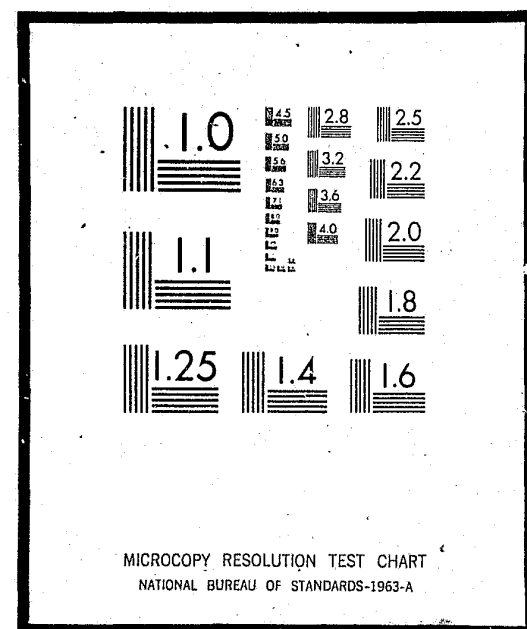


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THE ANSWER; EDUCATION

A special report on
the rehabilitative needs of
Maryland prisoners

Prepared and published as
a public service by:

The Maryland Committee to Re-Involve Ex-Offenders

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FORWARD

According to recent FBI statistics, there has been an unprecedented increase in major crimes committed in the United States, with women and juveniles included in the statistics. Additionally, correctional institutions are filled to capacity. This dilemma is experienced not only in Maryland, but throughout the United States.

It seems obvious that something must be done about the situation. Through the efforts of an enlightened corrections administration and with the support of our Governor, residents of correctional facilities could live in a more humane atmosphere while confined, with the overall objective being the total rehabilitation of the offender.

Because man is a highly complex individual, he will always be engaged in and involved with learning. It is man's nature to learn and this process may take place anywhere and at any time - even in a prison setting.

It is a fact that incarcerated individuals are often substantially educationally retarded. They have a history of failure due to various reasons, ranging from inadequate nutrition to inadequate schools. A high percentage of the correctional population have lacked opportunity in our complex social and economic world and often, their self-concept is extremely low.

However, effective learning can and does occur in correctional settings, especially as it relates to the need for a job, to the pragmatic device of impressing the parole board, to enhancing one's self worth, etc.

The basic principles for successful offender learning must include individualized instruction, well-trained teaching and counseling staff, interesting teaching materials and comprehensive programs which have value in current society.

It must be emphasized that the teaching of reading, writing and arithmetic is only a part of the required education program. This must be complemented by the development of social skills and wholesome attitudes necessary for participation in our society. Education of the adult offender in a corrections setting must include working with social attitudes and must produce improved self-image and self-respect, else all other learning may be of little value.

Concerned correctional staff can make every effort and can succeed in raising the vision of the offender. Yet, without community support for good offender education and the desire of the "outside world" to provide such opportunities for the offender, little can be accomplished.

Elizabeth L. Lebherz

Director of Educational Services
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INTRODUCTION

The Committee to Re-Involve Ex-Offenders is a national organization sponsored by DC Scientists for Freedom. The Committee grew from an awareness and concern for rising rates of crime and recidivism, psychiatric experimentation and mistreatment of criminals in America's institutions and an apparent lack of rehabilitative programs for offenders. It is dedicated to the improvement of America's penal institutions and the creation of correctional facilities which will produce ex-offenders who are able to be productive members of society.

The Committee has found an impressive correlation between inmate education and the decline of recidivism.

Comparative rates of recidivism for prison inmates with educational and vocational training and those without (Congressional Record, June 11, 1970)

<u>State</u>	<u>With educational and vocational services</u>	<u>Without educational and vocational services</u>
Georgia	16%	60%
Minnesota	14%	68%
Tennessee	10%	60%
Florida	15%	65%
Texas	12%	65%

These figures illustrate a clear relationship between lack of education and return to crime. It therefore becomes necessary to embark on a route to providing adequate and well-programmed education for criminals. In order to accomplish this, the Committee feels that the creation of educational centers is needed where adult training facilities are fully available so as to educate and train the criminal in how to earn a living and how to get along with others in addition to giving him a cultural and civilizing environment.

As this publication will demonstrate, Maryland is no exception to the national scene. It also is suffering from rapidly rising crime and recidivism rates and is also having difficulty coping with the increased number of inmates in its institutions. The Committee has been researching Maryland's educational and vocational programs in prisons and jails. The need for improvement has prompted us to bring these facts to the attention of the public and those involved with the correctional system. We sincerely hope that the availability of this publication's data will help bring about needed reforms which will keep the Maryland streets safe by returning rehabilitated individuals to the community.

* * * * *

CHAPTER I

***What are the correctional institutions in Maryland and who runs them?**

There are seven major correctional facilities in Maryland. Six of these institutions are managed by the State Division of Corrections, Department of Public Safety and Corrections:

Maryland Penitentiary	Baltimore
Maryland House of Corrections	Jessup
Maryland Correctional Institute for Women	Jessup
Maryland Correctional Institution	Hagerstown
Maryland Correctional Training Center	Hagerstown
Correctional Camp System	7 camps throughout Maryland

In addition, there is Patuxent, located in Jessup, Maryland. This institution is not under the Division of Corrections, as are the above correctional facilities, but is run by a special governing board under the Department of Public Safety and Correctional Services. This institution is unique in that it houses adult "defective delinquents." These inmates have been diagnosed by psychiatrists and psychologists as intellectually deficient or emotionally unbalanced. They are also considered to be dangerous. Individuals sent to Patuxent receive "indeterminate sentences" which means they remain there until the psychiatric staff feel the inmate is rehabilitated, which appears to the Committee to be an inordinate amount of power for an individual to have over another's life.

There are also 23 county jails run by the individual counties in which they are located and one city jail located in and run by Baltimore City. The State is only involved with the jails to the degree that the Jail Programming and Inspection Officer of the Division of Corrections must enforce certain regulations. The State is allowed to close a county jail for failure to meet State regulations but then must furnish 50% of the funds required to re-open the jail.

Fifty-two local "lock ups" (jails existing in local police stations) are present in Maryland. We will not concern ourselves with these in this publication because these are used for detention not exceeding 24 hours. These "lock ups" are administered by local jurisdictions.

CHAPTER II

*How many prisoners are involved in the Maryland Correctional System?

The population of Maryland correctional centers, based on figures from the Maryland Division of Corrections, 45th Report, Fiscal Year 1973, is listed below:

MARYLAND PRISONER POPULATION BY INSTITUTION

<u>Institution</u>	<u>Average Daily Population</u>
Maryland Penitentiary	1165
Maryland House of Correction	1434
Maryland Correctional Institute for Women	145
Maryland Correctional Institution	663
Maryland Correctional Training Center	1026
Correctional Camps	948
Patuxent	495
	<u>5875</u>

The population of the county jails fluctuates on a daily basis between 3500-5000 inmates. These figures were obtained through personal interview with the Jail and Inspection Officer of the Maryland Division of Corrections.)

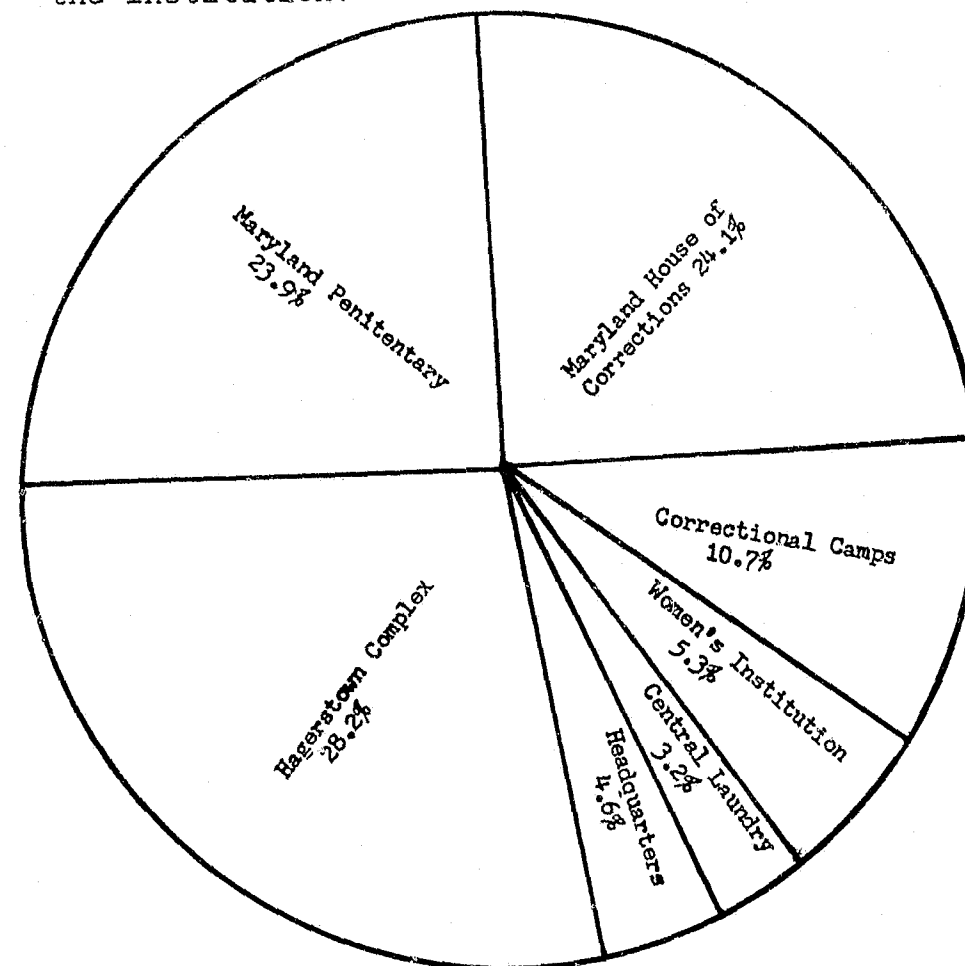
The above figures yield a combined total of over 10,000 individuals incarcerated in correctional facilities in Maryland on any given day.

CHAPTER III

*Who finances these institutions and how much does it cost?

The state of Maryland finances the seven state institutions and the individual counties fund the county jails in their jurisdiction. The total expenditure of the Maryland Division of Corrections for fiscal year 1973 was \$26,780,201. Patuxent receives an independent allotment of \$5,285,471.

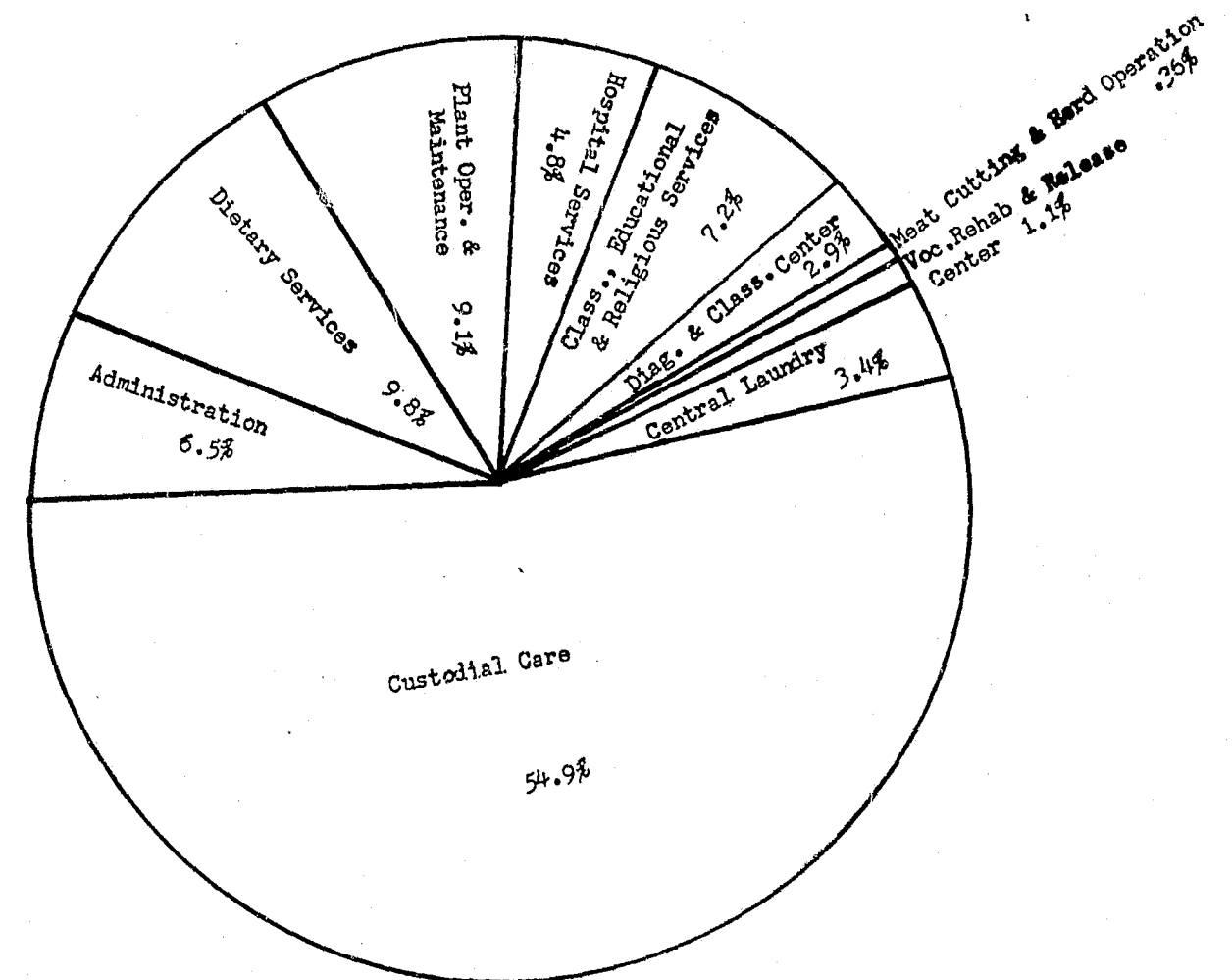
According to the Maryland Division of Corrections Forty-fifth Report for Fiscal Year 1973, the annual cost per capita in the state institutions ranges between \$3,949 and \$9,826, depending on the institution.



Percentage of funds by institution - actual 1973

Additionally, according to the Planning and Research Department of the Maryland Division of Corrections, the federal government contributed \$2.1 million to the State system in 1973.

After the Division of Corrections receives its budget for the year, it has numerous categories to which it can allocate the funds. The following figure was compiled from data from the Division of Corrections Budget (actual 1973). It shows where the 1973 funds went within the Division of Corrections.



Percentage of State financing by category of expenditure - actual 1973

CHAPTER IV

*What educational and vocational programs are available to prisoners and who directs them?

The Division of Corrections is divided into two sections: operations and administration. The Director of Education and the Director of Vocational Rehabilitation are located in the operations section under the Assistant Commissioner of Operations. It is their functional responsibility to institute and supervise all educational and vocational programs in the prisons. This of course, must be done within the perimeter of state allocated funds.

EDUCATIONAL PROGRAMS IN CORRECTIONAL INSTITUTIONS IN MARYLAND

<u>FACILITY</u>	<u>PROGRAMS</u>	<u># INVOLVED</u>
Maryland Penitentiary	Basic Education	24
	Intermediate	33
	Advanced	47
	College	34
		<u>138</u>
Maryland House of Corrections	Basic Education	130
	Intermediate	50
	Advanced	70
	College	0
		<u>250</u>
Maryland Correctional Institution	Basic Education	42
	Intermediate	67
	Advanced	62
	College	0
		<u>171</u>
Maryland Correctional Training Center	Basic Education	38
	Intermediate	69
	Advanced	51
	College	41
		<u>199</u>
Maryland Correctional Institution for Women	Basic Education	6
	Intermediate	6
	Advanced	9
	College	0
		<u>21</u>
Correctional Camps	Basic Education	28
	Intermediate	78
	Advanced	76
	College	11
		<u>193</u>

The vocational programs are at this point growing in number. A large number of these programs are initially funded by the federal government.

VOCATIONAL PROGRAMS OPERATING IN THE MARYLAND CORRECTIONAL SYSTEM

<u>INSTITUTION</u>	<u>PROGRAMS OFFERED</u>
Maryland Penitentiary	Typing
Maryland House of Corrections	Welding
	Ship fitting
	Carpentry
Maryland Correctional Institution	Office practice
	Sheet metal
	Electronics
Maryland Correctional Training Center	Office practice
	Body fender
	Auto mechanics
	Masonry
	Plumbing
	Carpentry
	Machine shop
Maryland Correctional Institution for Women	Barbering
	Welding
	Home economics

Maryland's county governments are responsible for developing programs necessary for the inmates of the county jails. Out of these twenty-three jails in Maryland, only six jails have recreational or educational activities. None have a vocational program. This appears to be quite an oversight, in that the average length of stay in these facilities is eight months. The jails that offer programs are listed on the next page, along with the programs they offer.

MARYLAND COUNTY JAILS AND PROGRAMS OFFERED

COUNTY JAIL	PROGRAMS OFFERED
Montgomery County	Alcohol program Drug program Pre-release center Recreational program Educational program
Anne Arundel County	Alcoholics Anonymous Offender Aid and Restoration Recreational program Work release Religious program Educational program
Frederick County	Alcohol program Drug program Recreational program
Baltimore County	Alcohol program Drug program Work release program Recreational program Educational program
Prince George's County	Alcohol program Recreational program
Washington County	Alcohol program Drug program Work release program Educational program

There are no available figures as to the number of inmates involved in these programs due to the transient nature of county jail population. The educational programs in these jails are administered by the local Boards of Education and generally consist of coaching for the G.E.D. (Graduate Equivalency Diploma.)

In addition to these formal programs run by the state and counties, there are various programs of value being instituted by volunteers. Examples of these are the Offender Aid and Restoration program, Seven Steps Program, and the JayCees. However, due to the prison riots in the early Seventies where civilian hostages were taken, the Division of Corrections has not been over-anxious to allow volunteer groups to conduct programs in the prisons due to the high security risk.

The local 'lock-ups' have no organized programs. The inmates are merely held in these jails overnight or until they can be transported to the county jails.

CHAPTER V

*Patuxent

The Patuxent Institution differs from all the other correctional institutions in the state. It was brought into existence by law in 1951 (Article 31B, Annotated Code of Maryland) as a maximum security institution for adult "defective delinquents." This law defines defective delinquent:

"A defective delinquent shall be defined as an individual who, by the demonstration of persistent aggravated anti-social or criminal behavior, evidences a propensity to criminal activity, and who is found to have either such intellectual deficiency or emotional unbalance, or both, as to clearly demonstrate an actual danger to society so as to require such confinement and treatment, when appropriate, as may make it reasonably safe for society to terminate the confinement and treatment."

Patuxent Institution is a separate correctional facility under the auspices of the Department of Public Safety and Correctional Services. According to the League of Women Voters' Adult Corrections in Maryland, it is managed, controlled and supervised by a five-member governing board. At the time of establishment, the Director was to be a psychiatrist and the law also provided that two of the three associate directors were also to be qualified psychiatrists.

The average age of the inmates at Patuxent is 25 years; the average IQ is 91. 58% of the inmates in 1970-1972 were non-white.

The law allows an offender to be sent to Patuxent if he has been convicted and sentenced in a Maryland court for an offense in any of the following categories:

- 1) felony
- 2) misdemeanor punishable by imprisonment in the penitentiary
- 3) crime of violence
- 4) sex crime involving:
 - a) physical force or violence
 - b) disparity of age between adult and minor
 - c) a sexual act of an uncontrolled and/or repetitive nature
- 5) two or more convictions for any offenses or crimes punishable by imprisonment in a criminal court of Maryland.

One interesting fact about Patuxent is that it allows indeterminate sentence. For example, an individual being convicted of a crime in Maryland that would carry a usual sentence of two years could be sent to Patuxent for an indeterminate amount of time. He is released at the discretion of the staff, when, in their opinion, he is able to cope with society.

The treatment program is run on the graded tier system. This is a behavior modification program whereby the individual is rewarded for good behavior and punished for non-acceptable behavior. 94% of the committed prisoners are in psychotherapy. An out-patient clinic and half-way house are provided by the institution for continued treatment and services. Parole is also under the supervision of Patuxent unlike other correctional institutions in the state, in which parole supervision is conducted by the Division of Parole and Probation.

There are several groups in Maryland that do not agree with this type of mental-penal institution. For example, the Maryland Coalition Against Patuxent is a group made up of civic, religious, political and legal organizations. This group feels that indeterminate sentences and involuntary psychotherapy for inmates must be ended. The Coalition states,

"1. Since 1955, Patuxent has spent almost \$50 million of the taxpayers' money. The annual cost of confining a person at Patuxent is more than double what the State spends to confine a person in any other State prison.

2. More than 2500 men have been incarcerated at Patuxent, about 1200 of whom have been committed as defective delinquents. Less than 15% of those men have been considered fully treated and released by the Patuxent staff. A significant number of inmates have been confined at Patuxent without being committed while awaiting evaluation for many years and sometimes past the expiration of their original sentences. Of those men who are committed to Patuxent, about 50% are committed past the expiration of their original sentences, and many more are held past the time when they could have been released with good time or on parole from any other Maryland prison. A shocking illustration of the effect of the indeterminate sentence and the absolute life and death power it bestows upon Patuxent officials is presented by a recent study of 65 prisoners who have been at Patuxent for an average of two and one half times the length of their original sentences.

3. Patuxent allots more than 60 cents of every dollar in its budget to custody. Only 14.6 cents of every dollar is spent for diagnostic, classification and treatment services. The ratio of guards to prisoners at Patuxent is three times higher than at any other Maryland prison. Although Patuxent pays its professional staff for full-time employment, many of its members, including the physician, hold other state jobs or have an additional public or private practice.

4. Prisoners at Patuxent are subjected to forced psychotherapy in the name of treating "dangerousness," a characteristic which cannot be scientifically or accurately detected or predicted. The result is the preventive detention of many hundreds of men without justification."

The League of Women Voters also bring up important criticisms of Patuxent in their publication, Adult Corrections in Maryland:

"Complaints from inmates at the Patuxent Institution have ranged from censorship of outgoing mail to solitary confinement. A case brought by 13 inmates and heard by two circuit court judges, decided that certain practices at Patuxent were 'cruel and unusual punishment' and they ordered new rules for the Institution. However, on December 1, 1972, the Maryland Court of Appeals reversed the lower court decision and ruled that Circuit Courts only have jurisdiction in habeas corpus cases. Grievances must go to the Inmate Grievance Commission, a mechanism in the Department of Public Safety and Correctional Services set up for this purpose."

The Committee to Re-Involve Ex-Offenders is of the opinion that criminal rehabilitation should be handled with education and vocational programs, not behavior modification and other psychiatric techniques. Correctional institutions should not be run or managed by psychiatrists, but by qualified educators and correctional officials. Criminality is a product of the inability of the offender to produce and education is imperative. Unless these individuals are given an opportunity to learn and acquire both academic and vocational skills, recidivism rates will continue to rise and the offender will only return to the street to repeat his criminal acts.

*What is wrong with the Maryland system and why?

At the present time 55.3% of all Maryland prisoners have previously been sentenced to an adult correctional facility for at least 90 days. Also, the prison population in Maryland is growing. From January 1972 to November 1973 the number of prisoners in Maryland increased by 22.5%. According to the FBI publication "Crime in the U.S.", Maryland ranks fifth in the nation for crimes committed in the state. These figures do not reflect an exceptionally effective rehabilitation system.

It is the contention of the Committee to Re-Involve Ex-Offenders that this lack of rehabilitation is due to the lack of a broad educational spectrum in the system. At the very best, only 20% of the prison population receive academic training in an environment where, according to the League of Women Voters, 68% of the people are functional illiterates.

Here, where the population is controlled, educators do not have to contend with truancy or normal environmental distractions. They have a captive audience.

In 1972, 4% of the population of Maryland prisons (or 242 inmates) received high school diplomas, where 85% of the inmates entered prison without a diploma or its equivalent.

The state of Maryland is spending an average of \$5,000 per year on each individual in prison and is doing very little to prevent him from committing future crimes and returning to the system. Out of that \$5,000, only \$350 per year is spent on the inmate for services including classification, education and religious services, while over half of the money spent per capita (approximately \$2700) is spent yearly just watching the prisoner, making sure he doesn't escape.

The extreme variance between the amount of money spent on educational, cultural and socializing influences and the amount spent on custodial care is neither justified nor rational when viewed with respect to the statistics in Table I of this booklet. The statistics in this report to Congress showed that recidivism was lower with increased inmate education.

Thousands of Maryland prisoners are sitting in cells each day while the classrooms are either empty or non-existent. One attempted rationalization for the lack of rehabilitative services in Maryland's prisons could be a lack of funds. However, this is incomprehensible in light of the magnitude of funds available for other services in the Division of Corrections, such as the \$14,002,632 spent in 1973 on custodial care!

The Committee discovered through its research in Maryland that as far back as 1971, the Director of Education suggested a double shift for the Maryland Correctional Training Center (where the young first-time offenders are sent) as a means of bringing educational services to a greater number of inmates. This was not approved by the Division of Corrections and expense for staffing was cited as the reason - this even though the staff, facilities and equipment were already available and the program could have been instituted with little expense to the State. The break-down of expenditure reflected in Figure 2 indicates that the stress of the Maryland correctional system is that of strict custody rather than rehabilitation.

It also appears that inmate productivity receives little or no reward. An example of this is one of the State Use Programs. (Programs established by the State in order to lower the cost particular service needed by the State. The State can pay prisoners fractions of what the retail service would require to do the same job.) According to an inmate of the Maryland House of Corrections, in order to work in the prison laundry at the Maryland House of Corrections (a State Use Program), a prisoner must:

1. forfeit family visits during working hours.
2. forfeit his right to medical leaves of absence over three days.
3. consent to work in the laundry for a period of no less than five months, automatically waiving a possible transfer to an institution of lesser security.

At a time when a large percentage of our prisoners are functional illiterates, when inmates are caged and cared for like animals and when non-rehabilitated criminals are returning to the streets, we are offering the prisoners little education or reward for production and few opportunities for self-improvement.

CHAPTER VII

*What do other people say?

The problems cited in this publication have attracted attention from other individuals and organizations. These problems are rampant and others are aware of them, including and especially prisoners. Some observations by other concerned individuals follow:

Milton G. Rector, President and Chief Executive Officer of the National Council on Crime and Delinquency, states, "The rehabilitation aspects of prison life do not even begin to make up for the ill effects of incarceration. Wisconsin, which has one of the lowest crime rates in the nation, has 80% of its felons out of prisons and on probation."

Prisoner reports presented to the American Civil Liberties Union - Prison Project show that some men in the Maryland House of Corrections are housed two in a room which is 5x8x7, three feet from an uncovered toilet, in which they are also required to eat. One report also states that men working in the shops are subject to physical harm due to out-dated and poorly functioning machinery.

Female prisoners have filed a civil action suit against the Division of Correction alleging that the Division has not provided the Maryland Correctional Institution for Women with worthwhile vocational programs. The suit states that the Division of Corrections has discriminated against female prisoners in this respect.

Robert T. Morgan, inmate of the Maryland House of Corrections cited a situation in a letter to the National Association of Justice, where three inmates were physically harassed (gassed and handcuffed) and sent to the "hole" by guards for not entering a cell as instructed by the guards.

The National Association for Justice has brought its concern for the conditions in Maryland Penitentiary to the attention of Parren J. Mitchell of the United States House of Representatives. According to C. Edward Lawrenson, the Association's National Executive Director, "This Association has attempted throughout the last year to provide support on an individual basis....it appears, however, that piecemeal redress will not alter the critical issues; these must be remedied by means of administrative attention, investigation and final dictum for correction. Correspondence from three inmates in particular will illustrate such grievances as lack of medical care, guard harassment, violent abuse and personal degradation. Obviously such inhumane treatment only serves to augment feelings of bitterness, frustration, anxiety and inability to cope with society upon release."

The Evening Sun of Baltimore reported on February 22, 1974 that a U.S. court decision awarded four former inmates of Baltimore City Jail \$8,000 in a judgement against two jail guards. They had accused the guards of torturing them, hanging them from a grill and burning the soles of their feet.

CHAPTER VIII

*What is the solution?

The problems of rehabilitating Maryland's prisoners and the potential abuse of these prisoners demand immediate attention.

The ideal solution of course would be to have a crime rate of zero which would yield no demand for penal institutions. This, unfortunately is not the case.

The alternate solution to the problem of criminal rehabilitation and the lessening of recidivism is to direct the attention of the correction officials to the needs of the offenders incarcerated in Maryland prisons - to the qualities needed to make them functioning and productive members of society. Maryland's correctional system must be examined to see if it is supplying offenders with opportunities to attain these qualities.

Initial investigation shows these missing qualities to be educational, vocational, social and cultural skills. This publication shows that the Maryland correctional system is offering minimal educational and vocational programs and virtually no cultural or social programs. It appears that the correctional system is instead producing a prison environment of entrapment and stagnation.

Maryland's public must be made aware of the wastage of their tax dollars on the non-rehabilitation of criminals. They must call for reform and legislation to produce correctional centers providing educational, cultural and civilizing orientations for their inmates and yeilding rehabilitated and productive members of society.

END