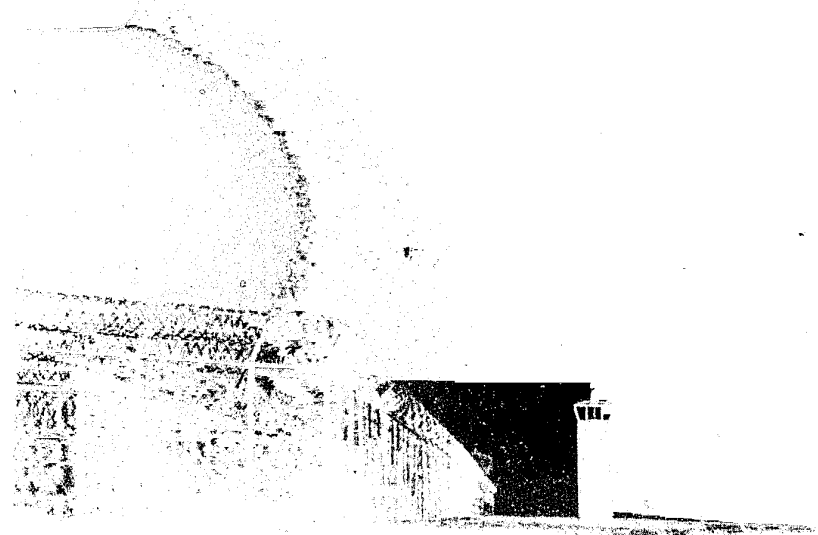


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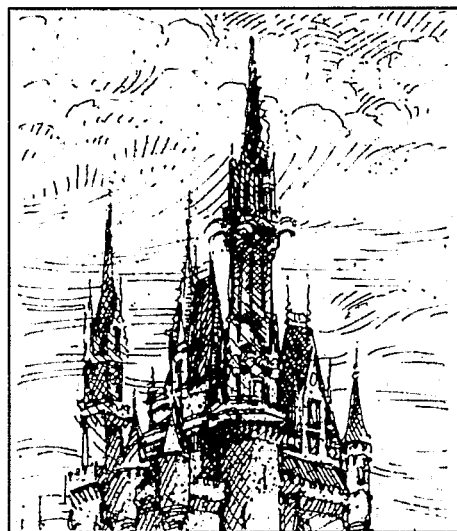
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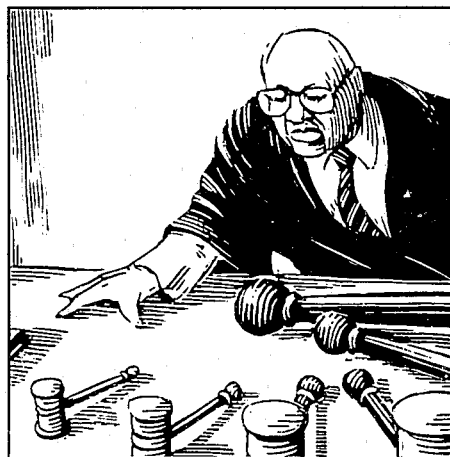


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Rebuilding a Prison System

Germany 1945-46

Myrl E. Alexander
 Interviewed by John W. Roberts,
 Archivist, Federal Bureau of Prisons,
 and Doug Green, Editor, Federal
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Myrl E. Alexander belongs to a very exclusive club—individuals who have managed prison systems in two countries. From 1964 to 1970, Alexander

was director of the Federal Bureau of Prisons. Two decades earlier, in 1945 and 1946, he was chief of prisons in the region of Germany that was being administered by U.S. military authorities.

Much of Germany was in ruins after World War II. The defeated country was divided into four occupation zones, each of which was governed by one of the victorious Allied powers (the United States, Great Britain, France, and the Soviet Union). The American occupation zone consisted of three Lander, or states, in the southern part of Germany—Hesse, Bavaria, and Wurttemberg-Baden. Several major cities were located in the American zone, including Nuremberg, Frankfurt, Stuttgart, and Munich.

The Office of the Military Government of the United States (OMGUS) was established to provide basic governmental services to residents of the American zone and to help set up a new, de-

OMGUS Legal Division, 1945. Charles Fahy, Director, is front row, third from left; Myrl Alexander is middle row, third from left.



Nazified civilian government. Headed by a U.S. Army general serving as military governor, OMGUS was made up of numerous functional divisions—including a Legal Division.

The OMGUS Legal Division was, in effect, the Department of Justice for the American zone. It was responsible for investigating crimes and for prosecuting and incarcerating offenders. The Solicitor General of the United States, Charles Fahy, was detailed from the Justice Department to serve as director of the Legal Division. James V. Bennett, then director of the Federal Bureau of Prisons, was detailed to serve as chief of the Legal Division's Prison Branch.

In July 1945—only 10 weeks after Germany's surrender—Bennett flew to Germany to assume his temporary post. He was accompanied by Myrl Alexander, then warden at FCI Danbury, who would assist Bennett in establishing control over the prisons in the American zone. Alexander would then succeed Bennett as chief of the Prison Branch when Bennett returned to the United States. As one of their most important accomplishments, Bennett and Alexander drafted "Directive 17," which codified regulations for the administration of all German prisons. This was adopted by the council that coordinated activities for all four occupation zones.

Mr. Alexander discusses his experiences in Germany after World War II in this excerpt from an interview that was conducted as part of the Bureau of Prisons' oral history project.

How did you come by your assignment to Germany, and what were the circumstances surrounding Bennett's departure from Germany and your elevation to branch chief?



Top: Myrl Alexander, Chief of Prisons, American Occupation Zone. Bottom: Bomb damage in Berlin.

After VE Day—I was warden at Danbury then—I got a call from Jim Bennett saying that it was urgent that I come down to Washington. So I went down and he told me that the Department of Justice was going to set up a Legal Division within OMGUS. I was being assigned—he didn't ask me if I wanted the assignment—to go over to Germany for a year. He would go over with me and serve as chief of the Prisons Branch for a short time, but once things were set up I was to take over as chief.

We flew over together, and while Bennett was there we got out a directive

[Directive 17] on the management and operations of prisons. Bennett was skilled and experienced at drafting that sort of thing. We got it approved through the Legal Division, and then at headquarters at OMGUS, and finally it was adopted by the Allied Control Council for implementation by all four occupying powers.

Soon after that—only about a month after we had arrived in Germany—Bennett got a letter from Captain [A.H.] Conner. He was head of industries and was acting director in Bennett's absence. Connor wrote that the FBI was going through everything in the Bureau, interviewing people, going through all of the records. Jim said he had to get back there, and he left very quickly. I heard from him a week or two later saying that upon returning to Washington he had gone immediately to see the new Attorney General, Tom Clark, and that the FBI disappeared from the Bureau the next day.

How were the Legal Division and the Prison Branch organized?

The U.S. Military Government consisted of several divisions. The Legal Division was in essence patterned after the U.S. Department of Justice. Solicitor General Fahy headed it, and we had branches that were comparable to the organization of the Department. The Prisons Branch, of course, was comparable to the BOP. There was also a Prosecution Branch, a Patents Branch, and so on.

In each of the three *Lander*, or states, that were part of the American zone—Bavaria, Wurttemberg-Baden, and Hesse—we had a counterpart German chief of prisons.

Kristen Mosbaek

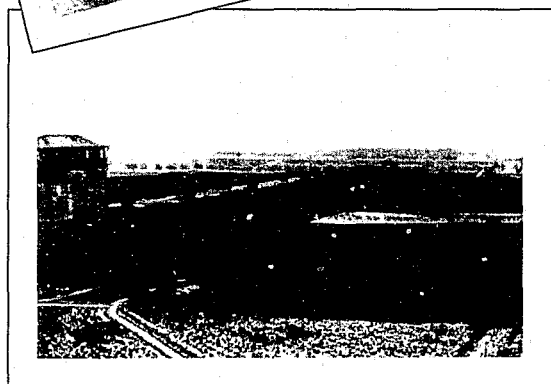
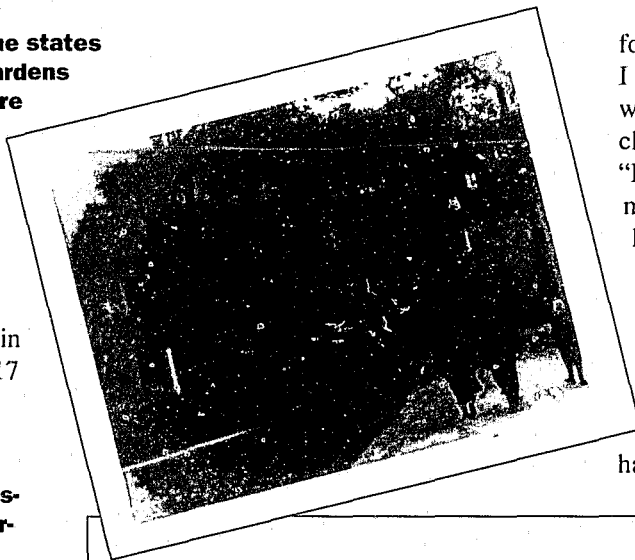
The prison chiefs in each of the states were Germans; what about wardens and other staff members? Were they Germans too?

Oh, yes. Administration and staff in all of our institutions were entirely German. Our role as part of the Military Government was that of supervising, issuing orders, and making certain that the provisions of Directive 17 were carried out.

How were the German prison officials chosen, and how satisfied were you with their performance?

They were chosen by the German ministers of justice in each state, subject to our approval. We had each of them carefully checked out under de-Nazification procedures; that was called "vetting." Anytime we had any type of question we would refer it to that branch of the military government that handled de-Nazification.

We were very fortunate in the choice of our three *Lander* directors of prisons. Dr. Krebs in Hesse had previous experience as warden of an institution but had been demoted during the Nazi days because he entertained an American Jew, Dr. Nathaniel Cantor of the University of Buffalo. Dr. Leopold in Bavaria had reputedly been part of the conspiracy to assassinate Hitler but had somehow eluded capture. He was a very fine attorney by training. Dr. Georg in Wurttemberg-Baden was a prominent pre-Nazi attorney, although he hadn't any prison experience. [The chain of command went] from the Legal Division to the OMGUS officers in the three *Lander* to the three German prison chiefs in the



Top: Butzbach prison, an example of modern penitentiary design. Bottom: Women's prison in Swabish-Gemund, an example of a monastery converted to prison use.

Lander. The original *Land* OMGUS officers had been assigned from the occupying military personnel, but as rapidly as possible were replaced with U.S. civilians with proven correctional experience—mostly Bureau personnel. Throughout the military occupation, however, those three Germans who had been selected as the prison chiefs remained. All three were very competent men.

What about the wardens?

By and large they were competent men. When we had a question, we referred it

for de-Nazification review. For example, I went into one prison in Bavaria and the warden came out very Prussianlike, clicking his heels, saluting, calling me "Herr General," and all of this. He just misplayed the whole bit. But by and large [the wardens] were individuals who had suffered during the war and had been selected by the state directors on the basis of their integrity, and we were quite satisfied with them. These wardens, like the other German civil servants in the military government, had not had any Nazi affiliations.

What were German prisons like?

There were two types of prison structures. There were some fairly modern prisons. Most of the modern prisons were built on the Pennsylvania system of outside cells—individual rooms; there were no prisons to my recollection that had the Auburn-type inside cells. Half or more of the modern prisons were in rural areas that had not been bombed. They had central heating and plumbing in the cells. But those modern prisons were not in the majority.

Fascinating to me to this day were the former monasteries and cloisters that had been taken over by the state along with the other properties of the Holy Roman Empire [and turned into prisons]. There were several dozen of these. Two stand out in my mind, although there were many others. One was the prison at Rothenberg, north of Frankfurt, which was a former cloister being used as a juvenile institution. It was a beautiful old place. You could just see it filled with nuns walking around. The staff were warm, kindly, friendly people. The

statuary and the lovely gardens that had been there a hundred years before were all maintained.

Also, a prison down in Bavaria had been a great monastery. It stood out on the plains all alone. There was no village around it, except for staff housing. Every monastic cell had been painted inside by monks who were artists, and almost every cell had little cherubs and angels flying around in it. The chapel was gorgeous, with ceiling paintings; there must have been some junior Michaelangelos there. The thing that impressed me was that there were only two of those cells where the paintings had been marred by the inmates.

What level of sustenance was available to the inmates?

That was one of our biggest problems. Food rations for the German people had been mandated at 700 calories a day. People in the free German population supplemented that by scrounging and growing gardens, but in prison we couldn't supplement the rations that much. Also, there was a very severe limit on coal for heating, and our prisons got down to the freezing point in the winter of 1945-46.

We had very accurate data on health conditions in the prisons, and in January or February of 1946 a substantial increase in hospitalization and deaths became apparent. I went to General Fahy and his staff and warned that we would be held accountable for these heavy death

rates and illnesses. I said we might be compared to Nazi concentration camps. Fahy said we had to do something right away. Within a matter of days the ration was increased to 1,200 or 1,400 calories and trainloads of coal began pouring in. We got more clothing. Within 60 days death rates went down. That was probably one of the most difficult problems we faced, but we got very rapid action right from the top. I was told that my report which said we might be compared to concentration camps really kicked the whole thing loose. Boom—it just straightened out immediately.



Top: Workshops at Ludwigsburg prison.
Bottom: Cell at Sinsheim prison.

What about the sorts of programs that were taken for granted in Bureau of Prisons facilities? Things such as classification or education programs or work programs—what was the status of those in German prisons?

Well, it varied. Work programs, yes, but practically all of it was in maintenance shops. That provided a kind of training, but the average German prisoner was more likely to have a job skill than an average American prisoner, and hence did not need that much training. There was little education in German prisons—but, again, there was less need for it than in American prisons because the German prison population was more literate. A number of the institutions had psychologists. All of them had a physician. There was no classification, and there was no parole until we established it.

What was the climate like in the prisons, in terms of violence, disciplinary problems, escape attempts, and so forth?

We had no problems. Security was almost taken for granted. There was no such thing as a riot; the most extreme disturbance would be a fight between two men over a personal matter. *Verboten* is a very strong German word, and the whole German cultural pattern of emphasizing the acceptance of one's punishment was such that virtually all the prisoners were submissive and accepting. The prisons were very orderly and the administrators in the prisons were calm, committed people. Security was never a problem for us and there was no need for us to upgrade custodial provisions.

How advanced were German prisons before the Nazis came to power, and to what extent did they regress during the Nazi period?

Historically, the German prisons were really good prisons. German prisons before World War I and even during the Weimar Republic [1919-1933] were quite well advanced. That had been the tradition for more than a century. Prison reforms advocated by John Howard, for example, were taken very seriously, and German prisons were among the first to take notice of [Cesare] Beccaria's writings. Before the Nazis, I think there was little evidence of inhumanity in German prisons.

Further, there was evidence that the Nazis' extreme policies did not really infiltrate deep into the prison system. And afterwards, there was a very great willingness to return to the pre-Nazi prison conditions.

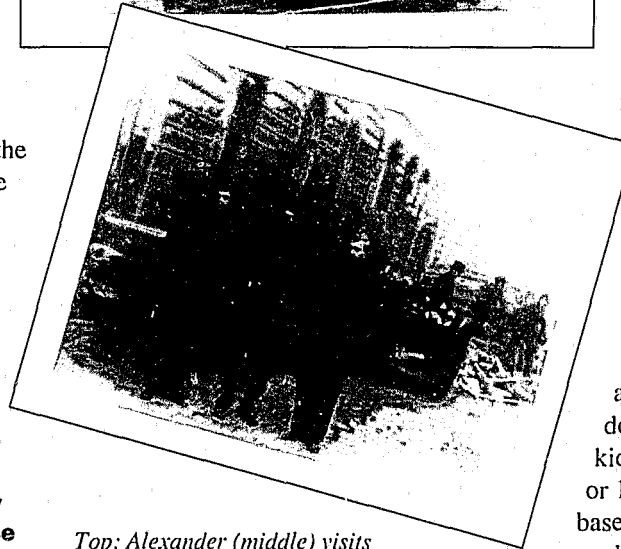
The civilian prison system probably didn't change all that much because the political prisoners would have gone to the concentration camps, which were run separately by the S.S.

That's right.

Did you visit any of the concentration camps?

No.

The impression is that your primary emphasis was on clearing staff, establishing good, ongoing procedures, and providing adequate care for the inmates, as opposed to broad correctional reforms.



Top: Alexander (middle) visits Stuttgart jail. Bottom: Alexander (left) visits Ludwigsburg prison. The German warden is at right in both photos.

Yes, in part, but some very substantial change flowed from Directive 17. It eliminated protective custody, prohibited the old German practice of allowing wardens to add onto sentences, and established parole. That's critically important.

But it wasn't as if you attempted to implement a radically new conceptual model of corrections.

No. I viewed it more as bridging the pre-Nazi period and the post-Nazi period, and eliminating whatever Nazi influence remained in the prisons; because the German prison system was really

outstanding, in terms of comparability with American prisons.

Did the German public respond in any way to your administration of the prisons?

No. Nil, as far as I was concerned.

What was your relationship with the military government like?

By and large, things operated very smoothly. Time after time, any problems we saw were resolved amicably. When I visited a prison in a smaller town, the young lieutenant or captain who was in charge of the occupation forces there would treat me like a commanding general. Every courtesy was shown.

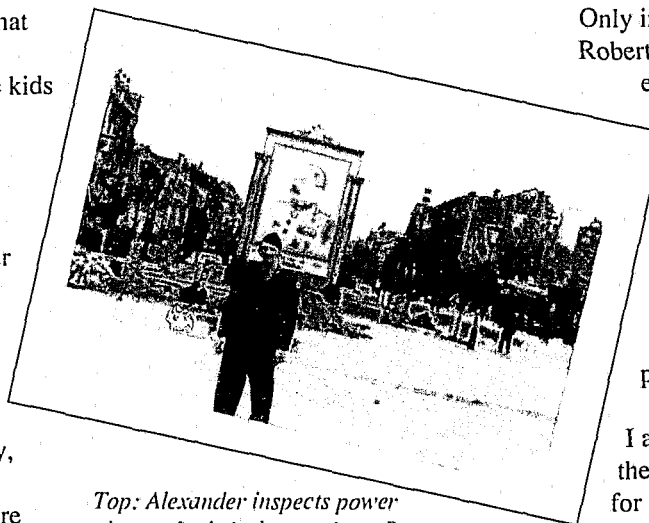
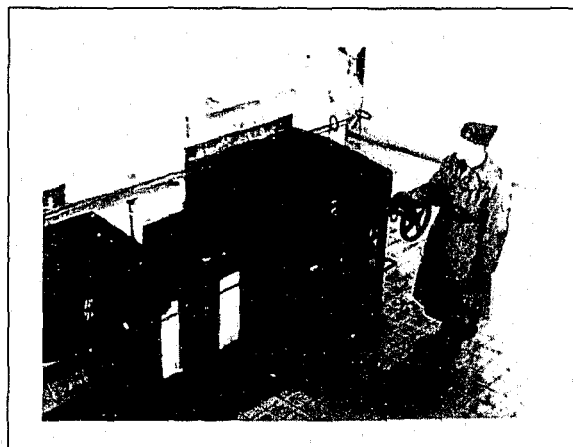
I had only one real confrontation, and that was in a youth institution at Niederschoenfeld in Bavaria, down on the Danube. Maybe 100 kids, 14 or 15 years old up through 18 or 19, were being held in a dank basement of that institution, and the warden said it was on the orders of the military government. I went up to headquarters in Munich and talked with the commanding general, who said the prisoners were "werewolves"—kids trained to carry out the Nazi traditions. I had talked to those kids through interpreters and found out that their mothers had been killed in bombings and that their dads had been on the Eastern Front or elsewhere in the military. They were going through the rubble of Munich, Nuremberg, or other southern cities, stealing and scrounging for food, and they had gotten picked up and the label of "werewolves" was pinned on them.

So I went back to Berlin, and General Fahy and I went to Command Headquarters and said that something had to be done about that general in Munich. Within a week or two we had a list of all kinds of German facilities available for any kind of OMGUS use, including a big forestry nursery down near the Austrian border that needed help. In a very short time we moved all of those kids down there. With the extra help, the nursery became active again, and the kids became tanned and healthy instead of emaciated. That always gave me a warm feeling of accomplishment; we got all of those kids out of that filthy hole.

What about your relations with German officials?

We never had any problems with our German counterparts. Actually, the German government was in no position to resist, and even the prison people knew that if we said "out" they were out. But I don't think that deterred anyone. Basically, they gave us real understanding and appreciation. After all, the Nazis were gone, the Russians didn't get their territory, and they were very anxious to cooperate. The German prison directors and I saw eye to eye on just about everything, although if there was a problem we would discuss it. They didn't hesitate to raise questions, and we were not trying to exercise our inherent authority. We sat down as conferees. They were anxious to make a go of it and so were we.

How much did you know about prison conditions in the Russian, French, and British zones?



Top: Alexander inspects power plant at Ludwigsburg prison. Bottom: Alexander before poster of Stalin, Russian Zone, Berlin.

I knew nothing about the French or Russian zones. Even though [the four prison chiefs] met monthly—mostly to discuss methods of implementing Directive 17—we never visited each other's zones; nor were we supposed to. We all had all we needed to do in our own zones.

Although I didn't visit any of the British prisons, the British chief and I were good friends and we exchanged information freely. In theory, the Russians had to operate as we did, but we never got any

feedback. [The Russian prison chief] was a pleasant enough guy, but he had no authority to do anything, and he never discussed what was going on in his zone. I don't think the French representative did either. I don't recall any conflict between us, though.

You had responsibility for civilian prisoners, but did you have anything to do with the Nazi war criminals who were being held by the military authorities?

Only indirectly. [Supreme Court Justice Robert] Jackson was on leave to prosecute the war criminals, and he called General Fahy, asking me to go down to Nuremburg to look over the conditions under which the war criminals were being held. I found many things that were inconsistent with good prison administration and inconsistent with their goal of preventing suicides.

I asked the colonel in charge if they'd shaken them down, looking for cyanide capsules—for example, did they extract fillings from their teeth, where capsules could have been hidden? "No," he said; "No American dentist has to put his hands in those filthy German mouths." They used German POW's to prepare the war criminals' food and take it to their cells. I said that, with 25 or 30 POW's doing that, any one of them could slip something in. But the colonel said, "No Americans have to prepare food for those guys." Up above the cells, they had built a platform, and they had a GI up there with a Tommy gun. So I said, "What's that for?" The colonel said "if any of those Germans attacks one of our GI's, we'll get him." What a beautiful way to commit suicide!

If only the Germans had figured out that all they had to do was take one swing at one of the guards.

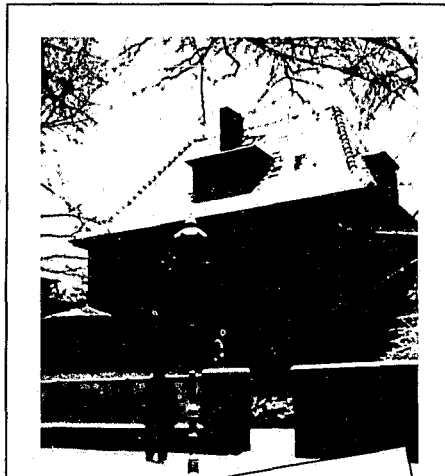
I went over all this with Bob Jackson, and then went back to Berlin and wrote a report that I sent down. I can't say to what extent my recommendations were followed, but I know that the GI's with the Tommy guns were removed.

I had returned to Danbury as warden when the executions took place in the fall of '46. It was broadcast over the radio at midnight or 1 o'clock, and I recall listening when there was an announcement that Goering had committed suicide. And to this day I wonder, had he hidden that cyanide capsule in his teeth?

What was life like for you in Germany? Where did you live?

Life was very pleasant. As chief of a major branch in the Military Government, I had the "assumed rank" of brigadier general and was entitled to a V.I.P. billet in Berlin. I lived in a large, modern house on a beautiful, tree-lined street in a prestigious neighborhood. Three other Justice Department officials shared the house with me, and we lived like crown princes. I also had an apartment in Frankfurt. In Berlin, we sometimes entertained our German friends, including the Adamson family, who owned the Singer Sewing Machine Company, and the Siemens, of Siemens Electric. They lived just down the street from us.

Very early on, we noticed that we could go hear some of the very best musicians in Germany. We went to the first postwar



Kristen Mosback

Top:

Alexander's home in Berlin.

Bottom: Bureau of Prisons Archivist John Roberts, with Myrl and Lorene Alexander, Mifflinburg, Pennsylvania, 1990.

production of Beethoven's opera *Fidelio*, which had been banned by the Nazis. It was a great performance, and I have never heard such applause—not that I have been to that many operas. Then we went to symphony concerts. I really was introduced to classical music in Berlin that winter; I knew very little of it before.

I had to travel around the American zone a great deal—usually in a jeep with side curtains and a G.I. driver. One city I got to was Heidelberg. It hadn't been touched by bombs and was as it had been

before the war. We went to the university and took a boat ride along the Neckar River. And in the larger German cities—Frankfurt, Munich, you know—there were always officers' clubs with German bands. We learned to sing German songs.

Do you think the OMGUS Prison Branch helped make any lasting change in the German prison system?

Well, I think it definitely did. We got those kids out of prison; we made parole effective; and the prisons in West Germany were based on the American model more than the French or British model.

When did you leave Germany?

In June 1946. I had been asked to transfer permanently from the Department of Justice to the Army, and continue to be chief of prisons in Germany, but I declined. Eventually, we offered the job to Sid Souter, Superintendent of the Allendale Reformatory in New Jersey, who accepted. He arrived in late May to replace me; we made a trip through the American zone and I introduced him to my colleagues on the Allied Control Council.

I then flew to Paris, reported to the military flight center, and was told that it would be several days before I could be scheduled on a V.I.P. flight, to which I was entitled. "Why not have some fun in Paris for a few days?" I was asked. But instead, I managed to hop a cargo flight, and slept that night on a pile of mailbags as we flew to a base in Massachusetts. I called Lorene immediately after landing and jumped on a train to Bridgeport, Connecticut, where she was waiting for me with our children Nancy and John. It was 11 months since I had seen them—1 month less than the 1 year I was to have been gone. ■