They are also used by college students to cram for exams. If used excessively by truck drivers and if they go without sleep for three or four days, the pills will cause hallucinations. There was a tremendous accident on the New Jersey Turnpike several years ago which involved nine cars and many deaths. They found I don't know how many amphetamines in the truck driver's stomach when the autopsy was performed.

The third class of drugs is the hallucinogenic drugs. Marijuana, although defined by law as a narcotic, is a hallucinogenic drug. There is also mescaline, which is very common in the midwest; it is not very popular around here. And there is also silosidin which is not very popular around here, D.M.T., which is used very extensively around here, D.E.T., and, of course, L.S.D.

L.S.D. is the most popular and the most dangerous drug that has been uncovered in the last twenty years. It was first synthesized in 1938 by Dr. Albert Hoffman in Switzerland. He was looking for a cure for migraine headaches. In 1943 he accidentally inhaled a microscopic amount and he first became aware of its hallucinogenic qualities. From that time to the present, we have had over 2,000 experiments done and research papers written and they have yet to come up with a medical usefulness for L.S.D. As a result of the tremendous bad publicity involved with L.S.D., the only legitimate manufacturer of the drug discontinued all manufacturing in 1966. They turned over their entire supply to the federal government's Department of Mental Health. Today the Department of Mental Health is the only legitimate source of L.S.D. available in this country. They will, to qualify researchers, send out a small portion of L.S.D. to be used for experimental purposes.

L.S.D. trips vary with the amount taken and the emotional makeup of the individual involved. The average trip can last anywhere from ten to eighteen hours. The average dose is considered to be 100 micrograms. A microgram is one millionth of a gram - so you can see how potent it is. L.S.D. is colorless, odorless and tasteless. However, when it is made by illicit manufacturers on the black market, generally in a laboratory in a basement or garage, they often add some kind of food coloring to it. The price varies. In a city of this size, you would probably pay \$15 a capsule. In Boston you can get it for as low as \$2 or \$3 a capsule.

During the course of my job, I have made numerous arrests involving kids on L.S.D. It is pathetic. I have met some who have taken L.S.D. at least

twenty or thirty times who insist that it is the greatest drug that ever came down the pike. I have met others who have taken it for the first time and have undergone psychiatric treatment. This is the problem with L.S.D. - it is unpredictable. You never know if you are going to have a bad trip the first time you take it or the fortieth time. L.S.D. also has an unusual quality in that it can reappear in all its original intensity at any time - they used to say within a year, but now they say even after a year, even if you have only taken it once. That means that you may be driving down the road even if you took it six months ago and all of a sudden trip out, so you can see what the results can be. There are tests to show that L.S.D. does affect the chromosomes. There are numerous tests on pregnant animals that have shown the babies being born of mothers injected with L.S.D. with such wild effects as the brain growing outside of the skull, the spinal column being exposed, and the kidneys outside of the body cavity.

L.S.D. is a tremendously dangerous drug. Many people think it is a fad, the only reason being that they cannot get it. If I had a barrel of L.S.D. available for sale, I could sell it with no problem in a matter of a couple of days. The problem is getting it. This is why marijuana is so popular. First of all, it is convenient - you turn the corner, everyone has marijuana.

Marijuana is raised in a very hot climate - around Turkey, Syria, Lebanon, that area, and often times in Mexico; in fact, quite a bit of it comes in through Mexico. Marijuana grows right along the banks of the Merrimack River, where there are excessive fields of it; however, it is not of the quality being imported into the country.

Marijuana is sold in the streets in what they call the nickel bag or the dime bag. This is a \$5 bag or a \$10 bag. If you want to buy any weight at all, or any quantity at all, you start going into pounds and half pounds. Generally, marijuana is sold in kilos; if the guy is a good enough source, if he has a large enough supply, he will sell kilos. A kilo of marijuana is a 2.2 pound compressed block, approximately one foot long, about two and a half to three inches deep. Years ago it was difficult to come across a dealer who could supply a kilo; today there are fourteen, fifteen and sixteen-year-old kids who can deliver four and five kilos. Three years ago in Boston one of our undercover agents set up and made a buy and as a result we moved in and bought 100 kilos. That is over 200 pounds of marijuana. There is no question that it is available. Information we received following the arrest was that the source who supplied the 100 kilos (he was not involved in the arrest - he was smart enough to avoid that), had over 1,000 kilos stashed away.

I always get hit with the question - what is the status of organized crime when it comes to drugs? As far as organized crime in the sense of the Mafia or the Costa Nostra is concerned, I would say that it is isolated to heroin primarily. They don't often deal with marijuana - it is too bulky. The L.S.D. is made by a syndicate, but it is not the Costa Nostra or the Mafia. There is an individual out on the West Coast who is only about thirty years old, who is extremely intelligent and very, very capable who has his own organization. He has it set up so that he can hit three or four of the largest areas in the country with a new tablet simultaneously. In fact, he did do it when he came out with what is called the Oslup Purple Tablet. It is a little compressed, very professional looking tablet that came out the same day in New York, Boston and California. Obviously, he has quite an extensive syndicate. As we understand it, he has several trailer trucks - labs - that are constantly on the go. It is virtually impossible to try to set it up to hit it with any kind of a search warrant. As many

of you know, in order to move in, you have to have proper cause, and it is extremely difficult when you have a mobile unit constantly going from town to town and area to area.

Why don't we watch the film on marijuana and then we can open up the session to general questions and I will try to answer any and all questions.

NARCOTICS IDENTIFICATION CHART

DRUG USED	PHYSICAL SYMPTOMS	LOOK FOR	DANGERS
Glue Sniffing	Violence, Drunk Appearance, Dreamy or Blank Expression	Tubes of Glue, Glue Smears, Large Paper Bags or Handkerchiefs	Lung/Brain/Liver Damage, Death Thru Suffocation or Choking, Amnesia
Heroin, Morphine, Codeine	Stupor/Drowsiness, Needle Marks on Body, Watery Eyes, Loss of Appetite, Blood Stains on Shirt Sleeve, Running Nose	Needle or Hypodermic Syringe, Cotton, Tourniquet String, Rope, Belt, Burnt Bottle Caps or Spoons, Glassine Envelopes	Death from Overdose, Mental Deterioration, Destruction of Brain and Liver
Cough Medicine Containing Codeine and Opium	Drunk Appearance, Lack of Coordination, Confusion, Excessive Itching	Empty Bottles of Cough Medicine	Causes Addiction
Marijuana, Pot, Grass	Sleepiness, Wandering Mind, Enlarged Eye Pupils, Lack of Coordination, Craving for Sweets, Increased Appetite	Strong Odor of Burnt Leaves, Small Seeds in Pocket Lining, Cigarette Papers, Discolored Fingers	Inducement to Take Stronger Narcotics. Recent Medical Finding - Marijuana Does Injure Organs
LSD, DMT, STP	Severe Hallucinations, Feelings of Detachment, Incoherent Speech, Cold Hands and Feet, Vomiting, Laughing and Crying	Cube Sugar with Discoloration in Center, Strong Body Odor, Small Tube of Liquid	Suicidal Tendencies, Unpredictable Behavior, Chronic Exposure Causes Brain Damage
Pep Pills, Ups, Amphetamines	Aggressive Behavior, Giggling, Silliness, Rapid Speech, Confused Thinking, No Appetite, Extreme Fatigue, Dry Mouth, Shakiness	Jar of Pills of Varying Colors, Chain Smoking	Death from Overdose, Hallucinations
Goof Balls, Downs, Barbiturates	Drowsiness, Stupor, Dullness, Slurred Speech, Drunk Appearance, Vomiting	Pills of Varying Colors	Death from Overdose, Unconscious

S E S S I O N XVI

Wednesday, January 8, 1969
7 to 9 P. M.

New Hampshire State Prison
Concord, New Hampshire

Meeting Chairman - Mr. Robert A. Johnson, New Hampshire State Parole Officer

Speaker - Mr. Charles P. Chew, Director, Virginia Probation and Parole Board

Probation

The role of probation in corrections. Definition. Contrast with parole. The pre-sentence report. Purpose, value, limitations and relevant facts necessary.

Parole

Definition and purpose. The parole plan. Preparing inmate for parole hearing. The parole hearing. Relevant information needed for final decision. Criteria for prediction of success or failure. Prediction tables. Reparole and pre-release centers. Halfway houses. Release on parole. Conditions. Dilemma with expiration of maximum sentence release. Supervision; definition of. Frequency of reporting or visits. Optimum caseload. Violation of parole. Discretion of parole agent for minor violations. Revocation - criteria for. The Interstate Parole Compact.

No matter what kind of a structure, what kind of a plan you set up, it must vary from one area to another; what's good for one area is not necessarily good for another and I think that we need to be careful that we don't formulate in our minds some idea that we think is the absolute end of all - that this is what needs to be everywhere and then try to put that blueprint on New Hampshire and say that, because it fits New Hampshire, it fits Virginia, it fits Texas, it fits California, or vice versa. I just don't believe that any such thing as that exists. You can't take people and change them around like that and take political situations, the very nature of people, and change them to the extent that some persons would think that they could. To give you an example of the situation that exists - we in the South are sometimes pointed out as having strong racial feelings. In Virginia, if we had a meeting like this, we would have in the neighborhood of fifty percent colored. And here you are in this group - perhaps everyone in this group is white. The point of it is that there are changes taking place in the correctional system, in the parole system, in all the systems, in terms of race relations.

I had a call from the Governor's Office in Virginia. There was a committee from one locality that wanted to know why we didn't have Negro parole officers. Without telling the Governor's Office anything about it, we had already had a Negro parole officer on our staff for about two years. That broke down all the resistance. We hired another one just recently and we are going to hire more. If we can get the qualified people, the color is not going to make any difference. I think that quality of staff is one of the important things, obviously. The difference in organizational structure as far as corrections is concerned will vary from one place to another.

I happen to have been on the editorial committee that put out both the publication of the American Correctional Association and the publication of the National Council on Crime and Delinquency. The American Correctional Association's publication is the "Manual of Correctional Standards" which some people have referred to as the bible of the correctional officer. The National Council on Crime and Delinquency's publication is the "Standard Act for State Correctional Services". One of the efforts that was put into these two major publications was to show that there are alternatives in structural setup. I am stressing this matter of alternatives because I am strong on this thing that you don't take patterns and apply them to different situations and say it all ought to come out the same.

We in Virginia work with the Department of Welfare and Institutions. We are in the Department but are not under the Department; we are not a division of the Department of Welfare and Institutions. The law says we shall work as a part of the Department of Welfare and Institutions. All three Board members are named by the Governor, as is the head of the Department of Welfare and Institutions. We have our own staff responsible to us and we feel that that is an essential part. We make our own budget and we make our own budget presentations.

I hold that there are three major theses that are necessary for proper parole administration. One is for the paroling authority to have freedom of decision making, not only in the granting of paroles, but in the matter of supervision and revocation. Second, you should be in a position to handle those persons that you turn loose. In other words, you should carry forward with your responsibility. If you turn somebody out, don't place some future difficulty at the feet of some correctional officer, but put it on the parole officer and the parole board where it belongs. Make him responsible. Third, I do feel that it is highly important that parole staff be allowed to meet before the governing body of a state. The matter of probation and parole is big enough, it is important enough, it is vital enough, that the legislature ought to know that it isn't just some little appendage somewhere stuck on to something, and needs to be given an opportunity to make its presentation.

I believe in alternative plans. I do not believe there is any one plan that is so superior to another that you can wipe out another.

I want to start talking first about probation as one of the community-based correctional procedures. One of the important facets of the adult probation job is the pre-sentence report. When Virginia started out, we essentially followed the pattern that had been established by the federal probation system for making pre-sentence reports. Depending upon what the courts have wanted, we have modified that somewhat. We still use essentially the same topics --- some data as to the offense, some as to education, some as to prior record, some as to religious background, some as to medical situation, not only of the individual but of his family, some of the job background and pattern of employment and any other issues that we feel are pertinent --- and then within the pre-sentence report we try to have a conclusion that is a good but brief summary of what is in that report.

I don't know how your judges are, but we have a lot of judges that simply will not read through a pre-sentence report. They want to see one thing - they want to see the conclusion. They will read a conclusion but they won't read the pre-sentence report. Sometimes the officers have brought this on themselves because we have some officers who apparently feel that by writing

pages and pages they have written a good report. A lengthy report doesn't mean one thing. It may mean just a coverup for a lack of information and there is a lot of verbiage there that really doesn't have much meaning behind it. A pre-sentence report needs to be broad enough to cover the topic and narrow and short enough to be used by the court for what it is intended.

A pre-sentence report certainly affords the opportunity to the judge to individualize sentencing. There was an article in the paper the other day that two co-defendants in a bank robbery charge had received sentences of quite varying lengths. One had been given five years and one had been given twenty years. People were voicing themselves that this was a horrible situation - here were two people involved in the same offense and one got five years and the other one got twenty years. I said, "I think that is wonderful, I think that is fine." And that is exactly what I think it ought to be. None of them knew anything about the case except for what they had read in the paper. But why shouldn't the person who had a good clean past record, had a good work record, had everything going for him, but got messed up for the first time, receive a different kind of treatment from the fellow who had been a mess-up for years and years and had probably led the other fellow into it? I believe in the difference in sentencing. I don't think we ever ought to come to the point where, because one got this sentence, the other one ought to get the same sentence - not as long as we have different individuals.

The pre-sentence report is used by the court, but with us the pre-sentence report is a vitally important document in the hands of the institutional authorities. A pre-sentence report is made by our officer, a copy with a cover letter, showing the sentence imposed and any special conditions, comes to us and we distribute and send to the institution a copy of the pre-sentence report. Institutional authorities use it for background material for dealing with that individual while he is imprisoned. They know what his family is like; they know what kind of jobs he has done; they know something of his health condition; they know a lot of other things that they wouldn't otherwise know. So the institutions use it.

Obviously the parole agencies use the pre-sentence report. Our Board uses it from the time that we first start dealing with the case at initial interview shortly after he comes into the institution up to the time that he may be ultimately released.

We have got some judges who require the presence of the probation or parole officer in court when cases are being tried. It is my personal view that this has always been a waste of time on the part of the probation or parole officer. I feel this way not only from my own personal view but from expressions of our probation and parole officers as to how much time they feel they waste in court listening to witnesses, waiting for actions by the attorneys, etc., and how a day or a couple of days get killed waiting in court for a court decision. I say turn the officer loose and let him do the job he has to do in the field and don't tie him up sitting on a court bench.

One other thing that has been a point of interest to me is the element of description of the offense in a pre-sentence report. We have one officer in our group who loves to write and he writes with a great deal of flourish. I will never forget one of his reports. It was written in a coal mining area where toting a gun is typical - you don't get dressed unless you tote a gun - and they have occasional shootings. This report started out something like this: "On a clear, moonlit night, three shots rang out." Now, does it make any difference in a pre-sentence report what kind of a night it was and whether two or three shots rang out? Admittedly, that sounded

good and you kind of like to read that sort of thing, but it doesn't belong in a pre-sentence report. I think we probably spend too much time on the presentation of data about the offense. Maybe it would be well to state just the elements - enough to recall it to the judge, but you aren't there to try that case or to present the evidence or to rehash the evidence. The court is supposed to have already listened. The conclusion ought to be essentially a brief summary.

Our officers are sworn into court when they are appointed. We had four officers being appointed and there was a three-judge panel there. They made a little display of the situation. It was a good ceremony. The senior judge was telling these men, "In this court, in courts with which we deal, we want recommendations." Some of our judges want recommendations; some don't. Our court of appeals took care of one situation clearly one time when an officer not only made a recommendation for or against probation, but made a recommendation as to the sentence that ought to be imposed. Of course, the probation officers are not judges and they just don't do those things. Consequently, that part of it was thrown out. In Virginia our officers can make recommendations as to probation or no probation, but there better not be in that pre-sentence report a recommendation as to how long a sentence there should be because that is illegal.

I think the real depth of the job that a probation or parole officer does is done in supervision and not in investigation. It is what you do with what you get instead of how many can you get or how many can you keep from getting. I think supervision is a very important part of our job. I think the judge needs to be kept in the middle of supervision from the standpoint of meddling. He needs to have enough competence in the probation or parole officer that he says, "Here, the guy is your charge but I would occasionally like to know generally how these people are getting along. You don't have to come and discuss every case, but I would like to know." When I left the classroom, I went out in the field as a probation-parole officer. I had one judge who kept a little black book. He actually kept a list of all the persons he put on probation and periodically he sat down and he wanted to know just what happened to each of these cases. I think he went too far because actually it consumed a lot of my time and a lot of his time. But he was vitally interested and for that I am devotedly thankful. But the point of it is that I think the judge does need to keep his hand kind of on the throttle. The probation officer is working for that judge and he is an arm of that court and the two need to work together and work closely together.

In Virginia, somehow or another, judges become "paroling" authorities. I got a letter the other day from a commonwealth attorney recommending against our putting a man on probation and we don't have authority to put people on probation. Our highest law officials don't even have the terms straight, so you know what a training job we have got with them. If we can just convince them and keep before them that probation is a form of treatment and not a form of leniency! If we are going to use probation as a dumping ground for the cases the prosecutor feels he can't get a conviction on, but he will recommend probation in order that he can get a conviction of a plea of guilty, I submit we are getting on dangerous and shaky ground. I don't like that kind of thing and I think we should discourage it at every possible opportunity.

We do work under a state system of probation and parole so that we do have knowledge of what is going on and it seems to me that there ought to be some centralized situation where, if for no other thing, you can get statistical data that can cover the whole state, showing a locality as it

appears against the total state figure. I think there are certain types of forms that we use that can be general forms and everybody can agree to use them to give some uniformity. I think there is some definite advantage to having some centralized procedure for dealing with probation on a statewide basis. It also in many instances will help afford a poor county or a poor area to get the kind of service that it needs when sometimes it might not otherwise get it because of its economic situation.

Now let's deal with parole. Back in 1956 in Washington, there was a meeting called by the Attorney General of the United States who was then the Honorable Herbert Brownell, Jr. Out of that meeting came the publication "Parole in Principle and Practice", which is a manual and report. At that time there was an effort made to reach some general definition that everybody could accept for parole. "Parole" and this is a direct quote, "is a method of selectively releasing an offender from an institution prior to the completion of his maximum sentence subject to conditions specified by the paroling authority; a method whereby society can be protected and the offender can be provided with continued treatment and supervision in the community." This is the kind of thing you can quickly memorize and say - here is the definition of parole.

As far as New Hampshire is concerned, I understand you have a flexibility in sentencing, say three to five years, and a man can come up for parole consideration after serving two-thirds of his minimum sentence. We try in our state to get involved early as far as parole is concerned. Our institutional parole officer, who is a member of our staff, works in the institution and interviews every new inmate, trying to call attention at the time of admission or shortly thereafter to the fact that one of these days he is going back on the street, one of these days we hope that he will be a good family man and be able to support himself and any dependents that he may have, we think he needs to keep his lines open back to the community. We try to give him encouragement to use the facilities of the institution for his betterment while he is there. We believe that the fact that our man is in the institution pointing his finger at the street and how the inmate can prepare himself for the future is a positive factor in how he may adjust within the institution itself.

There is one element that I really don't know and this is something that I throw out because you may want to think about it a little bit. Does parole have a responsibility to work with the family of the inmate while he is inside? How much ought we get involved with the family back home while the guy is serving time? The dilemma of a parole board is, "Yes, we think the fella is ready, but he is going back to the same mess he came from. Nothing has been done to change what he came from. Maybe he has changed, but the situation hasn't changed." I throw this out as a question; I am not going to attempt to give an answer at this point. I am not sure this has been fully explored and I hope we can more fully explore this and give more folks the benefit of what we find concerning dealing with the family during the time the man is serving his sentence.

Courts are getting into actions and are handing down rulings that are making our jobs more complex day in and day out. One of the things that we have lived with down through the years is the statement about a man having a parole hearing. We have looked at that and said that that has the connotation of a legal procedure in terms of an adversary type proceeding, a hearing. Let's get away from that - this type of thing that we do with an

inmate in prison is more in the sense of an interview than it is a hearing. So we don't have parole hearings now; we have parole interviews with prisoners. If an attorney wants to represent a man, we will hear the attorney and any hearing we have will be with the attorney and our officers. I think maybe this is one of the things we have to look at a little bit more because I personally have the feeling that the face-to-face confrontation of the prospective parolee (the person who wants out on parole) and the agency that is going to determine whether he is going to go out is an important confrontation, but it ought not be on the level of judges sitting up here and prospective parolee down there, but more on an informal type of atmosphere. I went into one state and literally I found the parole interview room set up just as you would have a courtroom. Here was the podium, here was an area up here and here sat the members of the Board. Here sat the man down there. It was a very formal kind of a setup. As you know, in the federal system, the parole board members are called judge. I am not an attorney and I could be a judge in our state if I wanted to be. Personally, I much prefer not to be called judge. I have the feeling that we are better off if we do not get over into that legalistic kind of a role and stay in the matter of dealing person-to-person in interpersonal relationships that will give us an understanding.

I have never seen the system that didn't have a folder on a man. Folders differ in types and nature, but everybody has a record on that man. One little thing that I have noticed in dealing with prisoners is that they have watched TV and they have watched the program that used to be on a couple of years ago - Ralph Edwards' "This Is Your Life". You will remember that on this TV program he always had a notebook or something that he was reading from and he would mention, "This is your life." In reality, what we have before us is a picture of that man's life. But to translate that from a written page and get to know that man as a person can only be done in a fairly informal atmosphere, in a fairly relaxed kind of interview situation.

We talk sometimes about parole being a continuation of treatment begun in the institutions. That is nice to talk about, that sounds good, but I personally have the feeling that parole many times has as much a job to undo what happens to the guy in the institution as it does to continue with what happens to him in the institution. I don't care what kind of an institution you run; it is the kind of a place that many times has a bad effect on people. Don't get me wrong --- I am not for doing away with institutions, but I think there are far too many instances where inmates learn bad things that need to be unlearned when they get out and a parole officer can help them to unlearn some of these things.

Sometimes parole officers confuse their roles with that of the parole board. We have some parole officers who sometimes want to take the role of the parole board and want to say who ought and who ought not be paroled. That is strictly the prerogative of the parole board. The officer is to furnish all the data and give all the help he can, but the final decision is that of the parole board's. If the guy goes bad, then it is the parole board who made the mistake and the parole board ought to accept the mistake and never ought to throw it back to the officer and say it is because he didn't do right; we made a good choice but he didn't do his job. That is cowardly and I would discourage it in any instance.

I can tell you from my own experience on parole boards for nineteen years some of the things that we look for and somewhat in the order that we look for them. We try to determine if the man is ready for parole. You will hear, "Well, I've got a home to go to and I've got a job to go to. Bang! I'm supposed to make parole." Some of the best cons we've got in

our institutions can arrange all that, they can have all that lined up - it looks beautiful. And you know what kind of rotters they can be. We've got to go past that; we've got to make the first decision - is the individual ready?

Secondly, will his release have an effect upon the institutional administration? Sometimes a parole can be helpful to an institution and sometimes it can be very damaging to an institution, or so we are told. If we have any inkling that the parole of a given individual will cause an adverse effect on relationships within the institution - between the administration and the population of the institution - we take that matter into account. I personally believe it is a valid point.

Then, of course, the matter of the likelihood of public acceptance or rejection of the individual, whether there is family support and whether or not the parents have given up, has to be taken into consideration.

I have tried to work sometimes on the idea of prediction tables and I have read books on prediction tables and how you can figure it out. I heard one man one time refer to prediction tables as slide rule measures and slide rules don't apply to people very well.

It seems to me that there are two factors that all too frequently come up. If the family has given up on a man, particularly if the mother says, "I love him but he is not any good," so help me, he has just about hit bottom and he probably isn't much good. I hope it is not that positive, but that has been the way I have seen it.

Another factor is certainly the nature of a man's work record. If he is a mature individual, the nature of his work record is a matter of real vital concern in determining whether or not he might make good on parole. Of course, we have to look at marketable skills of the individual in the institution as to whether or not he can go out and earn a proper living.

Some individuals come to an institution to be so-called "rehabilitated" who don't have enough sense to be "rehabilitated." I talked to five inmates yesterday. If you put the brains of all five of them together, I don't think you would have one good brain. And I mentioned that frankly to the head of the institution and he said that those five guys were sent here for rehabilitation. The interesting thing is I think I will not see some of these persons back, but it is only strictly on the fear of getting caught and punished. It is not going to be on a matter of rehabilitation.

And of course there are health factors - mental and physical condition - that have to be taken into consideration.

We go to the institutions once a week to interview those persons who have been brought back for parole violation. I talked to five yesterday. One of them was a boy who had an I.Q. in the superior range. He is as smart as a whip and as nutty as a fruitcake. We made a mistake in paroling him to start with. We thought we had a setup arranged where he would get psychiatric treatment; we knew he was odd. It didn't work...he took off. He ended up at the University of Wisconsin. He met a friend out there (he didn't go to school there but he knew somebody out there), got some money, went out to California, worked in a motorcycle shop out there and somehow or another got all the way back to the East Coast. He was going down a highway in Maryland and was picked up on a vagrancy charge. They recognized that he was wanted in Virginia so they took him to the police station. He

was carrying a bag. It was described as a blue piece of luggage and they asked if they might open it and look at it. It was full of marijuana. He said that he just happened to pick it up along the road, he saw it growing along the road as he was hitchhiking and he picked it up and brought it along with him. He said it really wasn't any good, but anyhow, he had it in his possession. They took him to court and they tried him and they convicted him. After they convicted him, the judge said, "No, you can't convict that man" and on a technicality it was thrown out and the guy was cut loose. We brought him back as a parole violator. Now he thinks he ought to be paroled again --- he was on his way back to give himself up.

One of the things that you are working with here in New Hampshire is the work release program. I understand that you have started that on a small scale. I think this is very wise. The purpose of work release has to be spelled out. The philosophy and understanding of why you have it is highly important before you put it in. In one state that has a work release program there is an emphasis on how much the work release program returned to the state in terms of dollars and cents. You don't send people to an institution for the financial return that they make; you send them there for something more than that. Certainly you need to put prime consideration in any work release program on the monies earned as to kind of training it involves for the man and what he can do for that family that is probably out there on welfare roles while he is having it easy in the institution.

I think pre-release centers have good possibilities if they are handled right. I think we can so easily throw off what has been old and say just because we haven't been doing this, let's do it - let's jump in and do it. You don't start to swim that way, you would probably drown if you did. You don't just jump in and start swimming, not unless you have got somebody there ready to rescue you if you sink.

I think pre-release centers are alright if we guard carefully that they do the job that they are intended to do. I wonder just what the optimum period would be for a person in a pre-release center. I think if the thought is that he is going there in preparation for parole and then the parole board denies him, then I can see how that would be like pulling the rug out from under him. I think that would be a dangerous situation. In terms of parole, if the parole decision has been made favorable to his parole, and there is already a plan, all too many times the job situation is one in which the employer says, "I want him now; I don't want him thirty days from now, or three months from now - I want him now." That puts us in a bind as to how we get him through a pre-release center. I will never forget the impact before a legislative committee studying halfway houses in Virginia. One of our high government officials who was on this committee lives in the immediate area that another man said we would probably want to place a halfway house. That was as dead as a hammer as far as that committee was concerned, because this high government official didn't want a halfway house in his community. That is the problem in all the states. We talk about it being a good thing, but who wants it? If you put it in a slum area, how much benefit is the halfway house going to have? I believe that some residential kind of a setup, short of a penitentiary or short of a strictly custodial institution, can serve a good purpose in working a man back into the community.

CONDITIONS OF PAROLE

Conditions of parole ought to be reasonable. Certainly they need to be simple enough to apply to a regular kind of living. They need to be specific enough that they can be clearly defined to the individual or to any court or

public group or employer. Certainly they ought not to be too great in number. One time I was asked to make a survey of the conditions of parole in the United States. Throughout the country there are many various conditions of parole - the list is very long. Yet we send people from one state to another and they are supposed to understand both your conditions and ours, or the sending state's and the receiving state's. I submit that this is too difficult. Parole conditions can be simple and explicit and I think that this is what they need to be.

We have attempted to use a plan of graded supervision. In dealing with caseloads, are there some that need a lot of supervision? Do you need to have a person under maximum supervision for a while? As he grows and develops, can he be reduced to medium or minimum supervision? Or are these some things which you ought to leave entirely within the discretion of the individual officer? I don't know.

But I do know one thing --- and this is something that is utterly confusing to me. It is referred to as optimum caseload. In my estimation, there isn't any such thing. I can remember when I was a probation-parole officer in Virginia that if I could have gotten my caseload down to 100, I would have been coasting - I would have had it made. We worked on a caseload of 125 and we worked on it and we finally got it down to about 100 and we thought we had it made. We worked on it some more and we got it down to 75. Now we have got an average caseload of 63. The quality of the investigations of the officers has increased. But in terms of supervision, I don't believe we have gotten a comparable improvement in relation to the reduction of caseloads. One officer can handle a caseload of 100 and do a good job and another can have a caseload of 25 and do a lousy job. A lot of it depends upon the individual, the kinds of cases, and the kind of circumstances under which he has to work. I just don't believe that there is any such thing as an optimum caseload. Obviously, there can be so many in your caseload that you are lost in a fog before you start. One state we checked on some time ago was carrying a caseload of 425 per officer - you would do well to maintain a statistical record for that many! Talk about supervision - you can't do it; it is just physically impossible. But when you get a caseload down to 50 or 60, I submit that most officers with limited areas certainly ought to be able to take care of it and do a pretty substantial and constructive job with those persons under their supervision.

All of us have parole violators, unfortunately. We try to hear their cases as promptly as possible after we bring them back and I think that is one of the things that we are going to have to watch in terms of court actions - that a decision be made pretty promptly after a man is taken into custody as to whether or not he has violated his parole and whether he ought to be reincarcerated. The rapidity of action is going to be one of the things we are going to have to watch; certainly the matter of representation by attorneys is going to be another.

Then there is the question of how much discretion ought to be given to the officer concerning a minor violation. I think probation and parole officers, if they are worth their salt, ought to be allowed to use some judgment. If you have a probationer or a parolee who hasn't violated, I would like to meet him, as well as any person in here who hasn't violated a law. I bet you there isn't one. You just don't have parolees who don't violate. The question is - how seriously do they violate? Is he a menace to the community - does something need to be done to take him out of circulation? Many times we just don't see things - we are just not conscious of them. "I was sitting on my chair, I knew the bottom wasn't there. Nor the

legs, nor the back, but I just sat ignoring little things like that." Isn't that the way we do a lot of our supervision? We just ignore a lot of these things. We know they aren't there or we know they are, but we ignore them. I think any parole officer or any probation officer has to use his discretion to some extent as to whether or not he needs the back of the chair or the bottom of the chair or whether he just doesn't see it.

One great blessing in probation and parole is the Interstate Compact. The other forty-nine states will give a state information about an inmate in their institution, will take our offender and supervise him for us, and we will do the same thing for the other forty-nine states. We must have this cooperation and this ability to get data with a population as mobile as ours in this day and time and we must keep effective something like this Interstate Compact. There are inroads being made and we are going to have to reach judges about interstate compacts because we have had a couple of decisions that have hurt us and have hurt us badly in this issue. I know that here in New England you have other compacts that stretch into other areas than just the matter of supervision and investigation. I think this is fine and that there will be more tendency towards this in the future.

S E S S I O N XVII

Wednesday, January 15, 1969
7 to 9 P. M.

New Hampshire State Prison
Concord, New Hampshire

Meeting Chairman - Parker L. Hancock, Warden, New Hampshire State Prison

Speakers - Mr. Rolf W. Stageberg, Director, Minneapolis City Workhouse,
Wayzata, Minnesota
Mr. Leo Nauceder, Work Release Supervisor, Vermont State Prison
and House of Correction for Men, Windsor, Vermont

New Developing Trends in Sentencing, Probation, Parole, and Institutional Programs

Stress on work release, home and study release. Advantages, selection for, and risks involved. Seminars and institutes.

Mr. Rolf W. Stageberg:

I have been in this business most of the time since 1931 except for a short time in business and a stint with the United States Navy, so I have seen a lot of things that have happened during this time and I have never been as excited as I am today - excited about the prospects of change. And if any of you think that this excitement over the possibility of change stems from a full heart welling out to unworthy people and suspect that this may be sheer sentimentality, let me tell you this --- my feeling about some of the things we are considering today is as sentimental as grounding your electrical system. I frequently say to some of the business people that I talk to, "I wish we had in corrections the same checks and balances that you have in your business. In your business you have got to make a profit. If you don't make a profit, you do something. But in our business, that hasn't been the case because some of these inmates deserve every day they serve." We are not particularly concerned about the fact that this or that might result in a different outcome. It is awfully difficult to come to work in our kind of institutions with a heart full of love and carry it all through the day in the face of all the resistance you are liable to get. But we have to consider the facts.

The only thing that is really worthwhile of consideration is - does what we are doing, whatever it is, whether we lock them up, hit them, love them, send them to the chaplain, whatever we do - does it contribute to the welfare of the community? We are most likely to get hung up on the fact that some of these offenders do deserve punishment, so we find it difficult when somebody says this guy ought to do thus and so. Should we consider him for work release? Should we consider him for a furlough? Should we consider the halfway house concept? Should he be referred to the chaplain, the social worker, the psychologist? It is kind of hard sometimes to have an objective judgment in the face of some of the resistance that we run into and in the face of some of the unlovely people that we do run into. But our job is to change that.

Let me first admit that one of the signs of the times is that we are not kidding ourselves that we have a magic wand and that we are going to change everybody into nice little people. We haven't got it yet, even though we go around the moon. No, there are hopeless people. There are some people

who should never leave prison. But I am excited because I think we are learning enough about human behavior to discover some new techniques that result in guys leaving our doors and staying outside and paying taxes.

I hope that my comments can contribute a little bit towards the problems that are daily routine with us all in judging the offender and look more towards what we can make out of this offender. It reminds me of a friend of mine who has done a fabulous job down in Bucks County, Pennsylvania. He has taken over an old jail that I think was built in 1860 or so; it is pretty close to a century old, if it isn't a century old. He says, "I am not a junk man; I am in the salvage business." That is our business. There is a poem about a man who went down to the dump and saw some wheels. The idea of those wheels excited him. He knew he could fix those wheels and put an axle on them and put a wagon on that and paint on the wagon, "Joe's Wagon" and he would be in business. That is our business --- to take the material that we've got and to try to make a wagon that will be in business.

I am excited about the fact that we are considering some new tools because the old ones have not done so well and it is not your fault. If you've only got a Model T, that is all you can drive. You can only make 30 miles an hour and you will probably burn out a rod every once in a while while you are doing it. I am not here to say that, because we are probably batting fifty percent, it is all you people who are responsible for this. We haven't had the tools, but I think you are getting them.

This training program is a sign of the times. Here I would like to divert a little bit. I am sure that there may be some resistance to the idea of training, but if I were your business agent and if you were all a part of my union, I would say, "Fellas, I don't care whether this training program teaches you a thing. I don't care if it doesn't do anything but create the mystique that we have to have some special knowledge to be in this racket because if we can make people believe that we need something in the brain as well as in the heart, it is worth more money." -- "It is worth more money."

I remember a story about a warden down in Florida. He had been recruited from the federal government to come and make a new system in Florida and he lasted two and a half years --- they threw him out. The thing that they threw him out for was because he didn't hire a certain guy. Why didn't he hire him? Because he was an illiterate - he couldn't read or write. The politician that sent him over for the job engineered his dismissal by saying, "Why does he need to read and write to hold a gun?" This tells a story. All that politician thought a correctional officer had to do was to guard - to hold a gun. On that account you should look at the kind of wages that they were paying. I don't remember that part of the story, but I think it was around \$250 that they were paying at that time for the kind of a guard that holds a gun. So if there is any resistance to the idea of this training bit, if you haven't got any motive except money and that pocketbook, it is a good gimmick.

I have tried hard to make our controlling body believe that our officers have to have something special. I don't want a guy that can only hold a gun. They have to have something between the ears. They've got it, and we pay them for it. I hope the same condition exists throughout the country.

I am terribly concerned about the lack of the kind of salary standards that would keep people on their jobs. I submit that we are getting close

to the day that we are looking at our product and asking ourselves, "Are we doing the job? Does whatever we do produce the result that the taxpayer is paying us for? Is there benefit to the community?" So far the results have not been so hot, as you know, and on that account the President's Crime Commission Report is replete with quotations such as the following: "Society's aim of reducing crime would be better served if the system of criminal justice developed a far broader range of techniques with which to deal with the individual offender." Another quote - "For a great many offenders, then, corrections does not correct; indeed, experts are increasingly coming to feel that the conditions under which many offenders are handled, particularly in institutions, are often a positive detriment to rehabilitation." This isn't a criticism of you and me, necessarily; we've gotten a Model T so far. But there are beginning to be some new knobs and new engines in this thing so we can have more pride in the kind of thing we are doing. Another quote - "If corrections is to succeed in mobilizing varied community resources to deal more effectively with offenders, it must significantly change its way of operating."

Here is another quote - "Innovation and experimentation in all parts of the criminal justice system are clearly imperative." So if you think that this work release law is full of garbage, please withhold your judgment. It may fall flat on its face, although I have got some very strong feelings the other way. Some of the other things you are trying may fall flat on their face, but we must try them. We haven't tried different things, but we are getting close to the point where people will accept the fact that if I goof, I am entitled to a goof as much as a businessman. I shouldn't have to have the right answer every time. I've got the right to make a few mistakes. We ought to dare to make a few mistakes in corrections. It is a hot potato. If you guess very wrong, you can really wind up in some nasty headlines.

The President's Crime Commission Report is loaded with words like change, innovation, experimentation; these reverberate throughout the Report. This line sums it up - "It (corrections) needs above all the willingness to examine old ways of doing things, to reform itself, to experiment, to run risks, to dare." This is from the President's Crime Commission Report, the greatest, most impressive report in the history of the United States.

In facing the current scene, this clipping may tell a little bit more about it. This is a clipping I took from the "Minnesota Tribune" of recent date. It relates to an interview with Patrick Murphy, first full-time Director of the federal program to improve crime control. He says, "We are not preventing enough crime; we are not apprehending enough criminals; we are not rehabilitating enough offenders." Now this guy is no pantywaist, no starry-eyed do-gooder; he began his career as a cop. His final remarks are, "Our jails and prisons probably are what the public are least interested in when they think about crime. But the effectiveness of the correctional system is crucial to the control of crime and the public must realize that our present system does not correct and does not rehabilitate." This is from a guy who is no softy.

Now I am going to talk about something that we are doing in Minnesota that is like what you are doing here --- the Huber Law --- the work release law --- an innovation. First I will tell you something about my city. I work for the City of Minneapolis. I run a workhouse located about fourteen miles outside of the loop. We are out in the lake country in beautiful territory. The building was built in 1930 and houses short-term offenders. Our sentences range from one day to one year. I came there in 1956. A lot of images, a lot of ideas, have developed about that institution as they do about every institution. The public idea of our institution was that this

was sort of a public housing program for broken down bums from Skid Row. When I went out there, the mayor warned me that if we fed them anything more than slop, we wouldn't be able to keep the bums away from there with a shotgun. He said it just about that way and I believed it because he told a story to prove his point. The story was about how one of the stupid superintendents who preceded me back in the '30's had fed some bologna out at the workhouse. This must have been real marvelous bologna because the word of this bologna went to the East Coast and to the West Coast; I am sure you heard about it in New Hampshire - the year we fed the bologna at the Minneapolis Workhouse!! Anyway, they came in by the flatcar loads to the City of Minneapolis. The mayor thought that there was a one-to-one ratio between that bologna and the fact that people were travelling around on flatcars during the Depression. It is this kind of nonsense that controls a lot of our institutions.

I happen to have been the first civil service superintendent in the history of the City of Minneapolis, so this guy couldn't say I had to do thus and so. He knew what he had to do to fire me. My first order to the cook was, "I want to feed as good as our pocketbook permits us to feed - no monkeying around with the budget." That was a reality we had to face. The cook said, "Hallelujah! Now I can be a cook instead of a garbage man." And do you know what happened? Before I tell you, I am not going to make the same mistake as the mayor did. He said that the bologna caused the people to come in; I am not saying that if you feed them good your population is going to drop, but it did. If we feed well at the Minneapolis Workhouse, there are not many guys knocking at the door trying to get in. Our list of applicants is very small, in spite of the fact that we have a hard core of people doing wrong and wrong and wrong; one of them has spent fourteen years of his life, a life sentence on the installment plan, at the Minneapolis Workhouse and if I brought him here, you would like him. It is tragic. At any rate, one of the myths about the workhouse is that if you feed food that is fit to eat, you are going to attract people to the institution. Absurd!

Our population dropped steadily until 1963. Today this institution, which in 1930 was built for the City of Minneapolis when the City had about half the population it has today, and which today serves not only the City of Minneapolis but the entire suburban county of almost one million people, has 200 open cells. I am not saying that I did it or that we did it or that my great correctional officers did it; we couldn't do it all by ourselves by any means. But I do know that we had something to do with it. It merely tells you this - that just being concerned with people is not going to attract people into your institution and make them like it so much that they can't get out of there. The increase in probation has had a lot to do with our population decrease.

Some of the other myths are that you can't use treatment personnel in a place like this. The mayor himself asked me when I requested a social worker, "What the heck do you need a social worker for? What can you do in ten days?" In the first place, all the sentences are not for ten days. But he completely resists the idea that the only good treatment is long treatment; he completely resists the idea that there is no direct relationship between long treatment and good treatment.

I want to make a prediction. The institution of tomorrow, maybe twenty-five years from now, is going to be the short-term institution. The United States confines its offenders longer than any other civilized nation in the world. Maybe they deserve every day of it; I am not saying that. All that I am saying is that when we give them what they deserve, it results in nothing for the community. We get a blob of nothing.

I am suggesting that the institution of tomorrow is going to be the short-term institution that takes a page from medicine in short, hardhitting, intensive treatment. This treatment doesn't need to be so far flung, either. We can get really hung up on treatment. My opinion is that the best treatment in our institution is going on in the shops. The best treatment in the institution comes from the correctional officer that goes down the hallway and says, "Good morning, Joe." Big deal, huh? This gives atmosphere and humanity to this institution. The officer recognizes this inmate as a human being.

Don't do as one of our officers did some years ago before I arrived. He is said to have made the rounds on Christmas morning and an inmate came to the gate and said, "Merry Christmas, Sir." The officer wheeled around and said, "Who the hell are you to wish me Merry Christmas." The guy may have deserved it, but what kind of people are you going to discharge from that kind of an institution? The officer who is just simply humane, no nonsense, but simply humane, is contributing mightily to the treatment atmosphere of the institution.

What can you do in ten days? I will give you two little examples. One fellow taught me a lesson about A.A. one night. He had been out at the workhouse many times for being drunk and here he was - sober, with his wife, and on the job. I said, "What did it, Joe?" And he said, "This is the first time I got out of there when I didn't hate the whole institution." All we did was to give him humane care, a clean place to live, decent food, some work to fill up the day - the human touch - somebody made him feel like a human being. He didn't leave with hate in his heart. He went out and tried this nonsense they call A.A. and it worked.

I had a recent illustration of something equally dramatic. It is so silly that it hardly deserves telling. It is about one of our young Indians. My heart really goes out to the Indians. They are the best inmates we've got, the hardest workers, but the most hopeless to make it out in the urban industrial community. They just don't make it. Anyway, I was talking to this Indian who was about twenty-six years of age and I had a feeling about this guy - he really impressed me. I told him about a program that I knew of which was an M.D.T.A. program available through a Negro agency that had a contract. I told him that if he was interested in this, I would help him get into it. I had someone give him an application. The first thing I did was a little thing - all I did was recognize some possible potential.

The second thing is what he says was the one thing that put him on the street today. This guy today, in a few months, has leaped into the forefront of a developing Indian community. He has been made a Vice-President of an Indian coordinating committee - a guy who was a drunk a couple of months ago and who may have been hung up on this problem, if one little thing hadn't happened! I know what happened when our wagon goes downtown with about fifteen or twenty discharges a day. We drop them off at First Avenue North and 4th Street and as they come out of the back of the wagon, somebody says, "Come on, Joe, let's go over to Pete's Bar. Let's go have a drink." A lot of guys can't handle that social pressure, so there is a whole bunch that go over to have a drink. Right away I knew that the Indian couldn't handle that social pressure, so I pulled him out of that group. All I did was to ask one of our staff people to drive him down to the Urban League. He says that was the one thing that made him sober today. We didn't treat him for a year or two years or five years. That little problem-solving device did an awful lot for this man.

I am not saying that this is going to work with everybody. No, far from. I think our work is a little bit like fishing. If we cast all day,

eventually we will get a bite. Well, I got a bite, and we are going to get more bites if we stay in there fishing.

Some of the things that are going on in places like ours are dramatized by announcements like the one I am going to read now. This is about a program that is being conducted in a facility quite like ours for short-termers at Rikers Island outside of New York City. "A new action research program of restoring prisoners to law-abiding and productive roles in society was launched on October 18, 1965 at the New York City Correctional Institution for Men, Rikers Island. This multi-pronged program will involve 1,000 male, sentenced, adolescents, sixteen to twenty-one, in reception testing, vocational training, remedial education and counselling at Rikers Island while serving time and follow-up job placement, counselling and evaluation in the community upon release." They are trying something new. I am sure that today they don't have enough experience to tell you what this has done for their recidivism, but if they haven't got these figures yet, I am sure that they will be forthcoming soon.

I would like to make another comment about a program at Rikers Island which involved inmates who were selected for plastic surgery. This program was carried on under a contract with the Division of Vocational Rehabilitation, the Staten Island Mental Health Society, and the Montapeoria Hospital, all of whom were involved in this three-pronged cooperative research with addicts. There were 168 individuals involved in the program, 74 of whom received surgery. There were 118 heroin addict subjects and 50 non-addict subjects. With the experimental group, they would do things like repair a bulbous nose, etc. Follow-ups were conducted one year following surgery or release from prison and comparisons were made on three major variables - 1) recidivism, 2) vocational success, and 3) psychological adjustment.

There was a 17 percent lower recidivism rate among the subjects that received plastic surgery. That is interesting. Recidivism was 36 percent lower among non-addicts receiving surgery as compared with the non-addict controls. These guys may all have been louses and undeserving of this type of solicitude, but this results in real savings - dollar savings as well as human savings. The whole report is not quite as winning as these two figures. It would take some more analysis. One of the interesting results was that addicts operated on for removal of tattoos showed a higher instance of recidivism than tattooed controls. It is peculiar how this ball bounces once in a while. Now I will give you one to laugh at. Non-addict subjects who received just social work services and vocational counselling but no surgery recidivated at a rate 33 percent higher than the control group.

I want to mention some of the other things that are happening. There is a Vocational Rehabilitation program in Dayton, Ohio involving jail people with a half-time VR employee who is doing some experimental work, and there is a terrific VR program involving the correctional facilities in South Carolina.

We have barely nibbled at the resources offered by VR. This agency is beginning to get involved in numerous agencies throughout the United States. You might be interested in a little history. VR began in World War I to take care of people that were crippled in military service. The original focus was on the physically handicapped. In 1944 or '45 or '46, they passed the Bardon LaFollette Amendment which recognized that a man can be just as handicapped in the head as he can be in his muscles. In other words, the mentally

ill and the mentally retarded were also eligible for these services, so that broadened the base of the service group. In 1965 there were some amendments made to the Vocational Rehabilitation Act that recognized that our kind of guys - the social misfit, the guy who can't stay out of jail - is terribly handicapped too and he also can be eligible for their services, even though he has two arms and two legs and two eyes.

Here are a few samples of some of the things that VR is doing. Since 1961, VR has supported thirty-four projects in correctional agencies in which the adult or juvenile was the focus of service or study. In 1965, expenditures for such projects amounted to one and one-quarter million dollars in federal funds. The project "Restoration of Youth Through Training" (R.Y.T.) at Rikers Island provided background on the application of VR techniques with young offenders.

Then there is the Federal Offenders Rehabilitation Program, launched in 1965, involving collaborative research in eight projects which sought to 1) measure the effectiveness of the VR counsellor in the correctional process, 2) test the effectiveness of timing in the intervention of the service of the counsellor, and 3) test the practicality of collaborative research as a method.

Another research program which I referred to earlier is the plastic surgery at Montapeoria Hospital. Then there is the South Carolina VR program that I referred to. Another is the one in Draper, Alabama, where they are supposed to have a terrific program. This institution, Draper Correctional Center, is an institution for felons and misdemeanants eighteen and older and is supposed to have an outstanding VR program.

Now to mention some of the other things that are going on in various places in corrections. I am sure that many of you have heard about the Highfields Project in New Jersey which started in 1950. These boys are involved in a single program with two principal elements - 1) a daily work program and 2) daily guided group interaction. Then there is the Essexfield Program which started in 1959 in New Jersey and which is very similar to the Highfields Project. There is another program out in Provo, Utah. Like Essexfields, it is a daily program that includes a full days' work and group sessions. There is another program called the "Community Treatment Program" in California. The Youth Authority's "Community Treatment Program", started in 1961, combines experimental and demonstration projects designed to study the feasibility of substituting intensive treatment programs in the community for selected people, etc.

Texas has a pre-release center. Let me read the first page of a pamphlet that they have about their pre-release center which describes a number of things that occur during the pre-release phase of a man's confinement. I think that this phase is about four or five weeks long. This is what the first page says: "When the pre-release center at Harlem was opened, its clientele was limited to dischargees. The success of the venture led to the admission of selected parole prospects, as well." So it is not only those who go out on discharge, but also parole prospects. "As a result, almost all dischargees and parolees pass through the center prior to their release to the free world. Experience with the program has given us occasion to be grateful for the following: 1) The pre-release program was initiated and operated at no additional cost to the Department of Correction; in fact, a reduction in the number of custodial personnel at the Harlem Unit was affected. 2) The program has resulted in a phenomenally low return rate. 3) The cooperation of the inmates has been exceptional. 4) The cooperation of citizens who have without remuneration served the program continues unabated.

In the original preface we stated, 'It is our hope that the pre-release program of which this booklet is a small part will ease the difficult transition from confinement to freedom for the men who have been committed to our custody and treatment and at the same time help in stemming the rising tide of crime in America by a reduction in recidivism'."

I want to tell you about something that really hooked me. When I was out at the Congress of Correction last Fall in San Francisco, I had the occasion to go down to San Diego with a friend of mine who runs an institution similar to mine. It is a series of camps; they call it the honor camp system. I thought I was going to see a halfway house. I wanted to see his Crofton House because I had heard about it, so he took me down to this place, right down in the heart of San Diego. It is a fine house, very much like some of your larger and older houses here in New England. It must have had twenty rooms in it. At one time it belonged to one of the barons of the community. We walked in through the front door - there was no lock, the place was wide open. We hunted around and finally found the guy who was the supervisor. In the process, we ran across a few fellows in their rooms, some watching TV, some reading, some of them taking a nap. Do you know what? These guys were serving time! Nuts! Completely nuts! These guys were all under sentence. They were not on parole; they were on a work release program out of a house in downtown San Diego. They are having marvelous results with this. They live in a natural surrounding; they go out and work, they pay for their keep, they make restitution, they support families, they do all the things that a fellow can do on the work release program.

I know that one of the headaches with these work release programs is this pain in the neck of custody, of taking a guy who may have his pockets full of contraband into the institution where you don't want this contraband to get. We happen to be lucky in Minneapolis by virtue of the fact that we have a second floor that was constructed as a guard's dormitory back in the '30's that was vacant so we could move our work releasees into that dormitory, which is separate from the jail section. We do have them in the jail section for meals, and we watch them pretty carefully there. I think this is one of the biggest obstacles to work release acceptance because this is a very real problem. San Diego is showing us a way of how a work release program can be carried on without asking the Legislature for another \$1 million to build an addition here or there - they are doing it out of a house. I submit that it is working.

I think the mechanics of work release are less important than the logic of it. I would like to speak a little bit about the logic. Why try work release? So he does pay his bills, so he does pay restitution, so he does get a job, so he does support his family, but are the only benefits financial? This is what I sold our program on. I knew that some of our policy makers didn't buy some of these philosophical arguments, but when you are talking about bucks, they talk. So I talked about bucks. But what is the logic of this work release? In the first place, it should not be used as clemency - to be good to a guy. It should not be used as a substitute for probation or parole. It should be based upon considered judgment of the total problem before you. And what does it do? I say work release is commended because it works. Why does it work? In my opinion, one of the reasons why our institutional population is down is because of work release.

I am deeply concerned about the impact of confinement. Again, not because a guy doesn't deserve it, but because something may be happening in confinement which is deleterious to the benefits of the community as a whole. What could this be? Let me speculate a little bit. Who do we put in our

institutions? We put the most troubled, the most mixed up, the angriest guys in the community. I submit that these institutions are like compression chambers and we are the guys that are sitting on the lid holding it down. In this compression chamber, this cauldron of human troubles, a lot of criminal attitudes are absorbed by the people in the process. I am not so worried about the techniques of crime - they can learn these at any bar or in any back yard lot; I am not so concerned about that. You hear the stories about what they didn't know when they went in, they know when they come out. This is true, I know it.

But I think there is something much more important about our institutions. A guy can hardly escape absorbing some of the values of the guys that he has to mix with every day. If you put some people into confinement, maybe they don't learn the techniques of crime, but they learn to hate cops, learn to hate authority, learn a lot of things that are ignited into flame after they leave the institution. What happens in work release? They are mixing with a different kind of person during the brief time that they are in the work release dormitory and in the daytime they are mixing with people like you and me which I hope are good influences upon them. They react to social pressures like every one of us. Many of the conforming things we do and enjoy are done and enjoyed because the kind of people we like to be with do those things. Our kind of guys are in the work release dormitory and they are mingling with some guys that are reasonably square. I submit that there is some social value going on in the work release system that is highly commended.

The system should be used not necessarily because people deserve it, but because the system works. You have heard some ideas about some people who should not be considered for work release. I want to raise the question - why not? Because in two months that guy is going to be out on the street, anyway. What are we gambling with at sixty days?

Mr. Leo Nauceder:

I will attempt to give you a little idea of what is involved through the application of work release in the State of Vermont.

Work release is intended as a correctional tool having many possible applications. While work release should be utilized to the fullest extent as circumstances permit, there can be no compromise of the essential safeguards - community acceptance and careful selection of inmates. Work release is a privilege and may be revoked for wilful negligence or misconduct on the part of the inmate involved. So far throughout our experience we have had removals and most of these removals have been for malingering. Strangely enough, when the person has been chosen for this particular program, he has good intentions, but somewhere along the line, through various circumstances, he just doesn't feel like going to work and goes on sick call or he just decides that he isn't going to go to work one day, etc. When this pattern persists, he is given fair warning and if this still persists, he is removed from the program because it doesn't seem to be to his benefit. We have removed persons from the program for various other reasons; in some cases, just for refusing to go along with the five days regulation - they lose five days' work time when they are on the program. For a while they will go on the program and then when their sentence comes to a certain point, they feel that it is to their advantage to not be on the program. Another reason that they have been removed for is going against rules and regulations.

In our situation it isn't possible for us to absolutely segregate persons that are involved in the program. We have a farm that is separate

from the main institution. This farm is minimum security as such. This doesn't allow work releasees to be completely segregated.

Some inmates are placed on the program primarily to develop regular work habits. In other words, on the outside they have had jobs that they have held for just a very short time and they go from one job to another. They have been approved for participation in the work release program for this reason. This reminds me of a story I once heard about a vagrant who went before the judge and the judge asked him if he worked. The vagrant told him, "Now and then." The judge said, "What do you do for work?" "Oh, this and that." The judge asked, "Where do you work?" "Oh, here and there." The judge got a little peeved at the answers he was getting and he said, "Do you know you are going to go to jail?" The vagrant asked, "Oh yeah, when do I get out?" The judge replied, "Oh, sooner or later." So it is imperative that exploitation in any form or degree be avoided, either as it might affect the community or work release inmate, specifically that compensation for work release inmates should be no less than that of comparable workers and they should not be employed under working conditions at less than acceptable minimum standards. Conversely, we feel that work release inmates should not be employed as strike-breakers or in situations that invoke adverse public reaction directed either at the inmate involved, the government, the Vermont State Prison and House of Correction, or the state.

The State of Wisconsin, with their Huber Law, is given the credit for work release as it is known today. Previously, I think that a lot of prison labor was exploited. In contacts that I have made with various employers, I one time ran into a fellow at a nursing home. He was in his late 60's and he told me that his father had hired inmates from the Vermont State Prison shortly after 1900. He said that they had practically lived at the home and they were very capable workers, etc. I believe this same thing occurred in institutions throughout the country, but with work release as we know it today, when an inmate goes out on a job, he is entitled to the same privileges that any employee of that firm is offered. I haven't ever received many negative replies from the many employers I have contacted in my capacity of Work Release Supervisor and, in fact, we have always had more jobs available than we have candidates to fill them. Some of the first inquiries I get are, "Well, how much do we have to pay?" I read them the facts - that we expect our work releasees to get the same rate of pay as anyone else that they would hire with the same experience, etc.

Actually, all inmates admitted to work release status remain in the technical custody of the Warden. Any inmate who wilfully absconds is considered to have escaped from custody. In the two and a half years that we have had work release at the Vermont State Prison, we have had three escapes. Unfortunately, two of these escapes occurred when the program was not more than getting off the ground. Two inmates were on a training program at a machine shop and I don't think it was any more than a week before they went over the hill. Naturally, this made us quite careful and, doubtlessly, we were overly cautious for a long period of time - for a longer period of time than we ordinarily would have been.

The last escape occurred about a year ago. This was a fellow that had been coming back repeatedly. He seemed to be making a good adjustment in all ways, so he was allowed the privilege of participating in the program. One night he and another fellow took off from the farm. I talked to him afterwards and he had good intentions, he was sincere and his time was short. I mentioned this to him. He had accumulated a few funds and he was going to start his own business, the main reason for placing him on the

program. I asked him what made him do it. Another problem was that that same day a bottle of whiskey had been sneaked in by one of the inmates who was on the work release program. He had quite a few drinks, I guess, and he said, "Well, I just got sick of the whole place and when I get a few drinks in me, I am kooky anyway and I just decided to take off."

Each job should be investigated to determine that it is bona fide and that it is consistent with the work release policies and that it will fulfill the correctional objectives for the selected prisoner. While work release neither constitutes nor implies a contractual agreement between an employer and the correctional agency, it must be recognized that mutual responsibilities do exist. These derive from the fact that, although employed, the prisoner is still in custody and his work release status is primarily for a correctional purpose.

Only the Warden is actually empowered to admit an inmate to work release status or to remove him from same. When an inmate has agreed to go on work release, he signs a form to the effect that he agrees to abide by the rules and regulations set forth. These inmates are quite strongly counselled and we try to take care of any difficulties they might have as quickly as possible. Some inmates seem to think at times that they are privileged instead of the program in which they are participating being privileged, but they think they are privileged because they are on this program. All inmates approved for work release sign more or less a contract regarding their salaries and wages. If the man is married, they send so much home to his family. If he has a maximum of \$25 a month which he can spend, he has \$5 a week pocket money. He signs an agreement and when I make up this agreement, I try to work it so that he isn't going to be overburdened - that he won't have to pay out any more than he takes home. Anything over and above his commitments is put into a savings account and this is money that he will receive when he is released.

I think work release lends itself to multiple uses. Naturally, it is a pre-release tool as part of the total treatment plan, although it must be kept in mind that it is just a small part, actually, of the total treatment program. As a pre-release tool, it provides opportunities to individuals who, in the judgment of the Classification Committee, need further transitional preparation for community living. There are a number of ways in which specific training needs may be met through work release as complements to educational training at the institution. Work release may be specifically helpful to certain inmates whose families have a serious dependency need. It is an effective way to accumulate savings for release, to make restitution, and to pay legitimate debts, especially when payments will free an inmate from overwhelming financial burden on the day of release. For any individual, the purpose may be a combination of any of the foregoing.

Any inmate who wishes to participate in the program must naturally volunteer. Full minimum custody is the prerequisite in all cases. Work release will not be authorized for offenders identified with large scale organized criminal activity or for any inmates serving sentences for violent crimes nor for others whose presence in the community is likely to invoke adverse public reaction towards the inmate or towards the institution. Whenever there is doubt of an inmate's suitability for work release, decisions are deferred. The candidate for work release must be in good health, must be physically able to perform proposed assignments and must be free from out-patient care that would interfere with full performance or seriously inconvenience the institution's medical department. This requirement should not preclude the use of work release as an unusual opportunity to aid

a physically handicapped person in obtaining community employment consistent with his capacities. Candidates with serious emotional or personality defects and those with histories of violent or assaultive behavior, are excluded. However, work release may be considered under limited circumstances for those who are mentally or emotionally handicapped when it is apparent that community employment will significantly aid the patient's release adjustment.

Recently we had a person who was placed on the program that had a physical disability. He had a deformed ear and a deformed thumb, both occurring on the same side. Whenever talking to this person, you could see that he had quite an emotional problem - he would almost try to crawl within himself. He had a history of employment on the outside that was very sporadic. He would go from job to job, place to place. When he went before the Classification Committee, I suggested that there be a psychological and psychiatric workup done on him and that he be involved in counselling because of his previous record outside - that because of his job employment history, he would have difficulty. However, after this had occurred, we decided to place him on a training program in a machine shop. We were fortunate in being able to place him there. This placement was made through our Vocational Rehabilitation unit at the institution. He was there about a week or a week and a half when he stayed at the prison one day and went on sick call. He said his stomach was bothering him. Upon examination, he showed no temperature and didn't seem to have too many problems. A counsellor asked him what his problem was. He said, "I don't get enough work to keep me busy." I knew that this wasn't altogether truthful. He said he would rather work where he is busy all the time and that he feels better when he does and that he doesn't like to stay still. I talked to him and he went back to work and we talked to his employer. The employer said that he thought that he had been keeping him busy enough; that if he hadn't been keeping him busy, it was easy enough for him to cooperate.

In about another week, the inmate was back again with stomach trouble. This time I said I was going to find out what was going on. He had agreed to go through with this program, to go through this training, and when he was released, through VR, he was going to be placed in further training. He had the potentiality of a good job in the machine trade. I asked him what the trouble was. He said that he didn't like to be around people because he would be doing something around the machine and he will look up and some of his co-workers are staring at him. I told him that this was a natural thing, that everybody experiences it, etc. I asked him if he really felt that someone was staring at him because of the little defect he had with his ear and thumb, which wasn't very much. He said yes, that he didn't even like to be around crowds because, regardless of what others said, he could always see people staring at him. I related this information to the psychologist and psychiatrist, as he was getting a lot of counselling. He wanted to know what to do and I told him to go back there and give it a good try because he could get further training and he had a great opportunity to do something for himself. This person is really a good worker and he is intelligent and could do something for himself except for this emotional problem that he has. It lasted about a week and he didn't work there any longer - he couldn't stand it any longer - he wanted to go to work in a saw mill. There is a box company nearby where they handle lumber all day. This was the kind of work he liked, as he wasn't used to working inside.

There need be no general restriction on the kind of jobs for which work release inmates can be considered. Our area isn't as conducive to good employment opportunities as the area around Concord is, but we have mechanics

training in two garages, we have carpenters in this machine shop, and we have inmates working in lumber yards and in a heel factory. There is a variety of jobs. The wage scale goes from \$1.60 to \$3.25 an hour. For the most part, where any training is involved, naturally it is a little above minimum wage.

We thought that about six months should be the maximum amount of time that a person should be allowed on the program. In some cases it could vary. We had one case with a person who was supposed to go before the Parole Board. We used work release as a part of early release in this particular instance. However, this person didn't make parole. He had been on the work release program for over one year. After six months it was plainly seen that there was regression. Previously he was happy, he was doing a good job, enjoying it, and making some money. In general, he felt that he was accomplishing something, but after a while you could see him slump back - well, I am still in prison. What else have I got to prove? What do they want me to prove? I haven't been getting in any trouble, I'm adjusting - how much more can I adjust? And he was right back in his old shell. Up to a certain point, I believe that it is good rehabilitation, but loses its value if prolonged.

All transportation is provided by our own units and we have been fortunate, as this could have been a problem, but we have found jobs on the circuit that are conducive to easy transportation. Up to now, this matter has not posed any problems.

Inmates in work release status should live in specially designated quarters. This would involve a lot of problems. In our situation, it is impossible to do this 100 percent, but they are segregated from the maximum security institution.

When a person goes on the program, he is given advanced money to buy a certain amount of clothes; this amount would be up to \$50. We had a problem with clothing in our institution. It seemed that all the clothing for those on work release was either mutilated, torn or mistreated in some way. There was a lot of resentment by those who worked in the laundry, who naturally knew when these clothes came through that they weren't the usual prison garb and they probably did a job on them. We hired a uniform rental service for \$2 a week. They get five uniforms pressed, cleaned and repaired, and their clothing is kept at the farm, where they stay, and this seems to solve that problem.

An inmate on work release is given an accounting of his funds at the end of each month. At our institution he is charged \$3 a day for room and board. He is entitled to commissary privileges. There is constant guidance and counselling. We have run into our problems - when you get the whole group together, they complain about the food, they complain about this and complain about that. They want the funds that they paid for room and board reverted back to food. But they always have the regular prison fare and in this respect they aren't treated any differently than anybody else. The food isn't that bad; they have no grounds for complaining.

I think a lot of the problems that we have to deal with are failures of our own society. Our prison populations are composed mainly of people of dull intelligence who have had social promotions through school, who have been shoved along. It was known that the problem existed, known it was there, but nobody did anything about it. So as an end result, these people, some of them, have been in our institutions and we are trying to redo the job.

To expound on this a little bit, I would like to read an article that appeared in a Washington newspaper entitled "Upgrading Prisoners." The article is as follows:

"I know you are not going to believe this, but Governor Lester Maddox of Georgia told a news conference the other day in answer to a criticism about Georgia prison reform that we are doing the best we can and before we can do much better we are going to have to get a better grade of prisoner. Once again, Governor Maddox hit the axe handle on the head. While penologists, sociologists, parole officers and prison commissions all have been at odds as to how to rehabilitate prisoners, Maddox has come up with the simplest and without doubt most sensible solution.

'It has been known for years that prisons have been accepting a very low class of inmate, some without any education, others who are unstable and some who are just plain anti-social. No effort has been made to attract a better grade of prisoner, who would not only improve the caliber of our rehabilitation program, but who would make society treat prisoners with the respect they deserve. For too long now we have been taking our prisoners for granted. The standard for failure has declined to a point where almost anyone can get into prison without his qualifications being questioned.

'This trend must be reversed if we ever hope to rehabilitate our prisoners. The first thing to do would be to set up a recruiting drive in high schools and colleges to get a better class of inmate. This would have to be coupled with higher pay for prisoners so being behind bars would become worthwhile. Intelligence tests have to be set up at prisons to weed out those unfit to be in prison. Then personal interviews would be given to the prospective convicts to see if they have got what it takes to be rehabilitated. If they can't cut the mustard, then the prisons should have the right to reject them. Besides the tests and the interviews, the admission board would demand references from the candidate to see that the convicted were of high moral character. It is also possible in the case of federal prisoners that each congressman and senator would recommend two candidates for each penitentiary, as they do at West Point and Annapolis. In the case of state prisoners, the governor would select the ones he believed have the most on the ball.

'After making the application, taking the test, submitting to a personal interview and writing a composition telling why he believes he would make a good prisoner, the candidate would be sent home and told he would be notified by the F.B.I. about whether he made it or not. If he failed to get in, the candidate could reapply again after he robbed another bank. Many people say that by being selective we would be making too many demands on our prisoners, but the taxpayers are paying for them and we should have the right to have the best convicts money can buy.'

"I am sure that Governor Maddox will be ridiculed for all of his ideas on prison reform, but he is the first person to come out and point out what is wrong with the penal system in the country. It isn't the courts, nor is it the physical facilities holding us back, but the fact that we have not concentrated on improving the

quality of the people we take in. Anyone who has ever visited a prison in this country knows that Governor Maddox is right. For years we have been scraping the bottom of the barrel for inmates and it is no wonder that they didn't live up to our expectations. It is only by raising requirements for admission and paying a decent wage that we are going to get the grade of prisoner that Governor Maddox and the rest of us can be proud of."

S E S S I O N XVIII

Monday, January 20, 1969
7 to 9 P. M.

New Hampshire State Prison
Concord, New Hampshire

Meeting Chairman - Parker L. Hancock, Warden, New Hampshire State Prison

Speakers - Mr. John Conrad, Federal Bureau of Prisons, Washington, D. C.

Mr. Ellis C. MacDougall, Commissioner, Connecticut Department
of Correction

Research in Contemporary Corrections

Current institutional and academic research in sentencing, probation, parole, institutional organization and programs and special groups, such as homosexuals, alcoholics, drug addicts, etc. Interstate recruitment for corrections. What's new? Halfway houses. Sources of information for further study for professional improvement. Books, articles, reports.

Mr. John Conrad:

I wonder sometimes if correctional research is the most pressing social problem in a state like New Hampshire which has done so unusually well in minimizing incarceration and maximizing community-based corrections. When I visited your State Prison four years ago and again this afternoon, I noted that it was slightly underpopulated and evidently busy, calm, and serene, and I felt that more of us from the more turbulent correctional systems elsewhere should come learn from you rather than expand on our findings and speculations. Nevertheless, I am here to talk to you about correctional research. I hope I can tell you a little about what has been happening and what seems to be in the wind.

I shall dwell on five terms that seem especially significant to me. I shall ask you to question me unmercifully about any other terms that I don't mention because it is my increasing conviction that those of us who are working in correctional research are not getting nearly enough interaction with you in correctional practice.

The first of my five terms has to do with time. Question - how much time should a man serve in prison when he has violated the law? This is a topic which most people have opinions about; some have very firm opinions about this, including most judges. I used to have quite firm opinions about it, too. About sixteen years ago, I got involved in my first research project, a special intensive parole unit of the California State Parole Division. This was a very complicated research project which I am not going to describe to you in any great detail, but it had the unique feature of being self-financing. The theory was that we could finance the appointment of enough parole officers to reduce caseloads from ninety to fifteen for as many as fourteen different caseloads in California. The idea was that we could finance these caseloads by reducing the time which prisoners would serve in prison by an average of about three months for a selected group of offenders who would be released to intensive parole supervision.

We took both a selective group and then a randomly selected group and released them three months earlier, sometimes earlier, to small caseloads and also to caseloads of ninety-nine. The main thing we found from this project was not what we had wanted to prove. We had wanted to prove that small caseloads made a tremendous difference, that the fellows who were in the fifteen-man caseloads would get violated very, very infrequently and that the fellows in the ninety-nine-man caseloads would get violated much more frequently. This is not what we found out. The difference between the fifteen-man caseloads and the ninety-nine-man caseloads was negligible. But the thing that was extremely interesting to me and to most of my colleagues was that people who were released three, four and five months earlier than they ordinarily would have been did just as well as those who served three, four and five months longer. This is a case where the Parole Board had arbitrarily, on a random basis, set the man's time; upon notification that this man was going to be in the experiment, they would cut his time by three, sometimes as much as six months. And it didn't make any difference. This is the great finding of that particular experiment. Once the experiment was over, the Parole Board went back to setting time in the old way and we learned nothing at all from that particular project.

When I became Director of Research of the California Department of Corrections, we made further studies of what actually seems to happen in sentencing policy and we observed that the Parole Board would change its sentencing policy without any particular notice or without any particular reason, usually based upon such factors as overcrowding in prisons and sometimes based upon an interest in a Christmas release program, in which men would be released substantially earlier than they otherwise would have been. Any statistical analysis we made of these results indicated that a difference of six to nine months of time served in prison (I should add that California's time tends to be a little on the long side) made no difference at all in the parole performance of people who were released earlier.

Just last year the California State Assembly took an interest in this problem and did an analysis of time served throughout the country. They came up with a study which shows that the time served for similar offenses in the fifty states ranges from thirty-nine months in the State of Hawaii, which tends to have the longest average time served, to an average of nine months in the State of New Hampshire. This analysis demonstrates that there is no relationship at all in the rates of criminality in the population nor in the rates of recidivism among those released between the states in which the longest penalties are imposed and the states in which the shortest penalties are imposed. The conclusion is still tentative. We really don't know enough about this question of how much time a man should serve in prison. The interesting thing is that it has taken us a long time to get around to studying this matter intensively. There are studies now going on in California to get at this problem in more detail than we have now and we are hoping that other states will look into the same problem.

So we have seen that time served doesn't make any difference, at least as far as rehabilitation of offenders is concerned. This, of course, is not the only reason why we lock people up in prison. One other reason for locking them up is to deter the general population from committing serious offenses against the public peace and order. So the question of deterrence comes up. Deterrence is really the basic theory of the criminal law - people are penalized in order to deter you and me and the general public from committing offenses we might otherwise commit if there were no penalty imposed for violations of the law.

Another California study took place, again initiated not by the California Department of Corrections, but by the California State Assembly, which is getting very curious about this matter. It costs a great deal of money to lock a man up in California - something close to \$4,000 a year in some institutions and even in the enormous and squalid institution of San Quentin, it runs to well over \$2,000 a year; a man-month in prison multiplied by several thousand in California means quite a lot to the state budget. The California State Assembly raised the question - what evidence is there that the penalties in the California Penal Code have any effect at all on the general public? They employed a social researcher to make a study of this matter. A public opinion survey was conducted in which samples of the general population were taken from service clubs and from house-to-house surveys. Samples of the college population were also taken, as were samples of the prison population. Typical questions on the survey were - What is the penalty for burglary in the second degree? What is the penalty for possession of marijuana? What is the penalty for assault and battery? Who do you suppose knew most about the penalties for the specific crimes? The inmates at the state prison - eighty percent of them came up with A's on that particular test. College students averaged about twenty percent correct, except on the question of possession of marijuana. All college students seemed to know what the penalty was for possession of marijuana. Twenty percent to thirty percent of the members of the Rotary Club and housewives in a house-to-house survey could give a majority of the penalties correctly, or nearly correctly. This raises some interesting questions about how effectively these penalties, which in California are extremely severe, deter the general public from committing crimes.

There was another survey which took place in California, again initiated by the State Legislature, regarding the problem of attacks on police. Up until 1965, an attack on a police officer called for a penalty of one to ten years in state prison. In 1965 the law was changed and the penalty became five years to life. Attacks on police officers escalated. In Los Angeles, the rates have more than doubled during the period 1965 to 1968. A similar study was done on the incidence of marijuana arrests. The penalties for possession of marijuana have been increased in California, as have the numbers of people who have been arrested for same. The general impression in California is that the use of marijuana has gotten completely out of hand and many police departments have found it almost impossible to enforce the laws as they are expected to do.

Does this mean that our present penal system is completely ineffectual in deterring the general public from committing crime? There is some evidence that this is probably not true. A professional at the University of California has done an analysis in which he distinguishes between two different kinds of offenses. One kind of offense is called expressive. An example of this might be assault and battery or the typical homicide in which one person has killed another because of a fit of passion or anger, which is true of most first degree murderers. The other kind of offense is an instrumental offense, which usually is committed for purposes of gain. There is some evidence that deterrence in the penal code does work in instrumental offenses. There is a tendency for people who want to commit crimes of gain to choose the crimes which will get them the least time if they are caught. The penal code does not act as a successful deterrent, however, in the expressive crimes - the assault and battery type of crime - the type of crime where one person is striking or damaging another because of anger or passion or to express his feelings about the other.

This whole problem of time and deterrence raises very serious questions as to what a prison system and a correctional system should be for. The conclusion of the California Research Unit, with which I don't entirely agree, is that time served for the property crimes and for the crimes in which the public does not need major protection could be sufficiently reduced to enable the State of California to close down the enormous and dangerous prison at San Quentin. This prison, which in its time has housed up to 6,000 inmates and which at the present time houses 4,000 inmates, is much over twenty times the size of your prison here in Concord, and this is only one prison in the whole California system. It would be a tremendous gain to the State of California if we could reduce time served to such an extent that a prison like San Quentin could be closed down for good. I might add that San Quentin occupies some of the choicest real estate in northern California and that the real estate industry is very much in favor of this move, also.

I want to move on now to an entirely different subject because it is one which has a great deal more to do with how we can do a better job, rather than how we can get out of work. I refer to the topic of differential intervention. In correctional systems throughout the world, not only in this country, but abroad, the tendency is, as all of us who work in this field know, to treat offenders as if they are all much more alike than they are different. They all need some education and some hard work and none of them get enough of either, but we treat them as if they were all mostly alike rather than mostly different because it is a lot easier to handle them that way.

Some of us a good many years ago began thinking about what would happen if we tried to treat people differentially. One of my colleagues in California concocted an experiment which didn't work. I want to tell you about it because the fact that it didn't work will teach us a lot about what might work. This experiment was based on the idea that some people need to be told what to do. In other words, if I tell this type of offender what to do and when to do it, and keep a heavy hand on him, he is going to behave as long as I keep that heavy hand on him, which could be for quite a while. On the other hand, some people need to develop insight and understanding.

We divided the population into inmates and parolees who needed what we call external control. We identified them as a group who would be assigned to parole officers who would be instructed to impose that external control. We also picked a group whom we thought needed understanding, casework service and sympathetic treatment and we trained some parole officers to do something of that nature. This was a fairly vigorous research design. We had control groups for both and we took a lot of measurements on progress. We found that nothing seemed to make a difference. Those people who received external controls violated just as often as those people who were given just ordinary parole supervision. Those people who received internal support got violated just about as often as their counterparts in the control group who received no kind of unusual supervision. This proved to be a great disappointment and my colleague who designed it was mystified and disappointed; however, another colleague decided to try again. He was sure there was something to this idea.

A plan was made to try community treatment, based on the idea that we could differentiate people according to levels of maturity. We had people who need a great deal of support and who need to have the feeling which children possess of having someone to depend on. We instructed some of the parole officers to be this kind of reliable soul for people whom we could identify as having these unusual dependency needs. Then we had people who

need to have their experiences and techniques as manipulators, connivers, angle-throwers, etc., handled intelligently and firmly. Then we had people who had neurotic feelings of guilt and anxiety who would express criminal behavior. Finally, we had people who seem to commit crimes primarily because of their identification with cultural groups which have serious delinquent tendencies.

We worked out this plan through the California Youth Authority, which has a good deal more latitude than the California Department of Corrections. The California Youth Authority can receive an offender one day and release him to the street the next day. Working this out on a fairly tough research design, we found that it was possible to release these inmates to very small caseloads in which a great deal of differential intervention took place. We were really trying to work with parolees to meet their particular needs by handling them differentially. We were able to see a significant difference; we were able to see improvements in the performance of the control group who went through the normal correctional experience of incarceration or confinement in training schools and reformatories. This experiment is still going on. It is still a success and the longer it goes on (it has now been eight years that it has been in being), the more we learn about how to treat people with different problems in different ways.

The movement is gaining strength throughout the country and we in the Federal Bureau of Prisons have caught on, too. Just last month we opened our new institution at Morgantown, West Virginia. It is a magnificent new reformatory which looks considerably more like a college campus than a training school for delinquents and which in some respects is better than some college campuses. It has the only olympic size swimming pool in the State of West Virginia, including West Virginia University. At this institution we are going to use this same kind of technique in which you differentiate inmates according to the kinds of personal problems they present, rather than according to the kinds of offenses they have committed, or by age groups, or by anything else. The question is - what kind of personal problem do they have? If the person is dependent and needs to learn to become independent, how can we teach him how to become independent? If the person is a manipulator and an angle-thrower, how can we handle him so that he doesn't need to manipulate and throw curves in order to reach his objectives? This experiment just began last week. We opened the institution on January 14th and we won't have any results until sometime in 1972.

I want to talk now about the subject of community-based corrections. This I regard as a research opportunity which all of us are missing. For several years now, certainly for at least four or five years, there has been a growing feeling among correctional administrators that halfway houses or some kind of community management of probationers and parolees would be a good alternative to full-time incarceration, that people would learn how to handle their problems in the community, where the problems occurred, rather than being locked up in places like this, and that they would learn how to hold down a steady job and how to get along with people in the community. We have been handling this matter in our typical, rather unenthusiastic correctional way in which we put just anybody into halfway houses; we figure it is a good idea for everybody. The question of who benefits from this kind of treatment and how they benefit is not being answered. We particularly need to have some research studies which tell us what kinds of people can benefit from this particular kind of treatment and exactly what should be going on in a halfway house. How should these places be managed? What should the program be?

Similarly, for a good many years now, in a way going back to the early part of the century, some institutions have had work release programs like the Huber Law in Wisconsin and like the work release program which you have here. We are certainly enthusiastic about work release in the Federal Bureau of Prisons. We in the Federal Bureau of Prisons have noticed, without having done any serious research on it yet, that some inmates find that this particular opportunity and the particular stresses which they undergo on work release are more than they can handle and they run off. The question is - Is this good or is this bad? If they run off and are picked up, is this an experience they will learn from? But we have done nothing to prove this point or to find out what it means.

There is another problem which we have had in this country in both probation and parole for many, many years. Any parole officer knows perfectly well that there are some kinds of parolees who can keep you busy twenty-four hours a day and that there are other parolees who simply don't need any attention at all - you can put them in the back of your case folder and forget them. Nevertheless, we tend to budget our parole caseloads according to a plan which says that a person needing a great deal of time is the same as a person needing no time at all.

The California Division of Paroles has been experimenting with weighted caseloads in which caseload allocations are based upon exactly how much time a particular guy needs in order to keep him out on the streets. They review this allocation of time every month, increasing and decreasing as is needed. This seems so obvious that one wonders why we need to make much of a deal about it, but our parole and probation agencies typically have not administered their affairs in this way up until extremely recently. The results are very encouraging. If we look at people in this particular way, if we look at the parolee or the probationer in terms of what kinds of service he needs, the chances are that he may begin to get some of the service he needs, rather than the hand-shaking kind of service which a parole officer trying to cover everybody in his caseload every week or every two weeks is limited to.

I want to conclude with a note on program budgeting which has been a big thing in Washington ever since I have been in the Federal Bureau of Prisons since the middle of last year. Program budgeting assumes that we are going to plan any particular government budget, whether corrections or highways or street sweeping or whatever it might be, in terms of the value of this service to the public. This assumes that we are going to look at exactly what the public gets out of a correctional service, out of a parole service, out of a probation service, that we are going to look at what kinds of offenders benefit from what kinds of treatment and management so that if an offender needs to be locked up in prison, if this is the only way that the public can be protected from the serious danger this man may present, then we will budget accordingly. If an offender can be managed on the streets in a probation system or a parole system or in a halfway house or something of that nature, we will take him out of prison and encourage the courts to sentence him to the kind of management in which he will present the least threat.

This kind of program budgeting assumes that we are going to evaluate the things we do. We are going to have to set a value to the public on the kinds of services we render to the public, rather than to do the same thing year in and year out just because we always have done them year in and year out in the same way. This is an idea which causes a great deal of concern to many legislators and many congressmen. It is much easier to

handle a budget in terms of what we have always done, rather than in terms of what kinds of services produce the most economic benefit to the public. For me as a researcher, this possibility poses a tremendous opportunity because, obviously, you cannot evaluate a service without having done some research on it. My problem is that, in this age of program budgeting, I am going to have to find a lot more researchers than I have now if we are going to evaluate all the kinds of correctional services that need this kind of attention.

Out of this whole movement, we hope to end up with a rationally managed correctional system. When I am talking about a rationally managed correctional system, I am talking about what kinds of programs produce the best results.

There has been a tendency on the part of researchers and university people to assume that we have the answers and we can tell the practitioner, the person on the firing line, what will work best. I think this is quite wrong. I think it is much more important that ideas about improving practices to obtain better results come from the experience of you people who are actually dealing with offenders, rather than from people who are sitting in offices in Washington or on university campuses who seldom see an offender from one month to the next.

My final plea is that people like me and people like university professors ought to hear from people like you as to what you think would work best - ideas for experiments, ideas for improvement of service, etc. There ought to be a collaboration between the researcher and the practitioner if we are really going to improve the services of the correctional apparatus in which we all work for the benefit and protection of the public.

Mr. Ellis C. MacDougall:

I think that it is necessary in any attempt to look at corrections to decide on what philosophy we are going to operate. It is my philosophy that people are sent to prison as punishment, but not for punishment; they are sent to prison for correction.

I think that we have three responsibilities as correctional people. First and foremost is the protection of society - whether it be inside our society or in a service such as the Marine Corps - protection of the society in which we live. We do this with the tools of probation, courts, prisons with guns and bars, and all of the newest and latest techniques in law enforcement - teletypes, computers, etc. Secondly, the people who are in prison have to be occupied. We say that if they have to be occupied, let's occupy them with prison industries to the benefit of the taxpayer, to offset the cost of keeping a man in prison. I think there is one thing that we have to be very careful about - that we maintain prisons for the benefit of the prisoner and not keep the prisoners for the benefit of the state or the institution. Last but not least, we have a responsibility for rehabilitation or correction. All of us know that ninety-eight out of every one hundred people who come to us are some day going to get out of our institutions, some day are going to get off probation, some day are going to get off parole. I think when we are talking about rehabilitation, we are talking about protection of society. The goal of corrections is to protect society by changing human beings.

I think we can look at correctional institutions or correctional agencies in two ways. First of all, we can look at them as being a deep freeze.

We take a chicken and put it in a deep freeze and months or years later we bring it out of that deep freeze and it is the same consistency as it was when we put it in - it hasn't changed. If we put a person into a correctional program, either on probation or in an institution, and a program is not developed to change that human being, he will be the same when he is released as he was when he went in, which means that he is a criminal, about ready to go back to a criminal career. The second concept is one where we warehouse them - we build big institutions and we put hundreds of men into them and the same thing happens that happened to my furniture when I moved up here from South Carolina. Some pieces of furniture rub off on other pieces and become worse than they were when you put them in the warehouse. I believe that we can operate the type of institutions and agencies that change people so that when they leave that institution or agency they are better off than they were when they went in. I believe that this is protection of society.

In dealing with people in this field over the years, I have come to acquire a great deal of admiration for a man that I guess that there is a lot of dispute about - a guy named Joe Ragen. Joe Ragen was a sheriff in Illinois for fifteen years and for thirty-three years he was the warden of the proposed-to-be world's toughest and biggest prison - Joliet-Stateville. After fifteen years as a law enforcement officer and thirty-three years as warden of Joliet-Stateville, you would think that a man used to dealing with the products of the ghettos of Chicago and with mobsters would be strictly punitive in his approach to crime, would believe very strictly in the punishment of the criminal. With all this, Joe Ragen says, "When a man breaks the laws of these United States, he loses his most precious right - his freedom - and even God has not given us the right to take away his rights as a human being."

I think that we in corrections have tended over a period of years to become stagnated. We feel that this is the way we have done it for years, so why should we change? My question is - why not? Let me tell you a little story about a man who was a warden in South Carolina - one of the best correctional men I know in this country. He had worked in that prison for twenty-eight years as a guard and as a deputy warden. When I became Commissioner of Corrections, I appointed him Warden. Soon after I became Commissioner, one day I was in the yard of this prison where we were trying to implement change. This prison, by the way, at the time we took it over, was run by the convicts. There are a lot of prisons in this country that don't have any troubles. The reason why they don't have any troubles is because convicts run them. You start having troubles when corrections starts taking charge. These changes have to take place in a very well-planned, well-organized way. We were in such a situation at that time - most of our guards were illiterate and were hired by politics; prisoners wore civilian clothes, had cash money, and had gambling every Saturday and Sunday morning. They were locked up on Saturday and Sunday afternoons. We had a work detail that was assigned on Friday afternoons to put up card tables for the next morning's gambling. Narcotics were rampant in the institution - with cash money, you can imagine. They had stoves in their cells so that they could go to the canteen and buy steaks and chickens and the wealthy inmates made out like mad. Some of the guys even opened restaurants. You know how ingenious our populations can be. Some of them would sell plates to the rest of the guys. Of course, when a new system comes in that tries to do away with this type of inmate operation, the inmates are not very happy about it. This is the type of prison that we took over.

One of the things that I noticed in the yard of this prison was that when it was time to go back to work, all the officers would yell, "Alright, let's go, let's go, you guys." I could just imagine one day one of the inmates getting a "Dear John" letter from his wife and an officer walking up behind him and yelling like that - he would just turn around and sock him. I went back to the Warden's Office and I said, "Warden, I would like to recommend to you, Sir, that we put a bell out in the yard so that when it is time to go back to work after lunch, we will ring the bell and the fellas will go back to work and we can get away from this thing of yelling at inmates." I said, "I am not against punishment of inmates - I am not for coddling criminals; but I think there is a little personality thing here we can get away from before it becomes a problem." The Warden said, "That is a great idea." The next morning I was in my office, and, by the way, at that time we only had \$600 a year per inmate to operate on - and I got a requisition across my desk --- "One bell - \$1,200." That's all I've got for two inmates for a year! \$1,200 for a bell! I called the Warden on the phone and said, "Warden, \$1,200 for a bell?" And he said, "That is what it costs so you can hear it over the whole yard." This is a prison with 1800 inmates. I said, "What about the old bell that is up in front?" In the old prison there used to be an open court yard in the front and you could go down into the tunnel and up into the court yard which had an old locomotive bell from a steam engine in it. Eventually we built all around the bell and it was in a little cubbyhole in the yard. He said, "We can't move that bell." I said, "Why not?" He said, "We ring that bell six times a day." I said, "I know, Warden, but why do we ring it?" He said, "We ring it when the count is right in the morning, and when they finish with breakfast, when the count is right at noon, when they finish with supper, when the count is right at supper, and when the count is right at 9:00 o'clock." I said, "Yes, I know, but why do we ring it?" He said, "We ring it because ah, ah . . . I'll be damned, I don't know why we ring the damned thing!" Why not? Why don't we look at ourselves and ask why we do some things and find out if there is a reason for doing it?

At the State Prison in Connecticut right now we count about twelve times a day. Our State Prison is probably one of the most modern in the country. It has double fences with u-bars over the top of both of them and an electric alarm system between them. They are located about 100 yards from the buildings, there are beautiful gun towers all around them, besides the Jeep patrol, and we count twelve times a day! Where are they going?! And you say to the officers, "We count too much - we are tied down with counts so much we can't do anything else." And they say, "Well, we've got to count." Why? Why not? Should we be afraid of people like John Conrad who ask why; who want to find out why you do things and who want to find out if the things you do are right? What do people like John Conrad do to administrators? They make us look at ourselves. And they make us ask why and they make us ask why not.

What do we want to do in corrections? Whether we are talking about probation or institutions - first of all, I believe that we want to diagnose - we want to find out why a criminal is a criminal. Secondly, we want to plan a program for this human being. I think we should start programming human beings to find out why they are criminals, then we should plan programs that are going to change them. Finally, we have to implement the program to see that the person goes through with it. But there are two other most important steps. And I turn to research again. We have to measure if what we have done is right. Have we changed that person or have we just glazed him over with a new coat of paint? Have we got the same mixed-up personality, the same defective human being, the same illiterate, the same skillless person, with a new coat of paint, or have we really changed him? We have to begin

to measure what we are doing. Then we have to pay attention to the re-integration of that person back into his home community, not a false community. That is one argument I have with the California system. A new program was announced in the papers not too long ago that they were allowing prisoners' wives and children to come to the prison for conjugal visits when a man was getting close to his release date - taking the wives and children into the most unnatural situation possible, rather than allowing the man to go on furlough back to his community - reintegrating him back into the problems he is going to have in his own home town, in his own home, in his own community, and then assisting him to get over them. I think we have to do these things with balanced corrections.

I think that in a correctional program, nothing can outweigh anything else. You know what the tendency is in institutions - the stress is either all on security or it is all on industries or it is all on finances or it is all on treatment. One thing usually ends up outweighing everything else - and every decision is based on that one thing. Decisions are all made either on custody or on the treatment needs of prisoners or on who has got to be working where. I think we have to have balanced corrections. I don't think any person or any philosophy or any discipline in our correctional program can outweigh the others.

In South Carolina we used to have a classification program. I was the first psychologist, the first socially trained person, in the system. I went in and I thought I was doing a great job - I developed a testing program, I started case files and I got all these files together. At the classification meeting I would be asked, "Alright, who have we got?" "Johnny Jones." "What is Johnny here for?" "Rape." "Put him in the garment mill." I figured maybe he would listen to me on the next case. I got the next file out. "Who is this guy?" "Jim Matthews." "What is he here for?" "Burglary." "Put him in the garment mill." It ended up that the garment mill, which was on the third floor of the industries building, had all the worse criminals. If we had ever had a riot, we would have had them all up on the third floor and we wouldn't be able to do anything with them.

Then, over a period of years, we were able, through the use of Vocational Rehabilitation, to take a whole county jail and transform it into a research and evaluation center. Every inmate got a total evaluation - psychiatrically, psychologically, vocationally, educationally and criminally. At the end of nineteen days, the Vocational Rehabilitation staff and the prison staff would sit down and find out what this guy needed to change him. What program would we need to put him in to meet his needs?

Then the next thing we did was something different. And I have seen it happen in Connecticut. We have a classification committee. Fifteen guys sit around a table and we bring the inmate in and he sits in a chair and we tell him, "We are going to help you. We are really going to plan your future now. Just sit there and tell us what you want." The inmate is scared to death and is thinking, "I am not going to tell them a thing." We developed a little different plan. We bring the inmate in with only two people at the meeting. We sit in arm chairs. If necessary, we offer him a cup of coffee. We sit down and talk with him about what we have found out about him and what we have to do to change him, to help him change himself. We have to find a program to meet his needs. We have to constantly re-evaluate. This is a problem I think a lot of prisons have. We put an inmate in a program and five years later we go back and say, "How are you doing?" There may have been all sorts of variations since then. There should be a total everyday re-evaluation as to whether or not the program we planned meets this guy's needs.

In Florida at this time they are doing something a little bit different. They have four men who have a caseload of inmates for classification purposes. One of these men is an officer in the yard; one is a teacher in the school; one is a psychologist; and one is a social worker. When they sit down to service this man, they not only know what the test results were, but the officer knows how he gets along with other inmates and how he is relating to the program, so that he can bring information from the yard about this man that we could never get out of testing programs. This is the area in which we need to work. We need to bring more innovative ideas into prisons to change them. In Texas today 1,300 men are going to junior college in the prisons. Every Saturday morning 300 men leave the prisons to go to junior colleges to take lab courses because they have no labs in the prisons. We have to dream. We have to find new ways because the ways we have been using have not worked.

I read a story in the "New York Times" recently about a governor who had addressed the New York Legislature. The governor said, "We have to change New York prisons. New York prisons must stop being breeding places for crime. I want to call your attention to two nations in this world. One is Russia. In Russia today they take a man to prison and they look at him and they teach him a trade so that when he finishes prison he can go to work at a trade he has learned and work for the state. In Russia today they allow a man to leave prison in the morning to work in the community for the state, returning to prison at night. In Mexico today they take a man to prison not just for a certain term, but for an indefinite term, until a team of psychiatrists and psychologists and law enforcement officers say that this man is safe to return to society. In Mexico today they are not just treating the prisoner - they are treating the whole family. They are not interested in just the man, but the whole family. They have conjugal visits for the family where they keep them together." The interesting thing about this story is that the man's name was Franklin Delanor Roosevelt. The year was 1929.

In Connecticut today we have just started work release, which existed in Russia in 1929. At our youth reformatory in Connecticut we just this month are starting on a real education program and a real vocational training program. In Connecticut today we still don't have any of these programs for a misdemeanor in jail. We have spent all our money at the wrong end of the funnel. A man has to really prove that he is a hardened criminal and get to a major correctional institution before we try to do anything for him, whereas when we have him in a jail when he is new at crime and when we can really change him, when we can stop him from becoming a felon at a later date, we don't do a damned thing for him. We presently have 1,400 men in jails in Connecticut serving terms who are sitting on their fannies, idle all day long - there is not even a decent work program for them. I think that the jails are the biggest crime in corrections today in this country because we say to a man, "You have really got to commit a hardened crime before we can even begin to attack your criminality." We say to our youthful offenders, "We are going to keep you in an institution, but until you get out and really commit an adult crime, we are not really going to do much for you. We are not going to be committed to try to change you."

We have got to do these things. Most of these things are based on community corrections. We can't continue to build big monstrosities of prisons that serve no purpose other than to keep people. We must attack early. We must put money and services at the other end of the funnel. We must use new attempts such as the work release program - taking men out of prison who have stabilized and have proved to us that they are stabilized and putting them on work back in their home community, relating again to their families. Another new attempt is the use of furlough programs, in

which inmates are allowed to go home for a weekend at a time and then return to the prison and upon their return, they sit down with either their own peers or with trained counsellors to try to correct the problems that they are going to face in the future. Then there are pre-release programs in which we try to get inmates re-integrated back into the community on a slow but successful basis. I will argue with you about whether such programs work or not. There are two states that have turned totally to pre-release programs - Texas and South Carolina. These states now have a recidivism rate after a three-year period of eleven percent and ten percent, respectively. South Carolina had 2,950 men released to the community over a three-year period; 295 returned to prison. Don't tell me it doesn't work - we know it does.

Let's not talk about theories, let's not talk about new ideas that come out of universities - let's just talk about logic. Let me tell you a story about a man named Roland who I knew all through his criminal career. He was at the reformatory, at the boys school, and at the state penitentiary three times. In February of 1962, Roland left the penitentiary for the fifth time. For all these commitments, we had given him no services - we brought him to the prison, we worked him, and we turned him loose. He returned to the prison in five months, as we had expected. When he left in February, it was cold, even in South Carolina. We gave him \$5 and said, "Go out and sin no more." There wasn't any way for him to stay out of trouble. When he came back for the sixth time, we realized that this guy whom we had turned loose had a third-grade education, was illiterate, had no skills and was a five-time loser. There wasn't any alternative for him but back to crime. We started a diagnostic program for him. We had started programmed learning, where we could take a man from illiteracy to a fourth-grade level in twelve to eighteen weeks. In June of 1967 I sat and watched him graduate from high school. In October of 1967 he finished our appliance repair training program, giving up five months of his "good time" to stay and finish the program. On November 1, 1967, he left the prison to go to our new halfway house, which was located in a different town than the one he came from. I knew that as soon as he went back to his old home town that he would be a marked man, even with his new talents. The next day he went to work for \$2.75 an hour. He hasn't come back to prison. He is the same man - a Jekyll and Hyde. In 1962 he was illiterate, skillless, a five-time loser, and had no alternative but back to crime. In 1967 he was a high school graduate, a man with a skill, a place to live, and a job to go to the next day - a man with a future. There weren't any dreams there; there was no theory; there was no research - just basic logic. Before a man can deal effectively with his environment, he has to have the tools to do it.

Let me tell you another story about two brothers-in-law who were sent to the prison to serve sentences of five years for armed robbery. They had married sisters and had thirteen children between them. Their families were getting \$188 a month on welfare in South Carolina. We put one of these guys in the mechanics training school and we put the other in the chefs training school. Eighteen months later we felt that they had stabilized, so we assigned them to work release. One of them went to work at a restaurant in our largest department store in the city; the other went to work at one of the automobile agencies as a mechanic, both returning to our community center every night. They started sending home \$100 each, after we took out \$2.50 a day for our room and board and giving them \$10. Before the end of their prison terms, we gave them weekend leaves to go back home. They came back to the institution and said that they were unhappy because their families were back there and wondered if they could get assistance in moving to a new

community. Both of them were moved to the communities where their jobs existed. It doesn't cost the state anything to keep them. They have learned a trade, they are paying their taxes, and the two of them even have Blue Cross and Blue Shield. They are supporting their families again and their kids have pride in daddy again because daddy is the one who is putting the food on the table.

We must look at each offender that we deal with, whether he is a probationer, an inmate, or a parolee, as an individual, and in determining why he is ill - and I don't care how you cut it, they are ill in some way or another we must find new facilities with which to treat him. There are thousands of services in the community that we haven't even begun to tap that will send offenders back to school, that will support training, that will give offenders special tools or special services that they need and which will help us to do a better job. We must change public opinion about the entire field of corrections. The public views us as failing and the only people who are going to change this opinion in the public eye are us. It has been brought to my attention that we fail forty to fifty percent of the time. This is debatable. I understand that Annapolis, West Point, the Coast Guard Academy and the Air Force Academy wipe out fifty percent of their freshman class and they are dealing with the cream of the crop. Sure, we are going to fail. But we must change. Corrections must become a highway, not a dead end.

In South Carolina there is a little county in the western part of the state called Barnell County, which is the seat of government in the state because they have one Senator and one House member. Both of them have been in the Senate and the House respectively for something like forty years. One is President of the Senate and Chairman of the Finance Committee; the other is the speaker of the House of Representatives. One time they invited me down to speak to their agricultural club. The interesting thing about this is that, being a prison boss, you've got to be a little bit of everything - you've got to be a doctor, a lawyer, a psychiatrist, etc., but one thing I am not is a farmer. As I was leaving the prison to go to Barnell County to speak to the agricultural club, one of my officers saw me and asked me where I was going. When I told him, he asked me, "What are you going to talk to them about - you don't know anything about agriculture?" I told him, "I am going down there and I am going to tell them to fertilize the crop." The moral of this story is that if we don't encourage society and our legislators to provide the fertilizer and if we as correctional employees don't truly fertilize these people, like the farmer, we are not going to bring forth the product.

I would like to end with one story regarding a subject which I feel very strongly about. I was the executioner in the State of South Carolina. I have been unfortunate enough in my time to have executed, or to have helped execute, six men. The story I want to tell you about is the death of the last one, which happened six years ago. We went to the back of the death house one Monday afternoon and got the man (who, by the way, had killed a highway patrolman) out of his cell, put the handcuffs on his wrist, led him to the death chamber, sat him in the chair, put the straps on his arms, chest and legs and took off the handcuffs. We allowed him to have his last say. He made a short statement, after which we very efficiently put on the cap and mask. Then we stood back and very effectively pulled the switch. The electricity hit this man's body and it jerked him back in the chair with such force that it actually tore open his shirt. When we went to take the body out of the chair, there was a tattoo on his chest - "Born to Lose." You have seen it. And he had it.

You can't convince me that, in 1969, in the year that we have chosen to have three men actually land on the moon, that in this same great nation, with the wealth of knowledge that we have available, that we in corrections can't find better ways of dealing with people than we presently have. The impetus to change must come from the people like yourselves who are sitting in this room. You must be ready to ask "Why?", and to ask, "Why not?"

S E C T I O N II

LIST OF TAPES TAKEN AT EACH OF THE
TRAINING SESSIONS WHICH CAN BE BORROWED
FOR USE IN TRAINING PROGRAMS

CHAPTER VI

LIST OF TAPES WITH SPEAKERS
THAT CAN BE BORROWED
FOR USE IN TRAINING SESSIONS

All eighteen sessions of the training program were taken down on tapes. The content of the lecture by each speaker was transcribed and put into book form for distribution to all personnel attending these sessions. These can be used in the future in training programs in the various departments and institutions. The tape recordings of the sessions will be kept at the New Hampshire State Prison and can be borrowed for use in training programs by writing to either:

Parker L. Hancock, Warden New Hampshire State Prison Box 14 Concord, New Hampshire 03301	or	Lt. John W. Geary New Hampshire State Prison Box 14 Concord, New Hampshire 03301
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A list of these tapes, with speakers and subject, follows:

SESSION I

Panel Consisting Of:

Meeting Chairman: Justice William A. Grimes
Superior Court Judge

Honorable William Keller, Superior Court Judge
Honorable Alfred Chretien, District Court Judge
Lt. Paul O'Leary, State Police Training Officer

Subject: The Court, Criminal Code, and Law Enforcement Agencies.

Types and functions of courts. Jurisdiction of various courts. The problems of sentencing. Criteria. How does a judge arrive at a sentence? New Superior Court rulings.

SESSION II

Speaker: Harold V. Langlois, Warden, Rhode Island Adult Correctional Institutions, Howard, Rhode Island

Subject: The Past and Future of Corrections.

Origin, history and development of correctional institutions and programs - probation and parole in the United States, including county jails and juvenile institutions. (Stress changing role in corrections from security to treatment to counselling to blending of roles.) What's ahead for the correctional worker. Professionalization.

SESSION III-A

Speakers: Charles McKendrick, Warden, Wallkill State Prison, Wallkill, New York
Mr. Bruce Grant, Chief of Classification and Parole, Federal Correctional Institution, Danbury, Connecticut

Subject: The Treatment Process - Intake, Orientation, Classification.

Intake and orientation; discussion of procedures and purposes. Classification - purpose, organization, content, procedure, and criteria of assignment and placement.

SESSION III-B

Speaker: Mr. Frank Waterson, Chief Probation Officer, Albany, New York

Subject: Probation Reports.

What to include, how to compile information forms.

SESSION IV

Speaker: John A. Gavin, Commissioner, Massachusetts Department of Correction, Boston, Massachusetts

Subject: The Inmate Community

An analysis of the various kinds of populations - their framework and informal structures. A sociological analysis of inmate-personnel relationships and an understanding of the emergence of prison leadership; formation of cliques, symbols of prestige, inmate culture, and the inmate code.

SESSION V

Speaker: Mr. Richard F. Hechtl, Staff Psychologist, New Hampshire State Industrial School, Manchester, New Hampshire

Subject: An Inquiry into Attitude Formation and Motivations.

Moral and social standards of inmates as revealed in pre-sentence reports, classification interviews, reports, observations, therapy sessions, counselling and background of inmates. Explain how the inmate got the way he is.

SESSION VI

Speaker: Mr. Arthur V. Huffman, State Criminologist, Springfield, Illinois

Subject: Classification and Probation Reports.

The use of probation reports in classification. What should be included in probation reports to aid classification.

SESSION VII-A

Speaker: Mrs. Betty Cole Smith, Superintendent, Massachusetts Correctional Institution, Framingham, Massachusetts

Subject: Inmate Programs.

Educational, vocational, academic, recreational, and religious. Programs and problems dealing with illiterates, foreign language prisoners, and the aged. The Penal Press Industrial Trade Training. Prison industries. Training or production. Types of systems. Evaluation of analysis of state use.

SESSION VII-B

Speaker: Mr. John Conlin, Director, Division of Family Relations,
Superior Court, Hartford, Connecticut

Subject: Domestic Relations

Problems of probationers. Emphasis on family counselling.

SESSION VIII

Speaker: Dr. Gerald J. Pine, University of New Hampshire, Durham, New
Hampshire

Subject: Individual and Group Therapy Counselling

Purpose of session - to develop favorable attitudes toward
counselling.

SESSION IX-A

Speaker: Mr. Robert Golden, Staff Psychologist, Massachusetts Correc-
tional Institution, Concord, Massachusetts

Subject: Techniques of Counselling

How to handle various cases. Comparison of cases.

SESSION IX-B

Speaker: Mr. Walter Rest, University of Chicago, Chicago, Illinois

Subject: Techniques of Counselling

How to handle various cases. Comparison of cases.

We have two tapes for this session. One is from
2 to 4 P. M. and is the lecture and question and answer
period. The second one is from 6 to 8 P. M. and is
the general discussion.

SESSION X-A

Speaker: Mr. Abraham Novick, Superintendent, Berkshire Farm for Boys,
Canaan, New York

Reactor Panel: L. Wendell Knight, Jr., Federal Probation Officer,
Concord, New Hampshire
Mr. John C. Meyers, Supervisor of Case Studies, New
Hampshire State Industrial School, Manchester,
New Hampshire
Mr. Walter Foster, Director of Cottage Life, New Hampshire
State Industrial School, Manchester, New Hampshire

Subject: Session on Counselling

Behavioral patterns. Group control. How to deal
with problems in counselling. Group supervision.

SESSION X-B

Speaker: Mr. Harry Schloetter, Deputy Director of Training,
Federal Probation Training Center, United States
District Court, Chicago, Illinois

Subject: Probation and Parole

Revocation - procedures for revocation.

There are two tapes on this session. One is
from 2 to 4 P. M. and is the lecture and question
and answer period. The second one is from 6 to 8
P. M. and is the general discussion.

SESSION XI-A

Panel Consisting Of:

Robert G. Smith, Warden, Vermont State Prison, Windsor,
Vermont
James L. O'Shea, Superintendent, Massachusetts Correc-
tional Institution, Concord, Massachusetts
Frederick E. Adams, Associate Warden, Connecticut State
Prison, Somers, Connecticut

Subject: Supervision Vs. Surveillance

Supervision in the cell block, yard, shops, dining
room, and during visits. What to watch for. Riot
control and prevention. Constitutional rights of
prisoners.

SESSION XI-B

Speaker: Dr. Joseph Mazurkiewicz, Eastern Classification and
Diagnostic Center, State Correctional Institution,
Philadelphia, Pennsylvania

Subject: Group and Family Counselling

Use, value, techniques.

There are two tapes on this session. One is on group counselling, using a group of seven juveniles from the New Hampshire State Industrial School. The second tape is on family counselling.

SESSION XII-A

Speakers: Mr. Lars V. Hendrickson, Deputy Warden, Care and Treatment, Maine State Prison, Thomaston, Maine
Reverend Robert Dutton, Protestant Chaplain, Massachusetts Correctional Institution, Norfolk, Massachusetts

Subject: Roles of the Treatment Specialist in Corrections

Purpose and function of the specialist in corrections - psychologist, psychiatrist, chaplains, counsellors, teachers, therapists and business managers; their relation to custody and security. Medical and religious privileged communication in relation to administration.

SESSION XII-B

Speaker: Mr. John Manson, Deputy Commissioner, Connecticut Department of Corrections, Hartford, Connecticut

Subject: Investigation Techniques

How to go about an investigation; what to look for; how to gather information. Use of available community resources.

There are two tapes on this session. The first one is from 2 to 4 P. M. and is the lecture and question and answer period. The second one is from 6 to 8 P. M. and is the group discussion.

SESSION XIII

Speaker: Dr. Robert Levinson, Chief, Psychology Services, Federal Bureau of Prisons, Washington, D. C.

Subject: How to Handle the Offender, Including the Difficult Offender

How to handle the offender, keeping in mind how to avoid making him a difficult offender. Discussion regarding some types of problem offenders encountered in correctional work, with some reference to various types listed in the "Correctional Officers' Training Guide", Page 60.

SESSION XIV-A

Speaker: Dr. G. Donald Niswander, Staff Psychiatrist, New Hampshire (State) Hospital, Concord, New Hampshire

Subject: The Difficult Offender

Assaultive and suicidal offender. The extremely maladjusted offender who may be a threat to himself or others - what signs to look for; what to do.

SESSION XIV-B

Speaker: Mr. Ben Meeker, Director, Federal Probation Training School, United States District Court, Chicago, Illinois

Subject: Criteria for Probation Selection

How to decide whether to recommend commitment or probation. Factors to consider. Conditions. Optimum caseload. Supervision of probationers.

SESSION XV

Speaker: Mr. Henry Foderaro, Special Agent, Bureau of Narcotics and Dangerous Drugs, Boston, Massachusetts

Subject: Misuse of Narcotics and Dangerous Drugs

Drug problems - how to recognize and handle the drug offender. Treatment in the institution. Supervision in the community.

SESSION XVI

Speaker: Mr. Charles Chew, Director, Virginia Probation and Parole Board, Richmond, Virginia

Subject: Probation

The role of probation in corrections. Definition. Contrast with parole. The pre-sentence reports. Purpose, value, limitations, relevant facts necessary.

Subject: Parole

Definition and purpose. The parole plan. Preparing the inmate for parole hearing. The parole hearing. Relevant information needed for final decision. Criteria for prediction of success or failure. Prediction tables. Reparole and pre-release centers. Halfway houses. Release on parole. Conditions. Dilemma with expiration of maximum sentence - release, supervision. Definition. Frequency of reporting or visits. Optimum caseload. Violation of parole. Discretion of parole agent for minor violations. Revocation. Criteria for. The Interstate Parole Compact.

SESSION XVII

Speakers: Mr. Rolf W. Stageberg, Director, Division of Corrections, Wayzata, Minnesota
Mr. Leo Nauceder, Work Release Supervisor, Vermont State Prison, Windsor, Vermont

Subject: New Developing Trends in Sentencing; Probation, Parole and Institutional Programs

Stress on work release, home and study release. Advantages, selection for, and risks involved. Seminars and institutes.

SESSION XVIII

Speakers: Mr. John Conrad, Chief of Research, Federal Bureau of Prisons, Washington, D. C.
Mr. Ellis C. MacDougall, Commissioner of Corrections, Hartford, Connecticut

Subject: Research in Contemporary Corrections

Current institutional and academic research in sentencing; parole, probation, institutional organization and programs; special groups (such as homosexuals, alcoholics, drug addicts, etc.) Interstate and recruitment for corrections. What's new? Halfway houses. Sources of information for further study for professional improvement. Books, articles, reports.

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