

Counseling in Federal Probation: The Introduction of a
Flowchart into the Counseling Process *John S. Dierna*

Probation Officer Burnout: An Organizational Disease/An
Organizational Cure, Part II *Paul W. Brown*

Experimenting with Community Service: A Punitive
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Consequences of a Felony Convict
Study of State Statutes

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blems: A Pragmatic View

U.S. Department of Justice
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This Issue in Brief

In this issue, the editors are pleased to feature three articles authored by United States probation officers. In that the manuscripts were sent unsolicited, we believe that they offer good indication of issues that are of real interest and concern to persons working in the Federal Probation System. The articles, the first three presented in this issue, discuss counseling offenders, preventing job burnout, and employing community service as a sentencing alternative—information valuable not only to probation officers but to professionals in all phases of criminal justice and corrections.

Counseling in Federal Probation: The Introduction of a Flowchart into the Counseling Process.—In many probation officer-probationer/parolee relationships, the potential problems facing clients are not addressed, often because the client does not understand or consciously accept the problem or focus area. To assist Federal probation officers and other change agents in using counseling methods and problem-definition skills, author John S. Dierna introduces a systematic framework. The tool is a flowchart—which defines a variety of processes and decisions which may be pertinent in addressing issues such as, "What is the problem?" The flowchart—which the author applies to an actual probation case—offers a flexible yet structured approach to defining problem areas and defusing the resistive barriers which initially inhibit steps toward problem resolution.

Probation Officer Burnout: An Organizational Disease/An Organizational Cure, Part II.—Paul W. Brown authors his second article for *Federal Probation* on the topic of burnout. While the first article (March 1986) discussed the influence of the bureaucracy on probation officer burnout, this second part emphasizes some specific approaches that management can take to reduce organizationally induced burnout. Noting that organizational behavior can influence staff burnout, Brown points out that the role of the supervisor is vital in reducing the

stress which can lead to burnout. Much can be done to provide a work environment which is healthier for the employee and more productive for the organization.

Experimenting with Community Service: A Punitive Alternative to Imprisonment.—For the past

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Regenerating Prisoners Through Education*

BY HANS TOCH

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THOSE WHO value educational programs for offenders usually argue for them on rehabilitative grounds, emphasizing the benefit to the offender of remedied deficits or acquired skills. This perspective is no different from the instrumental view of education for nonoffenders, where schooling is seen as a means to goals such as vocational success.

We often undersell intrinsic—or at least direct and immediate—functions of education, which can be unexpectedly tangible. These functions have to do with the personal impact of educational experience and involvement in educational pursuits, which can lead to behavioral change in the short run if not in the long run. This fact particularly matters in settings such as prisons, where we find persons who have long and discouraging careers of maladaptive behavior which continue in confinement.

In this article I shall explore the role of education as a regenerative (as opposed to rehabilitative) tool for chronically maladaptive prisoners. I shall begin this exploration by relating short narratives of the careers of three clients of a state prison system. These reviews (1) furnish summaries of chronic maladaptive careers that were (2) at least temporarily interrupted (3) through the impact of an educational experience. The implications of these career segments will be essayed in the latter part of this article.

If Not Love, Attention

Jones (not his name) is an inmate confined for burglarizing a home and damaging a car. There is a notation on Jones' dossier that he absconded from a juvenile home and tried to escape from a jail. Jones' prison career is also beset with problems. He incurs disciplinary charges for disobeying orders and engag-

ing in loud and unseemly conduct and fighting. There is another charge of attempting escape.

Jones enters the system at age 16 after authorities have done a great deal of soul searching about what to do with him. According to his parole officer

he was referred to the school psychologist because he was "unable to cope with first grade work, very nervous, appeared afraid of admitting to be wrong, stubborn." The following year the school physician started him on mellaril which eliminated physical hyperactivity, but he was still seen as having difficulty in concentrating. . . . [Later] there was felt to be some decrease in his hyperactivity, but overall adjustment did not improve.

Teachers write that "the most outstanding feature of his difficulties in school was his continual clowning to get the attention of his peers." One teacher reports that

he seems to be totally unable to stop talking. He will stand up in the middle of a class and do something quite distracting, for instance tell a dirty joke, make an off-color remark to another classmate, etc. Today in the middle of a lesson he was playing with a leather bracelet. He unzipped his pants, put the bracelet almost inside and ran around the room saying, "what does this look like?" Since this is a mixed class, I believe this act was a definite offense to the girls in the class.

Efforts to discipline Jones prove unsuccessful. He responds to the injunctions of a teacher by entering the man's office and having a bowel movement in his wastebasket. He similarly reacts to disciplinary efforts in his home by running away and wandering about town. He then enlists a sidekick (age 15) and goes on a crime spree, estimating that he has perpetrated "about 55 burglaries" netting "a total of \$2,500 during the past two or three months." He also claims that he would welcome assignment to a camp for youthful offenders because "it will be better than staying here [home]. I hate it here." He subsequently changes his mind, however, and escapes from the institution. This escape nets him an indeterminate sentence to prison.

In the prison Jones gains visibility by escalating an incident in which he has been asked to pick up a piece of bread he has dropped on the floor. He is charged with "riot and disturbance" because the incident ends with a confrontation that pits Jones against an officer and all of the other inmates in the mess hall. Most remaining incidents in Jones' early

*This article is a modified version of a keynote address delivered at the New York Department of Correctional Services Library Division Conference "The Education Connection," May 12, 1987, in Albany, New York. The case material used derives from research underwritten by the National Institute of Mental Health (NIMH) under Grant Number 7RD1-MN39573-01. The opinions expressed, however, are those of the author and do not reflect views of NIMH or the New York Department of Correctional Services.

prison term revolve around conflicts with other inmates and have to do with his propensity to accumulate debts which he cannot repay, requiring his placement in protection at his request. He is finally transferred and for a few months does well, but soon again has difficulties with his peers which he resolves by drawing custodial attention to himself. According to an incident report

the inmate had turned his bed up-side-down. His mattress was under the bed, the inmate under the mattress, when found by the officers. He had covered his body with red dye. He claims that inmates are trying to kill him and he wished to be placed in protective custody.

Jones commits a burglary and steals a car 1 month after being paroled from this first prison term. His first progress review describes "a disastrous adjustment," and points out that

the reports he receives are for fights, horseplay, disturbances, destruction of state property, refusing orders, refusing to accept programs and littering. His only defense for himself is "I'm a criminal."

The inmate also blames the parole board, who he feels should have realized that "he was not ready to be released." In a more positive vein, he "claims that he is a magician and that his nickname is Houdini. He believes he could escape from any situation if he wished to." Staff members conclude that the inmate "is a borderline psychotic case" and place him under a moderate regime of medication.

The inmate's self-proclaimed escape artistry proves a liability which nets him 60 days of segregation and 6 months loss of good time credit after he has supplied toothed blades to fellow inmates to help them saw through cell bars of their windows. After this incident, Jones' violations are of a lesser order and are mainly confined to accusations that he engages in horseplay, fights, refuses orders, and fails to participate in programs. Such incidents are frequent, however, and earn Jones a transfer to a tougher prison where he spends 3 months without a disciplinary incident but signs himself into protective custody (probably as insurance) 10 days before he is paroled.

Jones is reimprisoned for a burglary which is noteworthy in that he has himself called the police, claiming credit as a helpful citizen. Later he escapes from a holding cell but instead of seeking freedom, "walked to the desk and said, 'Hi' to the officers seated behind it." From the reception center Jones is sent to a low security institution. His first report records that he "appears to get along well with staff and peers" and "performs duties in an average manner." His second report describes his custodial ad-

justment as "outstanding" and points out that Jones is involved in college level art study and that he is "an intelligent, interested student" who "accepts and completes assignments with minimal supervision." Jones is also an active participant in a drug and alcohol counseling program.

The story obviously has a happy ending. One infers that Jones has undergone real change, but he has also succeeded in a lifelong campaign to earn attention. He has started at age 6, attempting to obtain the esteem of peers by playing the clown, and has tried to capture love from his parents by running away, hoping that he will be missed. These efforts boomerang and cement Jones' reputation as an obnoxious figure and "attention seeker." Jones reacts to whatever rejection he invites by resorting to fantasy, which results in his classification as mentally ill. He also operationalizes a fantasy world which consists of a one-person gang with whom he steals and drinks and patronizes amusement parks. Stealing sustains Jones' private world but also invites restraint, which is probably the closest Jones can come to receiving affection.

In prison Jones discovers that fellow inmates associate with him around the gambling table. But he is not very good at gambling and becomes involved in conflicts which he cannot handle. He also discovers that clowning in the prison translates into disciplinary charges of horseplay and results in conflicts with officers when they tell him to stop clowning and he disregards their instructions. He additionally discovers that escape fantasies are taken very seriously in the prison.

The situation improves after Jones is assigned to an adult prison where there is no audience for his performances and where the climate is one that demands sobriety. But he has also been brought along by educational programs in the prison which initially demand lower levels of involvement than those in the community. He has thus laid the foundation for more disciplined experiences that he discovers are esteemed. Concurrently, Jones has discovered an interest and aptitude in art. He can now evolve a formula for gaining recognition which centers on conformity and achievement. What he *does* also yields *intrinsic* satisfactions, making him less dependent on attention and approval from others.

Fronting Tough

Smith (again not his name) is an obese 17-year-old convicted of an aborted burglary. His prison violations are diverse and include "backtalk to officers," "refusals to accept assignments," "failure to carry

an identity card," fights, and miscellaneous offenses such as "lying," "failure to report an illness," and "possessing unauthorized postage stamps."

Smith experiences entry shock in jail and is placed on suicide watch. He continues to have problems in the reception center. Classification analysts write, "it appears the inmate goes through periods of depression and when he does, he goes off the deep end." He is referred to psychiatrists who place him on medication, but is later "found lying on the cell floor" and "sent back to see the psychiatrist." Eventually, however, Smith recovers from his depression, and medication is discontinued. In the interim he accumulates disciplinary violations for "using profanity to an officer" and is adjudged to relate poorly to authority figures.

In the prison Smith has difficulties with both staff and peers. He is injured in a fight, in which he reports that "me and the guys were playing around, calling names and [the other inmate] got mad and came at me from behind." Problems with staff include a propensity for verbal abuse and disobeying orders and refusals to attend program assignments.

Smith is referred to a behavior modification program, and some staff members feel that this changes his outlook. His counselor writes, "I have seen a vast improvement in his general overall attitude about authority figures and rules. His type of tickets aren't as serious as before. . . . His attitude has changed tremendously, from being quite negative to very positive and (to) taking things in stride." Even more dramatic is Smith's response to his program involvements. His counselor reports,

I have seen some of his art work, which is quite outstanding. He is quite an accomplished artist, has a lot of talent. . . . Since being incarcerated he has learned more skills in commercial art. . . . In art class the teacher has asked him to be her aide due to his advanced talent. . . . He has a lot of talent and can be easily worked with, especially with some positive reinforcement, encouragement and attention.

Smith has been afraid of prison and all the people it contains, including fellow inmates and staff. His fear at first manifests itself through straightforward anxiety, but he later resorts to bravado, which includes defying officers and demonstrating to peers that he is as tough as the next man (which he is not). For a time the defiance also includes resistance to programming. Smith does recognize that he has a problem, however, and volunteers for the behavior modification program which he feels "helped him alot."

Smith is probably most substantially influenced by the reinforcement he gets from civilian staff members, who view his artistic contributions with ad-

miration, which they freely and volubly express. In this way, staff members act the part of benevolent parental figures, and Smith acts the part of prodigal son. He still occasionally stages demonstrations of toughness for officers and peers, but finds a niche as teacher's pet and as a counseling client who has a strong reciprocal bond with his counselor. These compensatory experiences reduce pressure on Smith and make imprisonment bearable to him.

"Unrealistic" Expectations

The inmate we shall call Sanchez serves a short sentence for a burglary; he is also a drug addict. He has a long disciplinary record, mostly sins of omission: "did not go to gym," "late for group," "did not go to lunch," "did not attend shop," "after repeated orders, will not clean his cube," "asleep during count," "missed group therapy," "late for group repeatedly," "did not go to breakfast after being told to," and so forth. One theme consists of matters of cleanliness and has to do with Sanchez refusing to take care of himself and his surroundings.

Sanchez is a long-term problem. His presentence report notes that at age 14 "a petition was brought by his mother alleging that he was using drugs, stealing money from her, being truant, and was beyond her control." As a result of this petition, Sanchez spends 2 years in a training school. He later becomes tragically involved in his mother's death in that she suffers a heart attack "precipitated by her attempts to assist [Sanchez] after he had collapsed from an overdose of heroin in the family bathroom."

It is not surprising to find that Sanchez has a tattoo on his arm that reads "pardon me mother" in Spanish and sports another tattoo inscribed "born to suffer." The presentence report indicates that Sanchez

seems to think of himself as a little boy. He was very self-pitying during the interview. His attitude toward authority is very childlike. He seems to have no sense of authority as a disciplinary or retributive force, but only as a source of support and forgiveness. This appears to be in line with his very dependant nature and his apparent inability to conceptualize the results of his behavior.

This notation predates Sanchez' first prison stay, in which he proves to be a model inmate except for occasional sloppiness and a violation involving possession of booze. His conviction of a second burglary occurs 2 months after he is paroled from this first sentence. He has received his high school equivalency diploma in prison, and he enrolls in a college program during his second stay. After he is once more paroled, from the second prison sentence, he

again violates his parole by committing another burglary within 2 months.

By this time a change has taken place in Sanchez. The presentence report notes that

this defendant appeared extremely disturbed mentally and was unable to respond coherently to offer his version of the offense. . . . When interviewed the inmate laughed inappropriately and made out-of-context statements. . . . He appeared. . . in need of psychiatric intervention.

Classification analysts in prison report that

this individual appears to be experiencing a pre-psychotic state. . . . He is withdrawn. . . . Needs a therapeutic milieu, as he would have difficulty at the present time adjusting to the general population.

In line with this recommendation, Sanchez is placed in a therapeutically oriented program. His first report from the program reads:

during his tenure in phase one he appeared to be withdrawn and somewhat hostile, especially in a group situation such as orientation. He felt the program "sucked" to use his own words. However, to his benefit he was most cooperative in completing his assignments.

A month later Sanchez is still "causing no problems," but staff members write that they "would suspect fairly serious emotional problems that would limit his capacity to adjust, and foresee many problems for this man while he is incarcerated." Two weeks later a psychiatrist places Sanchez on medication because he is incoherent and making "illogical statements." By this time Sanchez has accumulated a long roster of misbehavior reports, mainly for being dirty and keeping his cell in a messy condition, but also for occasionally remaining asleep and not going where he is supposed to go.

Sanchez discontinues his medication and the psychiatrist suspects that he is having a tough time. He records that

the inmate had a great deal of problems learning the schedule. . . . Appears to have difficulty concentrating, his memory functions are not particularly good, and some of his thoughts are quite illogical. However, he maintains himself in the community by keeping his bizarre thought train to himself.

When Sanchez is subjected to therapeutic efforts, he "spends most of the time staring into space and making quite unrealistic demands." One of the demands Sanchez makes is to be transferred to a college program, which the staff members regard as ludicrous given the man's level of functioning. Staff members write:

He presently requires that the building officers supervise his personal hygiene to control his impetigo (a skin condition). Basically he is experiencing difficulty in meeting the minimum requirements for following the schedule, maintaining reality contact, obeying the rules and his personal hygiene.

Staff members summarize the disciplinary record by noting that "to date he has 24 misbehavior reports for failing to follow his program, not attending his work assignments, sleeping through mandatory meals and poor hygiene." They note that "to reasonably approach the problem a highly structured and supervised program was designed for the inmate," but regard the effort as unsuccessful and write that Sanchez has become "a poor example for other community members and a source of discord on the therapeutic community." They make the point that Sanchez' smelly, dirty exterior and his repulsive skin problem make him unattractive to peers, and that his behavior is a source of tension. They also insist that the requests Sanchez has kept making about having himself enrolled in a college program are unrealistic, although everyone would appreciate if he were transferred out of the unit. They write that "this inmate appears to understand only what he wishes to." As evidence they point out that "he is fixated on an unattainable goal and has displayed a great deal of zealousness in its pursuit." In order words, Sanchez wants to be transferred to a higher education program and has sent letters to everybody in the system stating these demands.

Sanchez, meanwhile, "appears conveniently bewildered," and receives reports for refusing to do things such as go to breakfast and tuck in his shirt. The custody staff complain that "every form of corrective measure available has been tried to no avail." However, when Sanchez goes to segregation he is often reported to do well. He reads, draws, and exercises in his cell and has no discernible problems.

Sanchez is transferred to another prison which offers a more structured environment. He adjusts somewhat better there, although his behavior is still described as eccentric.

At this juncture Sanchez is released and convicted of another burglary. While awaiting trial, he is again described as "seriously disturbed mentally." However, on this occasion Sanchez is enrolled in a college program after he arrives in prison. His evaluations in this program are very satisfactory, and his disciplinary record is described as "outstanding," with only one minor incident being filed in a period of 19 to 20 months. Sanchez not only does well in college courses but also has a work assignment in a relatively isolated setting as a porter and is described as a very good worker.

If one were to confine one's assessment of Sanchez to his third prison sentence, one would be depicting a person who keeps some sort of equilibrium by trying to simplify his world as much as possible, which

requires not only avoiding meals, program assignments, and showers but which makes taking care of his elementary needs too taxing an enterprise. This period, however, is sandwiched between two relatively successful periods, each of which shows Sanchez engaged in an educational experience to which he responds and which he is able to master.

Did Sanchez suffer a period of disabling mental disorder and subsequently recover? Onsets and remissions of psychosis are by no means unusual, but discontinuities need not be radical, and Sanchez contends that his disability is more apparent than real. In this connection, Sanchez intuitively that his obtuseness is a panic reaction, which dissipates when stimulation is reduced, such as in solitary segregation. He also knows that he has substantial capacity for involvement and concentration when challenged by books (which do not threaten him) rather than people (who do).

Mobilizing Regenerative Impact of Education Experiences

In reviewing prison success stories in which education plays a role, two prototypical sequences emerge. The first is a sequence in which the inmate as student becomes enticed by educational content or subject matter, which provokes curiosity or furnishes satisfying activity, and ultimately may provide a sense of growing competence and expertise.

The second (more frequent) sequence is through the establishment of a relationship with a supportive staff member which makes a program attractive, at first as a way of maintaining what has become a significant relationship and, later, for its own sake. There are also obviously instances in which an inmate's approach to programs is superficial or exploitive, but he becomes gradually involved against his own inclinations, increasing his investment while decreasing his investment in prison underworld involvements.

In reviewing the genesis of our three turnabouts in inmates' careers, a number of guidelines or principles suggest themselves. These include the following:

1. *One must assume as a working premise that one can find a point of intersection with the inmate.* The task for the educator in the prison is to find some ignitable spark that kindles interest in education or (as some would put it) a "button to press." The search for an opening requires establishment of acquaintanceship with the inmate and presupposes an optimistic (possibly utopian) stance, as well as con-

fidence in one's acumen and sensitivity. The enterprise involves taking risks, which means that failures must be routinely expected. Rewards are substantial, however, when a success is achieved in defiance of probabilities.

2. *Success must not be measured in terms of post-prison adjustment or rehabilitation, or contribution to a person's career, but in terms of helping the inmate to cope or giving him something positive or meaningful around which to organize his life.* The "here and now" emphasis is essential in prison education because it provides the educator with a "product" he can experience and yields a sense of completion. It also deletes distracting criteria such as "marketability" or deployability of knowledge. Instead, learning experiences can be arranged to provide the inmate with stability and a sense of purpose and disciplined progress. In some instances there is value in educational experiences that do no more than keep a disturbed individual afloat, which may require providing him with a quiet, relaxed, and tolerant setting in which the education component is "gravity." In this connection, it is important to recall that:

3. *Respite from destructive or distracting influences can be a requisite for change.* A young inmate who responds adversely to the temptations of a youth prison may relax amidst an older population or under a stricter regime. An inmate who appears limited because he is disturbed can blossom in isolation, where lower levels of stimulation or demand free his energies from unsuccessful efforts to cope with life generally and permit him to channel energies into task-oriented pursuits. Other examples could be multiplied, and they alert the educator to the fact that contextual factors can advance or defeat his efforts to exercise constructive influence. The prescriptive implication is that the educator must concern himself with the prison situation in which the inmate finds himself outside the classroom.

4. *Facades are sometimes permeable.* Part of the educator's acumen to which I have referred implies that he knows that he cannot be overly concerned with the hospitality or inhospitality of the inmate's demeanor. Antiauthoritarianism—especially among the young—can mean that authority figures matter. The stance also means that what a young person expects, based on experience, is that he will be disappointed, rejected, and disrespected. To challenge such assumptions is difficult when a person works hard to ensure that he will be disciplined or rejected—but a success along this line can be a powerful unfreezing experience, and a rebellious inmate

may show (after some testing) surprising and disarming loyalty.

5. *Timing matters.* A California corrections expert has noted that it is axiomatic that no one in prison is reprehensible and antisocial all of the time (J. Douglas Grant, personal communication). Another way of putting this dictum is that no inmate is impervious to intervention all of the time, and this means that if the "right" overture happens to intersect with the "right" intermission or crisis in even a discouraging personal chronology, the inmate is likely to resonate and respond.

Helping Educators to Educate

Prison educators do not operate in a vacuum, and correctional administrators can do a great deal to assist them to regenerate inmates, provided the enterprise strikes them as worthwhile. The challenge is far from revolutionary, and the following prescriptions are examples of modest beginnings:

1. *Promoting the concept of prison staff members as "generalists."* Our three inmates both *had* a problem and *were* a problem, and the combination is not unusual. Multiple problems suggest that a compartmentalized approach to the inmates may not be appropriate, that custody, mental health, and program considerations must be addressed in combination, which cannot be done if designations such as "cor-

rection officer," "vocational plumbing instructor," or "chaplain" constitute non-overlapping specialties. Team membership is one route to cross-fertilization, but short of team arrangements, case conferences can be used to arrive at shared strategies for reducing destructive involvements and promoting constructive involvements of inmates.

2. *Emphasizing positive attributes in record-keeping.* Most prison systems keep meticulous track of inmate disciplinary infractions and of litigation-related facts. Inmates folders are less likely to contain detailed records of inmate accomplishments, particularly of incipient achievements which offer clues to inmate potential. Success stories such as those I have cited are harder to collect than stories of unregenerate failure. More importantly, record-keeping practices do not provide data that facilitate the work of staff members who try to intercept unpromising prisoner careers.

3. *Reinforcing reward structures for regenerative effort.* Making an impact on a seemingly inhospitable client is rewarding, but recognition of the achievement can increase the reward. A prison administrator who prizes humaneness can advance his goals by expressing admiration and gratitude to those who engage inmates, involve them in meaningful pursuits, and increase their coping skills. He can afford to do no less.