

THE ROLE OF THE OFFENDER AND EX-OFFENDER
IN THE CRIMINAL JUSTICE SYSTEM

by

JOHN REID JOLLEY

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Approved by:

Alfred C. Schuman
Major Professor

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Chapter 1

INTRODUCTION

"Ex-offenders are a promising source of manpower for corrections. Programs have been developed to use ex-offenders as counselors on the assumption that they can be particularly effective in producing change in offenders. An additional benefit is that treatment roles provide the ex-offender an excellent vehicle for his own movement into legitimate channels."¹

George B. Vold, in his book, Theoretical Criminology, published in 1958, formulates the problem of crime as follows:

If criminal behavior...is the normal behavior of normally responding individuals in situations described as undesirable, illegal, and therefore, criminal, the basic problem is one of social and political organizations and the established values or definitions of what may or may not be permitted.²

To paraphrase Vold's theory in a sentence: if criminal acts do not arise from defectiveness, abnormality or irrational impulses, they are genuinely social acts, and because life and society are products of group associations social acts are normally committed by groups. Vold is primarily a sociologist, subscribing to the conflict school of social thought. In the traditions of Emile

¹Commission on Law Enforcement and Administration of Justice, Report of the Commission, Task Force Report: Corrections, Nicholas deB. Katzenbach, chairman (Washington, D.C.: U.S. Government Printing Office, 1967), p. 103.

²George B. Vold, Theoretical Criminology (New York: Oxford University Press, 1958), p. 202.

Durkheim, who advocated the idea that criminal behavior is normal behavior, Vold is a determinist, believing that there is now, and there will always be conflict or crime:

Conflict is...one of the principle and essential social processes upon which the continuing on-going of society depends.³

The primary purpose of using Vold's theory in this report is to depict crime as a social act that is influenced by other individuals or groups of people. With Vold's theory in mind, crime can then be defined as a social problem. The terminology "social problem" has been applied to virtually all facets of society that connote a wrongness or badness in a person or thing. Donald Cressey, in his book, Sociology, defined a social problem in very simplistic, yet meaningful terms:

...a condition growing out of human interaction that is considered undesirable by a significant number of people who believe it can and must be resolved through preventative or remedial action.⁴

Crime can then join a list of other undesirable social phenomena such as poverty, illiteracy, delinquency, alcoholism, and drug abuse in the general classification of social problems. It would, however, be a safe assumption to consider crime at the apex of all social problems, considering it as the end result of the contributions of a series of undesirable social events.

³Ibid., p. 204.

⁴Donald B. Cressey, Sociology (New York: Alfred A. Knopf Inc., 1969), p. 465.

Solutions to social problems have been many and varied. The analysis of one aspect of a juvenile delinquency prevention program in a major United States city provides an analogy that properly introduces the purpose of this paper.

The Chicago Area Project

Initiated in 1929, under the auspices of the Institute for Juvenile Research, Chicago, Illinois, the area project was designed to combat a growing rate of juvenile delinquency in what is today called the inner city. Although today the population of the inner city is quite different than when the Chicago Area Project was begun, the theory on which the program was based is still relevant:

...delinquency as a problem in the modern metropolis is principally a product of the breakdown of the machinery of spontaneous social control. The breakdown is precipitated by the cataclysmic pace of social change to which migrants from a peasant or rural background are subjected when they enter the city. In its more specific aspects delinquency was seen as adaptive behavior on the part of male children of rural migrants acting as members of adolescent peer groups in efforts to find their way to meaningful and respected adult roles essentially unaided by the older generation and under the influence of criminals for whom the inner city furnishes a haven.⁵

Of interest also is the perspective in which the Project's researchers and workers held the delinquent:

The fact remains, however, that from the beginning the Area Projects program rested on a concept of human nature which was optimistic concerning the prevention of delinquency and the rehabilitation of the delinquent. Delinquency was regarded as, for the most part, a reversible accident of the person's social experience. 6

⁵Solomon Kobrin, "The Chicago Area Project--A 25 Year Assessment," Annals of the American Academy of Political and Social Science, CCCXXII, March 1959, p. 23.

⁶Ibid., p. 23.

Perhaps the real basis of the area project was the assumption that despite the disorder and confusion existing in the delinquency area there did exist a core of organized communal life, though difficult to discern, this core formed the nucleus of institutional order. The project staff determined that this nucleus would and could, with proper guidance and encouragement, formulate and administer the local welfare programs. A description of these programs is not necessary here. The fact that the organizers of the Chicago Area Projects:

...regarded as indispensable to the success of welfare activity in general and delinquency prevention in particular, the participation of those who form a significant part of the social world of the recipients of help...the employment of qualified local residents offered advantages in the establishment of welfare programs...the indigenous worker usually possessed a natural knowledge of the local society...he was not hampered by barriers to communication with residents for whom nonresidents...tended to be an object of suspicion and hostility.⁷

The analogy of high delinquency areas such as the Chicago Area Projects and correctional processes is not made strictly for comparison purposes nor is it to develop a treatment modality. Its sole purpose is to point out that, as within the area projects where residents played an active, significant part in administering welfare programs, so too offenders and ex-offenders may be used to participate effectively in administering correctional programs in both institutions and community based facilities.

⁷Ibid., p. 24-25.

I. PURPOSE AND IMPORTANCE OF THE STUDY

An entire study could be devoted to the analysis and description of the problems in corrections. It is difficult even to determine the exact and true purpose of corrections. A feasible, workable definition of the purpose of corrections has been developed by Doctor Alfred C. Schnur:

...to prevent recidivism by utilizing the most rapid, effective and economical means possible to change convicted law violators into useful, law abiding self-sufficient, independent citizens when released from all correctional supervision...to protect society by releasing from correctional control those who will not contribute to the commission of crime by others and who obey the law because they want to and not because they are afraid not to.⁸

While this definition is relatively all inclusive, it does open up problem areas such as recidivism and correctional treatment for examination. Repeated crime or recidivism is judged, regardless of the nature of the crime, to be the failure of any treatment modality and may be the single most serious overall problem confronting corrections. The development and utilization of a rapid, effective and efficient treatment program to change the law violator is a problem that has plagued correctional administrators for decades.

The purpose of this report is to examine the design and method of correctional treatment and to determine how the offender and ex-offenders may be utilized in accomplishing the objectives of the correctional process.

⁸Interview with Doctor Alfred C. Schnur, Kansas State University, Manhattan, Kansas, March 18, 1972.

Importance of the Study. If it were possible to compare the criminal justice system, particularly the correctional aspect, to any business organization that depended upon a satisfactory product for its profit, the criminal justice system would have declared bankruptcy years ago.

It is estimated that 95 per cent of the inmates of our prisons and reformatories return to society, the majority of them within two or three years.⁹ A recent study, however, concluded that 30 to 75 per cent of the offenders leaving prison will return within five years.¹⁰ It becomes clear, then, that society should do everything within its power to make correctional institutions effective agencies for rehabilitation. Corrections remain a world almost unknown to law-abiding citizens, and even those within it often know only their own particular corner.¹¹ Doctor Karl Menninger is most critical of the public apathy toward the criminal justice system:

Perhaps our worst crime is our ignornace about crime; our easy satisfaction with headlines and the accounts of lurid cases, and our smug assumption that it is all a matter of some tough "bad guys" whom the tough "good guys" will capture...even the assassination of one of our... Presidents has not really changed public thinking or non-thinking about crime...I mean the encouragement we give

⁹Task Force Report: Corrections, p. 179.

¹⁰Harry E. Barnes and Negley K. Teeters, New Horizons in Criminology (Englewood Cliff, New Jersey: Prentice-Hall, Inc., 1959), p. 58.

¹¹Task Force Report: Corrections, p. 1.

to criminal acts and criminal careers...our neglect of preventative steps...our love of vindictive justice, our generally smug detachment and our prevailing public apathy.¹²

Society needs to be made aware of its part in the creation and perpetuation of crime, and what the criminal justice system is capable of accomplishing in rehabilitating offenders. The criminal justice system must be made aware that a wealth of talent exists within the system itself in the form of offenders and ex-offenders and that if properly trained and guided can significantly contribute to improving correctional treatment.

II. METHODOLOGY

The following methods were used to obtain information for this report (1) review of published materials including books, articles, related papers presented in professional journals, and the reports of various studies concerning the use of offenders, ex-offenders and indigenous personnel in various capacities within the criminal justice system; (2) through correspondence with administrators of programs employing offenders and ex-offenders as counselors, group leaders or workers within their programs; (3) a primary source of information was the author's personal experiences while assigned to the United States Army Retraining Brigade, Fort Riley, Kansas, in the capacities of Correctional Training Unit Commander and Chief, Central Security Control, where the ex-offender administered Seventh Step Program is an integral part of the treatment program.

¹²Karl Menninger, The Crime of Punishment (New York: The Viking Press, 1968), p.3-4.

Chapter II

REVIEW OF THE LITERATURE

Much has been written in regard to the purposes of prisons, the programs designed to prepare the individual for his return to society, and the causes of recidivism. Generally our prison systems have been slow to change or accept new ideas. Even our modern prisons system is proceeding on a rather uncertain course because its administration is necessarily a series of compromises. James V. Bennet, former Director of The Federal Bureau of Prisons said:

On the one hand, prisons are expected to punish, on the other they are expected to discipline rigorously at the same time they teach self-reliance. They are built to be operated like vast impersonal machines, yet they are expected to fix men to live normal community lives. They operate in accordance with fixed autocratic routine, yet they are expected to develop individual initiative. All too frequently restrictive law forces prisoners into idleness despite the fact that one of the primary objectives is to teach men how to earn an honest living. They refuse a prisoner a voice in self-government, but they expect him to become a thinking citizen in a democratic society. To some, prisons are nothing but "country clubs" catering to the whims and fancies of the inmates. To others, the prison atmosphere seems charged only with bitterness...and an ill-pervading sense of defeat. And so the whole paradoxical scheme continues, because our ideas and views regarding the function of correctional institutions...are confused, fuzzy and nebulous.¹

Journalist Ben K. Bagdikian, author of The Shame of Prisons, was temporarily committed, for a period of six days, to an Eastern Pennsylvania maximum security prison. This experience, plus extensive research into corrections has led Bagdikian to declare that

¹James V. Bennet, Federal Prisons, 1948, A report of the Work of the Federal Bureau of Prisons (Washington: Government Printing Office, 1949), p. 3.

there are conflicting purposes or motives for criminal punishment.

1. Hurting the prisoner so he will feel free of guilt;
2. Using the criminal as a scapegoat for others in society who feel the same criminal impulses...and by punishing the criminal purge themselves;
3. The need to feel morally superior by sustaining outcasts in a despised and degraded condition;
4. Keeping the criminal out of circulation;
5. Revenge imposed by the state to prevent the victim or his family from taking revenge;
6. Revenge in the name of society...to prevent lynch mobs;
7. Deterrence of the criminal...by being hurt will decide crime is not worth it;
8. Deterrence of others, who seeing the criminal suffering will not imitate his crime;
9. Reforming the criminal so that he will learn to live in peace with society.²

An analysis of the comments of Bennet and Bagdikian might lead one to believe that there is no hope for the United States correctional system. However, the American Correctional Association, in 1970, reviewed, revised, and adopted the Declaration of Principles of Corrections originally conceived in 1870. These principles do offer a realistic perspective of how corrections should be. More importantly the principles depict the desire of members of the profession to improve and enlighten their own methods, techniques, programs, and facilities. A synopsis of the Declaration of Principles is presented:

²Ben H. Bagdikian, The Shame of the Prisons (New York: Pocket Books, 1972), p.17.

1. The prevention and control of crime and delinquency are challenges to society. Scientific knowledge plus the wisdom and skill of professionals is the soundest basis for effective action.
2. Basic institutions, the church, family and the school are the best guarantees against crime.
3. Correction and punishment are recognized as methods of preventing crime. Correctional methods should be the accepted goal.
4. Success of corrections depends upon popular support and acceptance. Corrections should prepare and disseminate objective information needed for public policy decisions at all jurisdictional levels.
5. The length of sentences should be commensurate with the offense. The length of the correctional treatment for rehabilitation depends upon the circumstances and characteristics of the offender and have little relationship to the crime.
6. No law or system should deprive any offender of the hope of his full return to society.
7. Institutional and community correctional programs should be a planned, integrated system.
8. The success of the correctional process is enhanced by energetic resourceful citizen participation.
9. Specialized agencies and institutions should correspond to the varying needs of offenders. Experimentation with new programs should be supported and encouraged.
10. The administration of correctional agencies must meet the highest standards of public service. Employees should be selected by the best criteria and serve on the basis of merit and tenure.
11. There is a need for continued employee training on a pre-service and in-service basis. The potential contributions of ex-offenders as correctional workers should be recognized.

12. Criminal statistics are necessary at all governmental levels and should include police, arrest, judicial, probation, institutional and parole statistics.
13. Research and scientific study of criminal behavior is essential for progress. Law enforcement and correctional agencies should support, sponsor, and carry out basic and applied research.
14. Correctional agencies must fully study and evaluate offenders. Full investigation of social and personality factors should determine treatment design.
15. Inmates must have the opportunity to improve their education and be provided meaningful knowledge of society and the world.
16. Correctional agencies must collaborate with public and private agencies to assure offenders access to a wide range of programs.
17. Treatment of alcohol and drug abuse is not the responsibility of corrections.
18. Community based correctional programs are essential. Probation, parole, and residential treatment centers provide important alternatives to imprisonment.
19. Probation is the most effective and economical method of dealing with the greatest number of offenders. Statutes limiting the use of probation should be eliminated.
20. All offenders should be released under parole supervision, parole should be granted at the earliest date consistent with public safety.
21. Community treatment centers and half-way houses provide alternatives to formal institutions and provide access to community services.
22. Offenders should be authorized participation in community activities in the form of work and study furlough.
23. Offenders should be accorded acceptable standards of decent living and human dignity.
24. Moderate sized institutions better lend themselves to the fulfillment of correctional programs.

25. New correctional institutions should be located with ready access to community agencies.
26. Convicted prisoners should be separated from those charged with crime and awaiting trial.
27. Pre-release programs should be established using public and private human services agencies.
28. Diagnosis and treatment facilities should be developed for criminally responsible individuals who are in need of psychotherapy.
29. Control and management of offenders should be sound scientific method rather than by physical force.
30. Offenders should engage in productive work and individuals should be trained in both skills and attitudes to allow for gainful employment.
31. Religion is a source of moral and spiritual regeneration.³

I. THE INSTITUTIONAL SETTING

To the visitor or newly assigned inmate, the world within prison gates is strange and forbidding. Walls, steel bars and guard towers dominate the scene in the traditional prison. Metal doors open and close with a clang reverberating down long corridors. Layers of paint and the odors of chemicals attest to the persistent struggle to maintain the dehumanized brand of sanitation characteristic of many domiciliary institutions.⁴ The mood of some prisons is one of hovering tension. Uniforms symbolize the sharp division of the population into a prisoner group and an

³"Declaration of Principles of the American Correctional Association," American Journal of Corrections (November-December, 1970), p. 32, 33, 34.

⁴Elmer J. Johnson, Crime, Correction and Society (Homewood, Illinois: The Dorsey Press, 1964), p. 515.

employee group. The prison represents a community containing hundreds of persons thrown together for a sufficient number of years to create regularities in behavior.

The new prisoner finds the realities of prison life to be in sharp contrast with his evaluation of his place in the world. Confinement is an experience requiring major adjustments. In the last 300 years, imprisonment emerged as a humanitarian reaction against mass executions and brutal punishments. Long-term confinement of masses of convicted offenders was accepted as a major means of implementing the philosophy of punishment. The movement toward treatment has brought efforts to reduce the rigors of confinement and make it a therapeutic experience. However, confinement as a human experience remains a major factor in penology.

Critics contend that the prison itself militates against therapy. Clyde B. Vedders quotes from an editorial in the San Quentin News which described a prison as

...a metropolis of men without women, a beehive without honey, caged loneliness without privacy, a ranch where all the sheep are black, a cement park with barbed wire shrubbery, and an enormous microscope, under which psychiatrists study a smear from civilization's ulcers.⁵

Another description of the institution is given by John Gillen, who says:

What monuments of stupidity are these institutions we have built, a stupidity not so much of the inmates as of free citizens. What a mockery of science is our

⁵Clyde B. Vedders, "Counter Force in Prison-Inmate Therapy," Journal of Criminal Law, Criminology and Police Science, (November-December, 1954), p.447.

prison discipline, our massing of social iniquity in prisons, the good and bad together in one stupendous potpourri. How silly of us to think that we can prepare men for social life by reversing the ordinary process of socialization, silence for the only animal with speech; repressive regimentation of men who are in prison because they need to learn how to exercise their activities in constructive ways; outward conformity to rules which repress all efforts at constructive expression; work without the operation of economic motives; motivation by fear of punishment rather than by hope of reward or appeal to their higher motives; cringing rather than growth in manliness; rewards secured by betrayal of a fellow inmate rather than the development of a loyalty.⁶

The ultimate objective of imprisonment is to reduce the further incidences of crimes. The general trend in our society is toward the therapeutic ideology. Since all prisons overtly accept treatment as a goal, the distinction between treatment-oriented and custody-oriented prisons is a matter of relative priority given general goals and relative depth of the interest in rehabilitation.

Reformation is assumed to be induced by treatment, rather than by purposive infliction of pain. The condition which led to an inmate's crimes are determined and the inmates are then introduced to the psychological, social, educational, and technical skills which are considered important to their reformation. Efficient performance of this task depends on prison conditions which are conducive to rehabilitation and to helpful constructive action based on the inmate's individual needs.⁷

⁶John Gillen, Taming the Criminal (New York: MacMillan, Company, 1931), pp. 295-296.

⁷Johnson, Crime, Correction and Society, p. 549.

Rehabilitation is a process aimed at moving the prisoner along a series of stages ranging from overt conflict with legal norms to assimilation with the ranks of the law abiding-population. Prisoners vary in their position on this continuum when they enter the correctional institution. They differ in their capacity and willingness to participate in the rehabilitation process. Institutions differ in the resources available to move the inmate along the continuum. All prisons have the responsibility for achieving through managerial efficiency the general goals of social protection and treatment. However, there is a wide variation among prisons in the relative priority given each of these goals.

Social protection, as a goal, emphasizes safeguarding the public from crime and the criminal. This goal has been sought through punishment, treatment, and temporary restraint of the inmate. Punishment as an end in itself seldom is openly advocated by correctional administrators. Under the concept of deterrence and retribution, punishment is rationalized as a means of inmate rehabilitation, thereby eliminating a portion of the threat to society.

The goal of treatment in prison is that the offender will be exposed to experiences which will eliminate, or at least significantly reduce, the influence of causal factors behind his criminal behavior. It is intended that he be restored to the community better prepared to meet his own material and social needs within

the framework of legal norms. The fundamental principles of correctional treatment can be summarized into four areas:

First, the offender is to be convinced that a hostile human environment is not solely responsible for his difficulties. Somehow he must be brought to the realization that his own motives and patterns of perceptions have influenced his experiences with others. Second, the frequency and intensity of his frustrating experiences should be lowered sufficiently to enable him to bring them within his capacity for control. Third, his attention should be diverted away from futile efforts to change his environment drastically and toward the undertaking of changes within himself. This treatment strategy involves the acceptance of the inmate of a noncriminal value system in evaluating himself. Fourth, the inmate should be provided with experiences which will enable him to test his new modes of perceiving his environment and relating himself to the persons making up this environment.⁸

The realities involved in establishing and operating an effective prisoner rehabilitation program are important. Individualized treatment requires concern for interests of the offender and protection of society. Humane handling of deviants among prisoners is universally acknowledged as a desirable policy; but the custody orientation evaluates punishment and surveillance as necessary responses, because protection of the outside society through maintenance of order within the prison are given priority over the particular meaning of rule violations and consequent punishments to the prisoner.⁹ If coercion is to be the means of deterring potential criminals, the prison should have a negative

⁸Ibid., 594.

⁹Donald R. Cressey, "Achievement of an Unstated Organizational Tool: An Observation on Prisons," Pacific Sociological Review (Fall, 1948) pp. 44-45.

public image. If the rehabilitated offender is to be accepted into the community after release, the public image should be either neutral or positive.¹⁰

If confinement has the more restricted purpose of only restraining the prisoner without otherwise coping with his criminality, the principles of incapacitation and social sanitation are pertinent. The inmate is incapacitated in that during his stay behind bars he is unable to commit crimes in the free community. Social sanitation is accomplished by isolating the offender, thereby increasing the relative importance of noncriminal activity as behavior models in the free community. These purposes offer temporary social protection, but, in the long run, the experience of confinement may return the offender to the community with increased bitterness and greater criminal skills.¹¹ Ideally, the institution offers a variety of treatment programs sufficient to individualize treatment for most inmates and still meet the demands of managerial efficiency through effective use of staff and facilities.

Although it is not yet clear what form the prisons of tomorrow will assume, some important developments have culminated during the years which seem to indicate a trend. First, strict social control measures might be used to alter the prison as a social universe. A second course of action would be to eliminate

¹⁰John Galtung, "Prison: The Organization of Dilemma", in Donald R. Cressey (ed.), The Prison (New York: Holt, Rinehard and Winston, 1960), p. 122.

¹¹Cressey, "Achievement of an Unstated Organizational Tool: An Observation on Prisons," p. 45.

the prison entirely and substitute a new form of institution patterned after a hospital. The third alternative would be to introduce within the existing prison system the same general principles and approach implied by Ralph S. Banay. He quotes a prison official, "Our job is just to keep these people in." Banay suggests that society should be more interested in keeping people from "going in" in the first place or in preventing their "going back" after they have been released.¹²

The position has been taken throughout the prisons, as they are known in our culture, that they have failed in rehabilitation and, in fact, have been the instrument in hardening many of their prisoners in antisocial attitudes. Although society is not prepared to abolish prisons at this time, the swing will eventually be in that direction. It is a fact little known to moderns that it was a Roman Jurist, Ulpian, living during the reign of Emperor Caracalla (A.D. 211-217), who protested against prisons as a place for punishment. Ulpian aptly expressed his complaint when he said, "Carcer ad continendos homines, non ad puiendos haberi debet-- Prisons ought to be used for detention only, not for punishment."¹³ In 1948 Professor Max Grunhut of Oxford University, after surveying the history of imprisonment as an attempt to deal with the offender stated,

¹²Ralph S. Banay, "Should Prisons be Abolished?" New York Times Magazine (June 30, 1955), p. 19.

¹³Max Grunhut, Penal Reform (New York: Oxford University Press, 1948), p. 11.

After more than 150 years of prison reform the outstanding feature of the movement is its skepticism concerning imprisonment altogether, and its search for new and more adequate methods of treatment outside prison walls.¹⁴

¹⁴Ibid.

II. HISTORICAL DEVELOPMENT OF RESOCIALIZATION

The most conspicuous problem in corrections today is the lack of knowledge and unsystematic approach to the development of programs and techniques. Changes in correctional development have been guided by what John Wright calls "intuitive opportunism," a kind of goal-oriented guessing.¹⁵ By and large, the programs which have been initiated in correctional practice have either been the product of well-educated hunches, stimulated by humanitarianism, or borrowed from other fields.¹⁶

Era of Reform. In 1840, Captain Maconochie was placed in charge of the English penal colony on Norfolk Island. Before this he had had experience in penal establishments and had written on convict management. Maconochie introduced a "mark system" as his chief instrument for establishing good order and efficient administration on the island.

The fundamental principle of the "mark system" was the substitution of a specific task for the customary time sentence. Instead of requiring the convicts to serve a fixed term regardless of what they did or failed to do while in his charge, Maconochie gave them an opportunity to reduce their sentences. Upon arrival at the penal colony, each prisoner was debited with a number of "marks" proportional to the seriousness of his offense. These he had to redeem by deportment, labor, and study; and when he had cancelled

¹⁵John C. Wright, "Curiosity and Opportunism," Trans-Action (January-February, 1965), p.38.

¹⁶Mark S. Richmond, "On Conquering Prison Walls," Federal Probation (June, 1966), p. 22.

all his "marks", he was eligible for conditional release or "ticket-of-leave". By means of "marks" he also secured food, supplies, and special privileges, and by forfeiture of them he was punished for his misconduct. The purpose of the system was to give the prisoner an incentive to work and to improve himself through the development of initiative and responsibility. As Maconochie so aptly explained, "When a man keeps the key of his own prison, he is soon persuaded to fit it to the lock."¹⁷

His innovations were praised by the reformers in Great Britian, and in 1849 he was made governor of the Birmingham Jail in England. There he installed and expanded his "mark system", but after two years he was charged with being too lenient and forced to resign.

In 1854, Sir Walter Crofton became director of the Irish convict prisons, and during the next eight years while he occupied that office, he established an administration that attracted the attention of penal authorities throughout the world. In the development of his program he utilized Maconochie's "mark system" and established the "intermediate prison". During this stage, which was never less than six months, prisoners lived in comparative freedom under the supervision of a few unarmed guards. They worked together and were housed in unlocked portable huts. The ruling

¹⁷ John V. Barry, "Alexander Maconochie," Journal of Criminal Law, Criminology and Police Science (July-August, 1956), p. 146.

principle was individualization of treatment, and the number of prisoners in a colony was not allowed to exceed one hundred. The purpose of the "intermediate prison" was to determine whether the prisoner had reformed and to train him for full freedom by the enjoyment of partial freedom as a preliminary step. Every prisoner had to pass the test of the "intermediate prison" before he could secure his ticket of leave.¹⁸

Knowledge of the Irish System attracted the attention of penologists in America, and interest in reform was aroused. As a result, a National Prison Association was organized at Cincinnati in October, 1870 and, as previously mentioned, a Declaration of Principles of Correction was formulated.

The Elmira Reformatory in New York was opened in 1876, and it became the model for other facilities that followed. The reformatory was different from the typical prisons of this era in two outstanding ways: (1) sentences to the reformatory were indeterminate, and prisoners could be released on parole; and (2) all inmates in the reformatory were graded into three classes according to achievement and conduct, only those who were in the first class were eligible for parole.¹⁹ Elmira was designed for young first offenders and it was there that parole, as it is known today, had its origin.

¹⁸Cressey, "Achievement of an Unstated Organizational Tool: An Observation on Prisons," p. 45.

¹⁹Barnes and Teeters, New Horizons in Criminology, p. 425.

Within 25 years of the establishment of Elmira, reformatories were constructed in twelve states. Enthusiasm for the basic program espoused by reformatories was quite high, and it was predicted that this method would be used nationwide; however the movement had reached its peak and began to decline by 1910. Several reformatories were built, but on the whole, the program did not outlive its own founders.

In 1897, Sir Evelyn Ruggles-Brise, director of the English prisons, arrived in the United States to study the reformatory system. Upon his return to England, he opened a specialized institution at the small town of Borstal for male offenders between the ages of sixteen and twenty-one. Thus was begun the English Borstal system based entirely upon individualized treatment both in institutions and during the after care period.²⁰

It is not difficult to find the important factors that caused the failures of the reformatory system in America. Foremost among these was the persistent preoccupation with custody and security, which virtually stifled all ingenuity and enterprise and dominated the construction and operation of the great majority of the reformatories.

In summary, it may be said that the reform period made several lasting contributions to American penology: (1) the introduction of the indeterminate sentence and parole, (2) the establishment of a positive reform program through education.

²⁰R. L. Bradley, "The English Borstal System After the War," Federal Probation (December, 1948), p. 19.

III. ALTERNATIVES TO CONFINEMENT

During the more than 150 years that comprise the history of American prisons before 1935, various attempts were made to establish prisons as agencies of moral institutions, as educational institutions, and finally as industrial centers, but in each instance the attempt failed. The fall of the industrial prison was due to passage of repressive laws forced by free enterprise. The legal inability to productively employ and make a profit from inmate labor caused confusion and a search for a new integrating principle of operation. In many instances this search continues today.

Perhaps the most important development during this period was the conception of community treatment capabilities of probation and parole. These services provide an alternative to confinement and the opportunity to confront an individual's problem in the environment where all offenders must eventually succeed or fail.

The first probation law in America was enacted in Massachusetts in 1878. John Augustus, a prosperous shoemaker of Boston, was the first salaried probation officer.²¹ Probation may be defined as the suspension of final judgment by the court, giving the offender an opportunity to improve his conduct while living as a member in the community, subject to conditions which may be

²¹John Augustus --First Probation Officer, National Probation Association, New York (1939), p. 4.

imposed by the court and under the supervision and friendly guidance of a probation officer.²² In other words, probation is neither leniency nor clemency, but the conditional suspension of imprisonment of carefully selected convicted offenders who are helped to become responsible, law-abiding persons while living in the community under the guidance and direction of a probation officer.

Under ideal circumstances no individual should be committed to a correctional institution unless it has been determined that he is unqualified for probation because he is a threat to the community or because he will benefit from the programs offered at an institution. Unfortunately this is not the case:

Only 15 states have no statutory restrictions on who may be granted probation in felony cases. In the remaining 35 states, probation is limited by such factors as type of offense, prior convictions, or whether the offender was armed at the time of the offense.²³

The type of offense normally determines probation restriction, with murderers and rapists the most widely excluded, and beyond this, there is little consistency between states. Sentencing judges operating under the confused legal statutes cannot hope to obtain any degree of uniformity. Pre-sentence investigations conducted by qualified personnel can be of immeasurable value in the

²²Probation, The Attorney General's Survey of Release Procedure (Washington: Government Printing Office, 1939), p. 16

²³Task Force Report: Corrections, p. 34.

decision-making process of probation or confinement, and the investigation should be the primary factor in the final analysis.

Parole, if properly used, can and does protect the public. The primary difference between probation and parole is that the parolee has served a portion of his sentence in prison and will serve the remainder of it in the community under supervision. Parole is primarily concerned with assisting in the transition from institution to community life. Preparing for this transition should begin as soon as possible after commitment.

Ideally, the parole process should begin when an offender is first received in an institution. Information should be gathered on his entire background, and skilled staff should plan an institutional program of training and treatment. A continuous evaluation should be made of the offender's progress on the program. At the same time, trained staff should be working in the community with the offender's family and employer to develop a release plan.²⁴

As in probation, conditions are set as part of the release and violation of these conditions in the form of a new crime or a rule infraction can result in return to prison.

ADDITIONAL ALTERNATIVES

The vast majority of individuals sentenced to prison terms will eventually return to society. This factor, alone, should be enough to convince correctional administrators and planners of the need for increased emphasis upon graduated pre-release activities.

²⁴Task Force Report: Corrections, p. 62.

Yet as Daniel Glaser points out:

In federal and state prisons I have repeatedly noted a much greater concern with the maintenance of high standards on the orientation classes for newly admitted prisoners than in the pre-release classes...they develop elaborately for some periods and then diminish or disappear altogether.²⁵

The most critical time in an inmate's life appears to be the periods immediately before and after release from the institution.²⁶ Assuming this theory to be correct dictates the need for the planning and practice of graduated or pre-release programs.

Work Release. The Huber Law, enacted in 1913 in the State of Wisconsin was the first statute that provided the ability for an inmate to hold employment with the eligibility for this program coming from either the sentencing judge or a review board.²⁷ Work release is a program under which the inmate may be employed in nearby communities during the day, returning to the institution at night. Work release is not a substitute for probation or parole, nor part of a system of punishment or reward. It is suitable for persons whose previous behavior indicates a need for external control combined with a need for developing and practicing new social roles

²⁵Daniel Glaser, The Effectiveness of a Prison and Parole System (New York: The Bobbs-Merrill Company, Inc. 1969), p. 269.

²⁶Graduated Release, A Report Prepared by the National Institute of Mental Health (Washington: Government Printing Office, Undated), p. 3.

²⁷Ibid., p. 10.

in the outside world. Work release is an effective correctional tool only when it is used wisely for specific purposes and as a means of implementing a planned correctional treatment program. The particular usefulness of work release depends upon where in the continuum of corrections it is applied as a treatment tool. Work release can be effective at both the intake and discharge ends of institutionalization.

At the point of intake, especially for short-term offenders who are not qualified for probation, work release may provide opportunity for (1) continued employment, education or training; (2) continued or resumption of family responsibilities in the form of support; (3) accumulating finances for release, to make restitution or eliminate legitimate debts; (4) continuing or acquiring the self-respect that comes from self-support; (5) a practical method of demonstrating ability and trust to gain or regain employer and community acceptance; and (6) remaining or becoming a contributing member of society.²⁸

Work release can be exceptionally effective at the discharge end of institutionalization especially for longer-term prisoners and those in whom substantial investments have been made to overcome physical disabilities. Additionally it (1) provides a pre-release transitional experience leading to increased

²⁸Community Work--An Alternative to Imprisonment, Correctional Research Association (Washington: Government Printing Office, 1967), p. 4.

personal responsibility; (2) a valuable experience in actual work situations related to institutionally gained or prior vocational or occupational training; (3) furthering training or education gained at the institution; (4) giving the paroling authority a means of evaluating the inmate's suitability for parole before a decision is made; (5) reducing the risks and fears of both the offender and the community associated with the difficult period of adjustment immediately following imprisonment.²⁹

As an adjunct to correctional treatment, work release has become quite popular in the United States particularly since 1957. As reported by the National Institute of Mental Health a great deal of research has been conducted into this area. Wisconsin, North Carolina, Minnesota, California and the District of Columbia have all either conducted independent research or have been part of a national survey on work release. Although most of the states did report a reduction in recidivism in work release control groups, the Washington, D. C. researchers did not make any claim for the value of the program.³⁰

No clear-cut evidence is yet available as to whether the program is a success, either in the sense of bringing about significant reductions in recidivism or in being "cost effective"...The Department of Corrections has been unable to say up to this time whether the community is better off for the maintenance of the program.³¹

²⁹Ibid., p. 12.

³⁰Ibid., p. 12.

³¹Ibid., p. 13.

Work release allows a prisoner to cope with adjustment problems in the community while still maintaining the highly structured, supportive ties with the institution. Under work release the prisoner can deal with problems of livelihood and in meeting temptations of the street before he is required to adjust to the problems of total release.³²

Half-Way Houses. The idea of half-way houses is not a modern day invention, having their foundations in the early 1800's.³³ Only in recent years, though, have half-way houses been recognized as being capable of effectively contributing to the rehabilitation process.

Half-way house programs have been given increasing governmental support in the past decade and received particular emphasis in the Task Force Report: Corrections:

The development of an entirely new kind of correctional institution located close to a population center, maintaining close relations with schools, employers and universities...housing as few as 50 each; serving as the center for various kinds of community programs and as a point of re-entry to the community for those offenders who have been exiled to the penitentiary.³⁴

Half-way houses have many different objectives, but can be divided into two basic types: (1) the general purpose house which provides assistance to all types of individuals during

³²Glaser, The Effectiveness of a Prison and Parole System, p. 287.

³³Johnson, Crime, Correction, and Society, p. 672.

³⁴Task Force Report: Corrections, p. 1.

the initial period after their release; and (2) the specific objective house which provides services to groups with special adjustment problems. Prior to examining half-way houses that fall within these categories, it is necessary to examine the principles for the maintenance and success of the program.

They are as follows:

1. Residential centers function effectively only if their residents have ready access to the community's resources for aid in organizing an acceptable way of life...
2. Residential centers should be used for those who need the particular kind of help that centers can provide, but there must always be controls to safeguard the community and good judgment in the selection of participating residents.
3. Exploitation or special favor to residents must be avoided. Residents should participate in authorized community activities on exactly the same basis as other members of the community.
4. Residents of a center who are still under sentence remain in technical custody and if a resident absconds he should be treated as an escapee.
5. Responsibility for making decisions with respect to admissions and removals of residents should be vested in the official of the agency who is accountable for the operation of the center. Whether the center is sponsored by a public or private agency, its staff will seek the closest collaboration with judges, correctional administrators and paroling authorities who may share responsibility for the proper and effective use of the center.³⁵

The first half-way house to be examined is the Shaw Residence in Washington, D. C. which is operated by the Prisoner's Aid

³⁵United States Bureau of Prisons, The Residential Center: Corrections in the Community (Washington, D.C.: United States Government Printing Office, 1969), p. 1.

Association under a grant from the National Institute of Mental Health. It is a general type of facility and works primarily with releasees from the Federal Bureau of Prisons. The Shaw Residence

...does not limit those whom we accept by offense, prior record, or age...facility is available to those who are in need and considered best able to utilize the service. The applicant should have demonstrated some inclination toward self-improvement during his confinement. He must be lacking a suitable residence and frequently may not have located satisfactory employment. He must not be handicapped with a physical or mental disease.³⁶

Releasees are required to pay for room and board at a cost dependent upon their employment status. Efforts are made to operate Shaw Residence as much as possible like any family home,

...each man is required to make his own bed and keep his immediate area clean...he also has a maintenance assignment. There are a few rules which limit one's freedom...there is a nightly curfew and attendance at group meetings is mandatory...immediately upon arrival individual planning is begun for his return to independent living in the community...he is encouraged to spend weekends away from the residence...he is assisted in developing new associations and re-establishing home ties by bringing friends to Shaw Residence for meals, snacks, and recreation.³⁷

Counseling services on adjustment and financial matters are an essential element of the program. The residence operates on a 24-hour-a-day basis, and although the majority of the staff members are part-time employees, they are well qualified for their tasks.

³⁶Harry Manley, "Shaw Residence," Speeches Delivered at the Twenty-Third Meeting (Richmond: Southern States Prison Association, June 6, 1954), p. 24.

³⁷Ibid., p. 25.

Daytop Lodge, the second type of half-way house deals with specific problems, specifically drug users.

...Daytop Lodge was born against the depressing backdrop of failure and frustration known to every probation and parole officer who has attempted to work with addicts. No matter how warm the relationship or close the surveillance, it appears to be almost inevitable that sooner or later the user would lapse and build up a new habit, a condition we would recognize only after the expense had become prohibitive and our client was involved in a new series of crimes to support his habit...³⁸

Daytop is unique because it utilizes the resident himself as a therapeutic device very similar to the methods of Synanon. The theory is that an addict is unable to fool another addict, and that realism is needed if the addict is ever to face and defeat his problem.

...Instead of the polite, inconsequential Gaston and Alphonse type of therapy procedures of most clinics and prisons where jail rule of "don't pull them off me and I won't pull them off you" prevails, the group therapy process at Daytop Lodge is modeled after the practice of Synanon...procedure must be a gut experience, free of phony attempts at self-defense, self-deception, self-pity...speaker is forced to accept responsibility for his immediate behavior, not to pass it off on society, poverty, an unloving mother, or a punitive father...³⁹

There are three basic rules which must be followed by residents. These rules are explained to the new residents at intake orientations conducted by other residents: (1) Total, complete, un-deviating abstinence from all drugs of any kind whatsoever;

³⁸Joseph Shelly, "Daytop Lodge: Halfway Houses for Drug Addicts," Federal Probation (December, 1957), p. 46.

³⁹Ibid., p. 50.

(2) no physical violence; and (3) cooperation with the Lodge program.⁴⁰ Programs such as Daytop Lodge are dependent upon the attitudes and abilities of the residents more so than on the specific treatment program. In the words of one resident of the Lodge, "Daytop Lodge won't fail because I won't let it fail. It means my life. I can't afford to let it go under."⁴¹

As with work release, half-way houses do not provide an alternative to effective probation or parole, nor are they a panacea for the rehabilitation process. When used in conjunction with effective correctional treatment, based upon sound planning, they form another useful tool to be utilized in resocializing and reacculturating criminal offenders.

Other related aspects that are being used as treatment modalities have their base in both institutions and community based correctional facilities.

Furlough. A provision of the Prisoner Rehabilitation Act of 1965 gives the Attorney General the authority to extend the limits of the place of confinement. The term furlough should not be confused with leave or reprieve which normally requires an escort guard for the time not in the institution. On furlough, the prisoner travels on his own recognizance for the purpose of securing employment, emergency visitations, or obtaining unavailable

⁴⁰Ibid., p. 53.

⁴¹Ibid., p. 54.

medical treatment. Furlough is also effective in reenforcing family ties or to prevent dispersal of the family unit. It can also serve to allow gradual adjustment of both the prisoner and his family.⁴²

The Open Institution. Dependent upon the closed institution for its source of population, the open institution affords a testing area for those to be released and an opportunity for inmates to display the qualities necessary for total freedom. In this respect open institutions serve the same general functions as half-way houses with the exception that the entire population of the open institution are sentenced prisoners.

Reception Center Parole. This concept has been used primarily with juvenile offenders and offers bright promise as a correctional modality. All convicted offenders are referred to diagnostic/reception centers where they are screened for parole eligibility either before or after short periods of treatment, without being institutionalized.

Two California based programs have been initiated that place primary emphasis on community treatment rather than institutionalization. They are the Increased Correctional Effectiveness Program and the Pilot Intensive Counseling Organization. These programs are designed to reduce both the inmate population

⁴²Edward V. Long, "The Prisoner Rehabilitation Act of 1965", Federal Probation (December, 1965), p. 5.

with its enormous cost and the total period of institutionalization. Effective or not, these programs show the desire of progressive correctional departments to place increased emphasis upon the many and varied alternatives to imprisonment.

IV. Offenders and Ex-offenders as Agents of Change

Two approaches are available to review existing materials covering the use of offenders and ex-offenders as agents of change, in the correctional process. These are the theoretical and the practical. Sutherland's, Differential Association provides the theoretical base. The need for increasing correctional manpower, the failure of our present system, and capability of positively improving existing treatment programs provide the practical need for employing offenders and ex-offenders.

In the third edition of Principles of Criminology, Edwin Sutherland produced seven statements, which, in combined form, explained criminal causation. These statements give rise to the present form of the Theory of Differential Association.

1. The processes which result in systematic criminal behavior are fundamentally the same in form as the processes which result in systematic lawful behavior.
2. Systematic criminal behavior is determined in a process of association of those who commit crimes; just as systematic lawful behavior is determined in a process of association with those who are law abiding.
3. Differential Association is the specific causal process in the development of systematic criminal behavior.
4. The chance that a person will participate in systematic criminal behavior is determined by the frequency and consistency of his contacts with the patterns of criminal behavior.
5. Individual differences among people in respect to personal characteristics or social situations cause crime only as they affect differential association or frequency and consistency of contacts with criminal patterns.

6. Cultural conflict is the underlying cause of differential association and therefore systematic criminal behavior.

7. Social disorganization is the basic cause of systematic criminal behavior.⁴³

The Theory of Differential Association came under severe criticism immediately after its publication and in the decade of the 1940's was revised on several occasions. By 1947, Donald Cressey, Sutherland's collaborator, produced the fifth edition of Principles of Criminology. It was in this volume of the text that the original version of Sutherland's theory was deleted. In its place appeared the concept called the genetic approach to crime. Genetic, in this case, refers to the concept of the beginning of crime, not to the ideas of heredity or bodily function. Nine statements form the modified Theory of Differential Association:

1. Criminal behavior is learned.
2. Criminal behavior is learned in interaction with other persons in a process of communication.
3. The principle part of learning criminal behavior occurs within intimate personal groups.
4. When criminal behavior is learned, the learning includes (a) techniques of committing the crime, *which are sometimes* ~~and~~ (b) the specific direction of motives, drives, rationalizations, and attitudes. *very complicated, sometimes very simple;*
5. The specific direction of motives and drives is learned from the definition of the legal codes as favorable or unfavorable.

⁴³Edwin H. Sutherland, Principles of Criminology (ed., rev.; New York: J. B. Lippincott Company, 1939) p. 4.

6. A person becomes delinquent because of an excess of definitions favorable to violation of the law over definitions unfavorable to violations of the law.
7. Differential associations may vary in frequency, duration, priority and intensity.
8. The process of learning criminal behavior by association with criminal and anti-criminal patterns involves all of the mechanisms that are involved in any other learning.
9. While criminal behavior is an expression of general needs and values, it is not explained by those values since non-criminal behavior is an expression of the same needs and values.⁴⁴

Restructuring the human behavioral process is a complicated and difficult task. It is a problem involving the individual, his past, present and future situations.

The original and present versions of the Theory of Differential Association depict human behavior, both criminal and anti-criminal, as having its base in the group. Dorwin Cartwright, as an example, advocated the group relations principle of therapy.

The behavior, attitudes, beliefs and values of the individual are all firmly grounded in the groups to which we belong. How aggressive or cooperative a person is, how much self-respect or self-confidence he has, how energetic and productive his work is, what he aspires to, what he believes to be true and good, whom he loves or hates and what beliefs and prejudices he holds--all these characteristics are highly determined by the individual's group membership. In a real sense, they are properties of groups and of the relationships between people. Whether they change or resist change will therefore be greatly influenced by the nature of these groups. Attempts to change them must be concerned with the dynamics of groups.⁴⁵

⁴⁴Edwin H. Sutherland and Donald R. Cressey, Principles of Criminology (7th ed., rev., New York: J. B. Lippincott Company, 1966) p. 81.

⁴⁵Dorwin Cartwright, "Achieving Change in People: Some Applications of Group Dynamics Theory", Human Relations, Vol. 4, 1951, p. 385.

Cressey does not feel that a theory serves only one purpose, that if Differential Association can explain criminal causation, it can also serve the purpose of restructuring the individual. Influenced by Cartwright's ideas of group therapy, Cressey devoted two chapters of his book, Delinquency, Crime and Differential Association, to describing how the Theory of Differential Association can contribute to the correctional and rehabilitative process. Six basic principles of rehabilitation were developed.

1. If criminals are to be changed, they must be assimilated into groups which emphasize values conducive to law abiding behavior and, concurrently, alienated from groups emphasizing values conducive to criminality. Since our experience has been that the majority of criminals experience great difficulty in securing intimate contacts in ordinary groups, special groups whose major common goal is the reformation of criminals must be created.

2. The more relevant the common purpose of the group to the reformation of criminals, the greater will be its influence on the member's attitudes and values. Just as a labor union exerts strong influence over its members' attitudes towards management but less influence on their attitudes towards, say Negroes, so a group organized for recreational or welfare purposes will have less success in influencing criminalistic attitudes and values than one whose explicit purpose is to change criminals.

3. The more cohesive the group, the greater the member's readiness to influence others and the more relevant the problem of conformity to group norms. The criminals who are to be reformed and the persons expected to effect the change must, then, have a strong sense of belonging to one group; between them there must be a genuine "we" feeling. The reformers, consequently, should not be identifiable as correctional workers, probation or parole officers, or social workers.

4. Both reformers and those to be reformed must achieve status within the group by exhibition of "pro-reform" or anti-criminal values and behavior patterns. As a notivate, the one to be reformed is likely to assign status according to social position outside the group, and part of the reformation process consists of influencing him both to assign and to achieve status on the basis of behavioral patterns relevant to reformation.

5. The most effective mechanism for exerting group pressure on members will be found in groups so organized that criminals are induced to join with non-criminals for the purpose of changing other criminals. A group in which criminal A joins with some non-criminals to change criminal B is probably most effective in changing criminal A, not B. In order to change criminal B, criminal A must necessarily share the values of the anti-criminal members.

6. When an entire group is the target of change as in a prison or among delinquent gangs, strong pressure for change can be achieved by convincing the members of the need for a change. Rather than inducing criminals to become members of pre-established anti-criminal groups, the problem here is to change anti-reform and pro-criminal subcultures so that group leaders evolve from among those who show the most marked hospitality to anti-criminal values, attitudes and behavior.⁴⁶

The six statements of rehabilitation offer a formula by which criminal behavior may be restructured. Two basic ideas must, however, be emphasized. The first is that groups relevant to the problem of rehabilitation and reform can better change criminal behavior than groups with rehabilitation as a secondary purpose. The second is that criminal or reformed criminal groups can reform other criminals better than correctional agencies.

While the rehabilitative aspects of Differential Association offer interesting propositions it must be taken for what it is, a

⁴⁶Donald R. Cressey, Delinquency, Crime, and Differential Association, (The Hague, Netherlands: Martinus Nijhoff, 1964), p. 140.

theory. It is not a mandate to immediately begin using offenders or ex-offenders in the correctional process. More practical study, research, and reasoning must be applied. The critical shortage of manpower, not only in corrections but also in the entire range of human services, as well as the marginal and improper orientation of employees within the nationwide correctional system give cause to consider the ex-offender as a potential source of manpower. From the aspect of those already confined to a correctional institution, it must be considered that behavioral rehabilitation is not something a treatment staff can do to a person to give new form to his disposition by a type of emotional or psychic surgery. It is an internal process of self-understanding and self-regeneration that may only be encouraged by treatment. The modification of behavior and attitudes conducive to law breaking are changed only as the offender responds to his experiences. All offenders are positively or negatively involved in the correctional process. If the offender is to be considered responsible for his criminal behavior when exposed to criminal circumstances, it should be equally necessary to credit him with successfully changing his behavior and attitudes toward conformity with legal norms when he responds favorably to exposure to a corrective environment.

The Need for More Manpower

The development of the highly industrialized American economic system has tended to direct available manpower to manufacturing and commercial enterprises rather than

to service. As a result, throughout the history of the welfare service complex, its manpower needs have never been adequately filled. Even as a new source of personnel are developed constantly increasing demand has maintained a state of continuous shortage.⁴⁷

Corrections faces the extremely difficult task in recruiting the enormous numbers of additional manpower it needs. It must compete with other institutions and services in attracting professional staff and in enlarging and improving its line custodial staff. There are three basic methods of developing the necessary manpower for corrections, (1) by reducing the extremely rapid turnover rate of present employees, (2) insure that those now employed within corrections, in all capacities, receive training, (3) bring new people into the field of corrections. Increased salaries, advancement and career development are essential factors in any manpower improvement program. New sources of manpower must be developed, former inmates, students and nonprofessionals must be exploited to fill the ranks of correctional personnel.⁴⁸

This requirement must be accomplished under rather restrictive conditions as described in the Task Force Report on Corrections:

⁴⁷Charles Grosser, "Manpower Development Programs", Non-Professionals in the Human Services, Charles Grosser, William E. Henry, James G. Kelly Editors (San Francisco: Jossey-Bass, Inc., 1969), p. 118.

⁴⁸Charles W. Phillips, "Developing Correctional Manpower", Crime and Delinquency, Volume 15, number 3, July 1969, p. 415.

The recruitment problems of corrections are aggravated by low salaries, long working hours, lack of effective contact with colleges and universities. Some of these--pay and academic contracts, for example--can be remedied. Others are inherent in the correctional task and must simply be adjusted to as well as possible; for example, corrections like medicine will always have 24-hour responsibilities...corrections in fact, may be run as...merely custodial operations. The few rehabilitative personnel in many systems operate against such overwhelming odds that success is virtually impossible...staff as well as offenders...feel they are...marking time...Such systems can easily become refuges for those unable to succeed elsewhere.⁴⁹

Working conditions within institutions, which are normally organized along strict bureaucratic standards, leave little room for initiative. Similar problems also exist in the community where probation and parole officers are required to devote the majority of their time to report writing and other administrative tasks, thus limiting their time spent in devising and implementing treatment programs.⁵⁰

All of the factors mentioned point to the fact that, under present conditions, a career in corrections is not the most rewarding. Logically it can be assumed that those working within the correctional system may not be either the most highly qualified or motivated. A study conducted under the Law Enforcement Assistance Act verified this assumption.

There was a general emphasis on the security and custody aspects of training. In discussing training with prison personnel...staff (researchers) were impressed with the rather neutral, almost negative

⁴⁹Task Force Report: Corrections, p.93.

⁵⁰Ibid., p. 93

attitude toward training...their most important training came from contact with "the most experienced officers in the institution." A tremendous gulf was found to exist between...units of the institution...there was little crossing of lines of communication between custodial staff, professional staff and administrative staff...center staff (researchers) concluded...that institution staff were doing time along with inmates...There seemed to be almost no dialogue established between the prison and other agencies at either the community or state level.⁵¹

While these statements indicate defective thinking in attitudes toward training and improvement of prison programs, the attitudes displayed toward inmates were far more serious. Researchers determined that the institution's staff held distinctive pessimistic attitudes toward inmates. They felt the inmates were no good, could not be trusted and that institutional programs would not effect change. The staff had little faith in rehabilitation yet did not realize that an orientation toward a strictly custodial program had not worked in reducing recidivism. An attitude of isolationism was prevalent in that the prison staff felt that all contacts with inmates should be on a very formalized basis. This isolated or indifferent attitude caused inmates to feel that the staff had no real concern for their well-being or rehabilitation. Departing comments made by the staff, such as "returning soon" established an expectation for failure within the ex-inmates. A definite climate of mistrust existed not only between the staff and inmates but also between the various staff sections. Security was

⁵¹Law Enforcement Assistance Act, "Strategies for Meeting Correctional Training and Manpower Needs", Grant #041, August 1967, pp. 9, 10, 11.

suspicious of treatment, treatment of security and both of the administration.⁵²

The findings of the study would indicate a one-sided situation existing. This is not correct. The attitudes of inmates toward correctional staffs, be they treatment or custodial, is not conducive to rehabilitation. As Sykes maintains:

The most obvious social boundary...is of course that which exists between captors and captives; and inmates argue fiercely that a prisoner should never give any information to the custodians that will act to the detriment of a fellow captive. Since the most trivial piece of information may, unwittingly, lead to another inmate's downfall, the ban on communication is extended to cover all but the most routine matters. The... custodians and...prisoners are supposed to struggle in silence. ⁵³

Sykes describes the various roles played by inmates in the institution and the conflict that exists between the classifications of prisoners. Sykes believes that regardless of prisoner status, the inmates, as a social group, are striving for a cohesion of prisoners designed to confront the world of officialdom.⁵⁴

Erving Goffman in The Prison referred to all types of total institutions when he said:

There is a basic split between a large class of individuals who live in and who have restricted contact with the world outside the walls, conveniently called inmates, and the small class that supervises them, conveniently called staff, who often operate on an 8-hour day and are usually socially integrated into the outside world. Each group tends to conceive of members of the other

⁵²Ibid., p. 12.

⁵³Gresham M. Sykes, The Society of Captives (New Jersey: Princeton University Press, 1958), p.87.

⁵⁴Ibid., p. 87.

in terms of narrow, hostile stereotypes...inmates see staff as condescending, highhanded, and mean...Social mobility between the two strata is grossly restricted; social distance is typically great and often prescribed; even talk across the boundaries may be conducted in a special tone of voice. The restrictions on contact presumably help to maintain the antagonistic stereotypes. In any case, two different social and cultural worlds develop, tending to jog along beside each other, with points of official contact but little mutual penetration.⁵⁵

Daniel Glaser suggests that the conflict between inmates and the institutional staff can be traced to four conditions:

(1) the inmates were predominantly isolated from most officers; (2) there were only a few staff members with whom each had to communicate; (3) the inmates generally stereotyped the staff as hostile; (4) nevertheless, the inmates usually found the few staff members with whom they communicated to be much better than they had expected.⁵⁶

Glaser's study also revealed several other important factors. The establishment of relationships between inmates and correctional staff is critical if the rehabilitation effort is to be effective. This relationship is negatively effected by older, more hardened inmates who, because of the length of their sentences, are in a position to restrict communication between the staff and the prison population. He suggests that these older inmates are in positions of power which is quite influential on both other inmates and the staff. These men have no desire to

⁵⁵Erving Goffman, "On the Characteristics of Total Institutions: The Inmate World," in Donald R. Cressey (ed.), The Prison, (New York: Holt, Rinehart and Winston, 1966), p. 18.

⁵⁶Daniel Glaser, The Effectiveness of a Prison and Parole System, p. 81.

relinquish this authority and that increased staff-inmate communication is threatening to their positions. Glaser concluded that inmate pressure to avoid communication varies directly with impersonal and authoritarian orientation, noting that communication is better in the less regimented and authoritative juvenile institutions.⁵⁷ It is assumed that the more professional the staff, the better, more effective the institution will be. Glaser's study, however, tends to counteract this assumption, noting that the treatment staff comprised of teachers, chaplains, physicians, psychologists, and caseworkers had less of an impact on inmate feelings than other members of the staff. Fifty-four percent of 131 successful releasees credited a vocational work supervisor as being most influential in their reformation. Under ten percent credited the professional caseworkers or psychologists as having contributed to rehabilitation.⁵⁸

Virtually all studies of correctional systems have recommended increasing the size and quality of rehabilitation staffs. The basic question then arises, "Why are treatment staffs ineffective?" Glaser considers it apparent that the reason for this failure is that "treatment staff members differ from inmates in education and in social class background."⁵⁹ Johnson believes

⁵⁷Ibid, p. 82.

⁵⁸Ibid., p. 90.

⁵⁹Ibid., p. 88.

that "in some prisons rehabilitation is regarded as a frill, and custodial or industrial programs are looked upon as the 'real' activities of a prison. Inmates are pulled from treatment sessions, perhaps without warning, to pick beans or sweep floors."⁶⁰ Sutherland and Cressey believe the conflict between punitive and treatment reactions to crime is the cause of the problem. Corrections, "almost from the beginning has been characterized by ambivalent, conflicting goals and norms, and contradicting ideologies."⁶¹

Perhaps the sharpest criticism of correctional personnel is stated in the Task Force Report: Corrections. "In many areas, corrections remains in the hands of persons without adequate qualifications or training for their task. Administrators, even in some cases individual wardens or probation supervisors are, as notes, often appointed largely on the basis of political considerations. Standards for appointment, and education and training programs to meet them, are badly needed."⁶²

The problems in corrections today are multi-faceted. Scholars of crime and correction have their own theories of why people commit crimes, why society punishes the criminal, why criminals recidivate, and why some former criminals remain law-abiding. By and large there are few correctional departments or states that avow punishment as the primary purpose or the ultimate

⁶⁰Johnson, Crime, Correction and Society, p. 598.

⁶¹Sutherland and Cressey, Principles of Criminology, p. 361.

⁶²Task Force Report: Corrections, p. 16.

end of imprisonment. In today's society the correctional process overtly emphasizes anyone of four basic tenets, either singularly or in combined forms: these are, rehabilitation, reformation, resocialization or reacculturation. Regardless of the tenet accepted, it is obvious that the correctional process always involves two groups of people, those who undergo the process and those who administer it. James E. Herrick, in his book, The Social Worker at the Adult Correctional Institution, vividly describes the situation that illustrates the basic problem with corrections today, the incapability of correctional personnel to understand and accept the offender and the inability of offenders to allow the correctional or rehabilitative process to be effective. The problem and treatment-rehabilitation focus may not be centered on the precipitating factors of the offenders' criminal behavior. Supervisory conferences with caseworkers indicate that each worker appeared to focus on certain kinds of problems and recommend certain types of treatment plans regardless of individual differences in need and problem constellations. For example, one worker in the author's experience tended to relate all deviance to problems of "psychosexual maladjustment"; another concentrated on intelligence quotients. Recommendations for treatment ranged from such stereotypes as "intensive individual psychotherapy" to "consistent long-term tight external controls". Rarely were the problems of the clientele and the treatment plan

individualized and assessed in the terms of here and now relationships in the agency setting. The isolation of the case worker in his office relying primarily on interview, scant historical material and a psychoanalytic frame of reference, led to unrealistic planning in terms of agency and client resources. The worker was usually unaware of what the client did during his time in the institution. His friends, enemies, and reference group were usually ignored by the worker, as were other staff who might have significant relationships with the offender. While treatment rehabilitation planning involved recommendations for trade training, formal education, and certain forms of work, those recommendations usually were unrelated to one another, and when evaluated in total can be seen to have had little relationship to correcting factors involved in the offender's behavior. The caseworker's frame of reference was often based on a psychoanalytic or other form of psychiatric mode; therefore, many potential sources of assistance have been ignored. Case histories tended to emphasize weaknesses of the client, and his strengths in interpersonal situations were hard to assess without the worker being able to observe or obtain pertinent information from other staff regarding his behavior with others outside the office. The situation described indicates the difficulty in seeing the client's behavior within the individual interview in the limited environment of the worker's office. Little imagination was shown in

individualizing treatment planning partly because of the workers conception that since treatment was accomplished in his office there was no need to plan or integrate other activities outside the office. The custodial and administrative staffs, as their positions were defined, had as their primary functions the maintenance of order, stability, control, and coordination of activities. Caseworkers operating within an equilibrium frame of reference reinforced these functions, while workers operating within a conflict frame of reference tended to be met with considerable resistance and opposition. This resistance and opposition tended to drive some workers deeper into their offices. Professional caseworkers had difficulty relating their client's problems and purposes of the institution, and the caseworker could do little about the situation unless his own frame of reference, in relation to clients, was changed.⁶³ Herrick describes the inmate's perception of the caseworker and the treatment focus by referring to taped interviews with inmates. Generally caseworkers were defined as weaklings, feminine and threatening.

My worker tries hard but I scare him off with things I do. I asked him one day why in hell would he want to work with a bunch of nuts like us. With Joe (officer) I can see it. Someone has to keep the lid on (external control function). He (worker) said he liked to work with us. I didn't say anything but between you and me I thought he must be a little dingy (crazy). It sure would waste me (destroy). I talked with some of the other guys...and they thought he might be a little

⁶³James E. Herrick, The Social Worker at the Adult Correctional Institution (Illinois: Whitehall Company, 1969), pp. 213-214.

fruity (homosexual) to want to work with boys. I could understand it if we had some broads...in here. ⁶⁴

Herrick states that correctional workers assume the offender feels guilt and shame for both past and present actions, and that this assumption is unwarranted and incorrect. Again interviews with inmates bear out Herrick's belief:

Inmate: Why do I have to come see you once a week?

Worker: To help you with your problems.

Inmate: My problem is getting out of here.

Worker: I know. We first need to know why you got yourself in here before we can get you out.

Inmate: I got caught, that's why I am here. Can you fix it so I won't get caught?

Worker: No. My job is to help you find and do something about the reasons you get into trouble. How did you get along with your family?

Inmate: Hey, what's wrong with you! You want me to go on a trip about what a tough time I had at home?

Worker: What was your father like?

Inmate: I didn't have any!

Worker: How about your mother?

Inmate: What about her?

Worker: Did she help you when you got into trouble?

Inmate: Lookit man! I know you got education, have smarts, and probably got all kinds of degrees, but man you're square! We can't jive on the same wire. (Inmate trying to explain to worker that worker's frame of reference for the meaning of "help", "trouble", and "place of parents" in his life, is quite different from his. Inmate also attempts to tell worker this by going into "jive talk" or a slang form of communication.)

Worker: I'm afraid I couldn't understand your last point.

Inmate: Good, now we're even!

⁶⁴Ibid., p. 215.

Worker: O.K., ...I'm afraid I'm lost with you. It looks like we're not communicating. Maybe we can start over and would you help me when I start using words that don't make sense to you. I want to understand you and I will need your help.

Inmate: O.K., Mr. _____. If you can understand me, you're doing better than me. I can't understand myself most of the time. ⁶⁵

The role of the counselor, and in this case the term counselor is equivalent to social worker or caseworker, is to provide or create the conditions of empathy, unconditional positive regard, and congruity in the relationship in order to promote meaningful change in the client. The worker must at all times be real and genuine with the client. There should be no evaluation or judgment, either positive or negative. The client is accepted unconditionally, that is, without any terms attached to the acceptance. The word empathy refers to an empathic understanding of the client's world as seen from within. This is an "as if" feeling on the part of the worker. Successfully attaining the "as if" feeling and the ability to unconditionally accept the client as he is enables the client to explore freely and deeply and thus to develop a better comprehension of himself. ⁶⁶

Herrick acknowledges the purpose of the caseworker is to bring about change in the client, this purpose is not, however, necessarily related to the client's perception of problems and

⁶⁵Ibid., pp. 211, 212, 213.

⁶⁶Cecil H. Patterson, Theories of Counseling and Psychotherapy (New York: Harper & Row Publishers, Inc., 1966) p. 421.

treatment ideas regarding what to do about them. Herrick's examples stress the difficulty caseworkers have in establishing the complete acceptance and "as if" requirement.

He(counselor) thinks I'm crazy, he asked me all those textbook questions and fits my answers into the right slot. He doesn't even see me when we talk. I give him what he wants (offering up sacrificial problems to the worker), but once in a while I came to him with real problems (client was involved in a homosexual relationship with another inmate). I started to tell him about what Joe and I were doing (sexual behavior between two men). He (counselor) got a funny look on his face and began shuffling some papers on his desk. He asked me some questions about the past. I tried to go on but he looked like he tuned me out. Christ, I didn't want to upset the poor...(When asked by the author whether he was ever able to talk to the worker about this matter he stated, "No. I finally went to the officer (custodial) and we talked...he knew what was going on between Joe and I and was glad to see me bring it out (in the open) to him.")⁶⁷

Under the conditions described by Herrick it becomes evident that treatment in prison is accomplished in spite of prisons not because of them.

In assessing the criminal justice system, it is obvious that corrections has been less than successful. As indicated in the review of literature, to this point, there are many reasons for the failure of corrections to either prevent further incidences of crime or to rehabilitaty criminals. The Task Force Report: Corrections cites four requisites for improving and developing the "new corrections". These are, (1) extended research; (2) better decision making; (3) improved organization; (4) more and better

⁶⁷Herrick, The Social Worker at the Adult Correctional Institution, p. 216.

qualified staff. ⁶⁸ Requisite number four is of primary importance in this study. As Glaser, Johnson and particularly Herrick have indicated, the rehabilitative aspects of corrections present special problems, in that the rehabilitators do not have the proper perspective, orientation or understanding to effectively deal with either inmates or those receiving community based correctional treatment. The basic premise of this report is that if offenders and ex-offenders are utilized within the correctional system, as positive agents of change, then perhaps the proper perspective, orientation and understanding can be attained.

Prior to examining the range and manner of offender or ex-offender participation in preventative and correctional efforts directed toward crime, it is necessary to consider the rationale for such use of these individuals, under what circumstances, to what advantage, and within what limits such services can be used. The broad assumption that justifies the employment of adult offenders or ex-offenders in any capacity is that they are first of all people who normally should be, and have a right to be, members of the labor force. They are, therefore, entitled to be considered on their relevant merits for whatever jobs are or should be available, inside prisons or outside. Penal systems have a special responsibility to recognize this entitlement because its correctional program can only justify its existence if

⁶⁸Task Force Report: Corrections, p. 13.

it assumes and expects that all of its offender-clients who are able to work, and who should be gainfully employed in legitimate occupations, will have the same employment opportunities as other workers. Conviction of a crime should not be an automatic barrier to employment, but realistically it is not possible nor desirable to ignore consideration of a prior criminal record. It seems reasonable to expect the correctional system to know much more about the capabilities, personalities and behavior patterns of its graduates than any other employment personnel office outside the correctional system. It, therefore, should be capable of finding, selecting and placing offenders within the correctional field upon release if it expects other governmental and private agencies to employ ex-prisoners. A consideration bearing on the employment of ex-offenders as treatment personnel, as distinct from ex-offenders hired for mechanical or technical positions, is that treatment staff are presumed to be people who have professional training in any number of disciplines. Many of the professional positions are, however, being filled by individuals with less than the educational requirements for full professional status, but who are more effective in their jobs than those who have had the benefit of a professional education. Full professional training is no more necessary for all correctional treatment tasks than is full medical training essential for all tasks associated with treatment of the physically ill. This medical analogy and its effects can easily be applied to the corrections field.

To anyone working in the social sciences it is apparent that there are significant differences in values, attitudes and behavior patterns between the middle classes and the population living at or below a bare subsistence level, particularly if they consist of alienated ethnic groups. It is also apparent that achievement by classes, as distinct from individual difference, is due to the conditions and circumstances of life rather than to either the lack of potential for achievement or innate superiority.

Assuming these sociological factors to be correct, it is recognized that, among those handicapped by the circumstances of their lives, many have the potential for successful training in a variety of new careers, among which is correctional work. Another assumption is that individuals in this category would have the special advantage of being more understanding than others of the anxieties, frustrations and folkways of the disadvantaged. They could communicate better and serve as persons with whom clients can identify in ways not possible to middle-class professionals, however well trained.

Individuals who are or have been imprisoned are commonly from those populations and sections of cities where education, income, prestige, power and involvement in community affairs are most limited. To the experience of life in such an environment is added another, almost overpowering experience, the prison. From the time the court sentence tells them they are not wanted in the

general population, they are daily reminded by walls, towers, doors they can't open, headcounts, lockups, cell searchers, censorship of mail, supervision of visiting hours and authoritarian regimes, however necessary and beneficent, that they cannot be trusted. These and other usual aspects of life in prison can be intellectually but not emotionally understood.

The potential of those who have experienced the miseries of alienation and imprisonment for acquiring human relations skills, and the need for more effective communication with those who require help are the justification for the wise, efficient and careful training and employment of offenders in the treatment of offenders.⁶⁹

Most professionals working in the community portion of corrections are in accord with the idea that a significant number of their clients are, by virtue of their norms, values, and life styles, alienated from the mainstream of society. These clients are referred to as hard-to-reach, unmotivated, mistrustful, and resentful of authority. A marked social distance exists between many middle-class professional workers and their lower-class clientele. Lack of rapport which is a result of social distance inhibit the development of a working relationship between the client and worker and the possible non-involvement of the client in the correctional process. Social distance discourages client

⁶⁹Albert Morris, "The Involvement of Offenders in the Prevention and Correction of Criminal Behavior," Massachusetts Correctional Association, Bulletin No. 20, October 1970, pp. 26-27.

identification with the worker making it difficult for the worker to serve as an effective pro-social model. The logical extension of the indigenous worker, the ex-offender, has experienced situations and problems very similar to those affecting the majority of clients in question.⁷⁰

Successful recruitment of minority group ex-offenders as correctional workers can provide personnel who can effectively function as a bridge between middle-class professional workers and minority group clients. This is significantly important in today's society where racial tension can cause negative reaction to correctional treatment.

Large numbers of hardcore unemployed live in the poverty ghettos of urban centers, and these ghettos are the "bad situations" from which society has traditionally screened out the offender population. Many of these individuals lack the education and training required for industrial employment. But because they have lived in the ghetto situation and possibly have been in prison themselves, they have a better understanding of the personal and social problems of the offender population. They would appear to have excellent credentials for occupying roles in rehabilitation groups. In addition to the potential rehabilitative possibilities of ex-offenders, and for that matter, indigenous personnel who have not been convicted of a crime, other

⁷⁰Donald W. Beless, William S. Pilcher, Ellen Jo Ryan, "The Use of Indigenous Nonprofessionals in Probation and Parole", Federal Probation, March 1972, pp. 11-12.

significant problems can be solved. Unemployment and poverty can be reduced, but more importantly individuals involved would adopt pro-social values thereby positively influencing friends, neighbors and associates, thus benefiting the entire community at large.⁷¹

⁷¹Herbert R. Sigerdson, "Expanding the Role of the Non-Professional", Crime and Delinquency, Volume 15, Number 3, July, 1969, p. 428.

Chapter III

PROGRAMS INVOLVING OFFENDERS AND EX-OFFENDERS

Offenders. The concept of actively using offenders in their own reformation or in the rehabilitation of others is a relatively new consideration in corrections. The employment of inmates in institutional work other than correctional treatment, however, has occurred since prisons have been in existence. There have been many examples of the improper employment of inmates, but none in recent years has been more dramatic than the situation described in Tom Murton's book, Accomplices to the Crime. Written as an expose¹ this book depicts perhaps the lowest point in modern day corrections in the United States. One of the contributing factors to the sad state of affairs of the Arkansas Penal System was the almost exclusive use of inmates as custodial personnel.

The head of the trusty guard force was called the yard man. He was responsible for getting the work done and had a goon squad to enforce his orders. He could and did sell jobs and assignments, usually sharing the proceeds with the man. In fact, in Arkansas, the yard man ran the prison.¹

Murton believes that the practice of using armed inmates to secure other prisoners has been condemned by correctional agencies and prison administrators throughout the United States. It is a situation dangerous to the public and particularly to the inmates, who are entitled to be protected while serving their sentences.

¹Tom Murton and Joe Hyams, Accomplices to the Crime (New York: Grove Press Inc., 1969), pp. 24-25.

Murton notes that in Arkansas when a trusty guard shot another prisoner, ostensibly escaping, he was granted an immediate parole as a reward, provided the escaping prisoner was dead and unable to protest his innocence.² Gurvis "Buddy" Nichols, a trusty guard at Arkansas Tucker Work Farm, explained his duties and actions as a guard in revealing terms:

The oppressed became the oppressors is what happens. You would be in the rank barracks for a while getting beat and kicked and walked on with cowboy boots and then sweep a floor all night long and go out the next morning at daylight and work in the field and the rider would beat you all day out there. So they offer you a job to beat the other inmates and you take it because there are two types of living conditions: you exist or you survive...A trusty had underwear because he took it away from a rank man. A trusty occasionally had milk on the table and salt-meat--a rank man had weevils and beans. "A trusty was surviving; a rank man was existing. So, you became a trusty and were glad to do it."³

Of special interest is the rationale used by the Arkansas Department of Corrections to justify the inmate guard force. The Department felt that prisoners convicted of violent acts were perfectly suited to handle weapons and act as security agents because they already had demonstrated their willingness to assault others.⁴

The situation described in Arkansas may be the exception rather than the rule. But it is, perhaps, indicative of the failure of corrections to use inmates as positive agents of change.

²Ibid., p. 25.

³Ibid., p. 25.

⁴Ibid., p. 25.

A national survey of the opinions of correctional administrators, psychologists, and chaplains revealed that respondents considered other prisoners in maximum security institutions to have more significant influence on inmates than members of the staff.⁵

Glaser maintains that advice among inmates is significantly valuable in developing inmate relations. He contends that advice is usually directed from older inmates toward younger inmates, and that it is essentially geared toward prison adjustment, that is, getting along with the prison staff and avoiding trouble with other inmates. Glaser reported, however, that only 11 of 122 successful releasees, who said they had changed in prison, credited other inmates with having contributed significantly to this change.⁶ It can only be imagined how many more individuals could be successfully rehabilitated if their institutional reference or peer group were fully incorporated into assisting the correctional process in a positive manner.

There are many methods of inmate self-help or self-correction. A thorough examination of these programs is a study in itself, therefore, only the more prominent methods will be reviewed.

Group Therapy. Emphasis on the social experience of offenders as a major factor in the etiology of criminal behavior

⁵Morris, "The Involvement of Offenders in the Prevention and Correction of Criminal Behavior," p. 2.

⁶Glaser, The Effectiveness of a Prison and Parole System, p. 67.

has led to the assumption that modification of behavior and attitudes might also be most likely to occur in groups with which offenders can most readily identify. In prison such groups would be composed of fellow inmates who have in common the status of prisoner as well as the deprivation, pains, and difficulties that go with it. During the 1950's inmate group therapy was introduced into many prisons in the United States and has continued to make its way further since, although not at such a rapid rate as the first enthusiasm for it has been dampened by awareness of its limitations. Nevertheless, it continues as a desirable adjunct to individual psychotherapy because of the inadequate number of psychiatrists available in prisons, the economy as compared to individual psychotherapy, and the assumed aspects of the positive influence of peer groups. By and large, group therapy in prisons is not under the leadership of psychiatrists. For this reason as well as to avoid confusion with psychiatrically led sessions and the implication that offenders are psychologically abnormal, Lloyd McCorkle changed the title of group therapy to guided group interaction.⁷ Sutherland and Cressy, in Criminology, describe how groups contribute to the reformation of individuals. Free discussion on an inmate's problems and his individual characteristics by and

⁷Lloyd W. McCorkle, "Group Therapy in the Treatment of Offenders", in David Dressler (ed.), Readings in Criminology and Penology (New York: Columbia University Press, 1964), p. 565.

with a group will coerce him to face reality. Other inmates in the group, who have had similar experiences, will not let him lie, bluff, or justify his behavior. Groups will provide insight into the causes of his behavior, and the ventilation capability of group therapy will help in reformation. Group interaction will give the individual experience in accepting the analysis, opinions and arguments of others. This will give him practice in accepting the general restrictions of society.⁸ Groups in therapy vary in size, composition of membership, frequency, and the continuity, duration, place, orientation methods and objectives of group interaction. McCorkle believes one of the basic problems with the group therapy approach is that while an extensive body of literature has been developed, no techniques have been standardized: "There are as many forms of group therapy as there are practitioners".⁹ He maintains that there are seven basic considerations for a successful guided group interaction program: (1) Inmates should be selected on their ability to contribute to the maintenance of the group; (2) The group leader and inmates should be suited to each other; (3) Inmates should be of the same age, educational level, and intelligence; (4) Voluntary participation is a desirable objective; (5) Groups should not exceed twenty in number; (6) Groups should meet at regular intervals and at specified times; (7) The

⁸Sutherland and Cressey, Criminology, pp. 528-529.

⁹McCorkle, "Group Therapy for Offenders", p. 563-564.

continuity of group membership is an important consideration.¹⁰ McCorkle also states that while guided group interaction is an important factor in correctional treatment, it is not an end in itself; and it should be related to an overall rehabilitation program. If it is considered as a cure-all, it will probably do more harm than good.¹¹ Enthusiasm for group therapy is not as intense as it was in the 1950's and early 1960's. It is, however, hopefully moving into more selective and discriminating use. It is not the intention of this study to evaluate group therapy programs, but to show that, whether by means of free discussions, guided group interaction, or role playing, these programs are a way of involving offenders as aids in the correctional process. In the therapy session the inmate is brought into action involvement in his own self-understanding, becomes a person whose individuality is recognized, and contributes to the therapy of others by interpreting the feelings, attitudes and behavior of members of the group.

Inmate Self-Help and Self-Government. Alex Wilson, associate warden of the Colorado State Penitentiary writes that the self-help movement in prisons and reformatories had its base in such programs as Alcoholics Anonymous, religious organizations, and various social or fraternal clubs. This type of group activity

¹⁰Ibid., pp. 574-576.

¹¹Ibid., p. 577.

has been recognized as an excellent media of treatment. For centuries men have found it pleasurable and necessary to belong to fraternal or social societies. If they are not therapeutic they are at least prophylactic in the realm of mental health. Men who are achieving little in their daily lives have excelled in service and leadership of fraternal societies. Wilson believes that if this attitude has and does exist in the free community, it is likely that they can play an equally prominent role in the life of the imprisoned. Mr. Wilson maintains that an objective of correctional treatment is to assist the inmate in reaching social maturity, and that one method of accomplishing this is to direct the inmate's energy to helping others in a charitable way through fraternal or social organizations.¹²

J. J. Enomoto, Superintendent of Tehachapi, approaches the concept of self-help from the aspect that if an individual is expected to make decisions on the outside then it is logical to maximize opportunities for him to do it on the inside. He feels that issue oriented self-help groups provide natural vehicles for this because they bring out individual potential and stress self-responsibility. The offender cannot be an object of services but must be developed into an active, contributing force in what is

¹²Alex Wilson, "Self-Help Groups: Rehabilitation or Recreation," American Journal of Corrections, Volume 31, Number 6, November-December, 1969, p. 12-13.

happening to him. Enomoto's basic premise is that self-help groups will not reach their potential until they become participants in correctional management, but that correctional managers have not placed much stock in inmate individuality, creativity or criticism of institutional programs. Disorganized self-help groups can be the breeding ground of disruptive and revolutionary behavior, while properly guided self-help groups can provide an excellent communication tool between inmates and the institutional management. From a positive aspect, self-help groups can (1) help correctional administrators recognize real problems; (2) in the case of ethnic groups, help the staff understand the whole concept of ethnic identity; (3) be the vehicles for positive translation of minority group concerns; (4) give administrators the benefit of inmate-to-inmate impact for better acceptance of correctional programs.¹³

Formal group therapy sessions attract only a minority of inmates and self-help groups, because they suggest help to clients, they are avoided for reasons of pride or the feeling of the lack of need for help.¹⁴ All inmates, however, have an innate interest in the internal administration of their institution. Attempts to formalize inmate self-governments have occurred during the past

¹³J. J. Enomoto, "Participation in Correctional Management by Offender Self-Help Groups," Federal Probation, June 1972, pp. 36-37.

¹⁴Wilson, "Self-Help Groups: Rehabilitations or Recreation," p. 13.

200 years with the two-fold objective of (1) simplifying administrative problems of discipline and control, and (2) to allow inmates the opportunity to participate in social situations representative of the social interaction they will encounter in free society.¹⁵

In 1793, a form of inmate self-government was used in the Walnut Street Jail in Philadelphia. New York and Boston both used self-government in their juvenile institution before the turn of the century. Zebulon Brockway in Detroit and William George in Freeville, New York, designed correctional programs with inmate self-government as a predominant feature.¹⁶ Aside from the idealistic appearance of self-governments from the standpoint of administrators and prisoners alike, most attempts at this treatment modality have been unsuccessful. Glaser reports that successful, but short-lived programs were dependent upon charismatic leadership but that even this eventually failed. He noted that at the New Jersey Reformatory at Rahway, the inmate government was taken over by individuals who used it for their own purposes. The impact of the program at Rahway was so unsatisfactory that it was disbanded by a vote of the inmates.¹⁷

¹⁵Sutherland and Cressey, Criminology, p. 523.

¹⁶Ibid., p. 523.

¹⁷Glaser, The Effectiveness of a Prison and Parole System, p. 150.

Richard H. McCleery's analysis of the governmental process and informal social control at Oahu maximum security prison in Hawaii is a description of the rise and fall of the modern equivalent of inmate self-government, the inmate advisory council. McCleery's observations begin in 1946

...the old prison was a tightly knit, static, and traditional institution, dominated by the values of security and control. These values were expressed in the militantly disciplined and sharply defined custodial hierarchy and in its detailed procedures of operation...The control orientation, accent on power, and centralization of authority in the prison suggest an analogy to authoritarian society in which the abstract interests of the "state" supercede all claims for the will, the welfare or the dignity of the subjects.¹⁸

In 1946, the warden of Oahu died and his replacement's lack of penal experience caused significant problems. The new warden was available to everyone in the institution, and he interjected behavior patterns inconsistent with traditional operations. Treatment personnel, as inexperienced as the warden, became members of the policy or decision making hierarchy. The staff of the institution became disorganized and gave rise to a youthful element of prison society which had previously been silenced by the nature of the older order. Under the new administration, the "outcast" element of inmate society exploited the new avenues of influence. An inmate council was established, given extremely broad responsibilities and direct access to the warden on policy matters. The council did not immediately

¹⁸Richard H. McCleery, "The Governmental Process and Informal Social Control", in Donald R. Cressey (ed.), The Prison (New York: Holt, Rinehart and Winston, Inc., 1961), p. 150.

disturb the social structure of the prison community because older inmate leaders were elected to positions on the council. The situation soon changed because the older inmates were equipped to function within the previous custodial limits, lacking both the talent and inclination to monopolize newly permitted activities. Lower elements of the prison society reaped status and privileges from participation in treatment oriented programs. Because of this, older inmates withdrew from influential positions of authority. As the younger, treatment-sponsored inmates gained power, the inmate council which was controlled by them developed into a syndicate with the purpose of controlling the institution's craft shop, the primary source of economy within the prison. The results of the takeover were significant in that there was a four hundred per cent increase in disciplinary infractions. Total disorganization resulted in anarchy, riot and disorder. Management by the syndicate of the craft shop thus reducing the economy of virtually the entire prison population caused defection from the syndicate. Again a system of informal social control established by older inmates re-emerged, and together with the increasing return of official control, order was returned to the institution.¹⁹

¹⁹McCleery, "The Governmental Process and Informal Social Control," p. 168-180.

Gresham M. Sykes describes the development of an inmate council as a result of conflict, in his book, The Society of Captives. In analyzing riots at the New Jersey Prison at Trenton, Sykes states that one of the conditions for ending the confrontation was that an inmate council would be formed for presenting and discussing future grievances.²⁰ The interesting aspect of this particular inmate advisory council is that, although it was initiated as a result of inmate pressure, the ground rules for its operation were set down by the New Jersey Department of Corrections. The memorandum authorizing its conception indicates why the council was dissolved less than six months after its initiation.

The following rules are adopted to govern the relationships between the committee and the officials of the Department of Institutions and Agencies and the New Jersey State Prison.

1. The Council will be recognized as the duly elected representatives of the inmate body by the Commissioner of Institutions and Agencies, the Deputy Commissioner in Charge of Correction, the Board of Managers, and the Principal Keeper.
2. The members of the Council shall include one representative of each wing and one representative of the indeterminate group of the institution elected annually by ballot, and no member shall serve on the Council unless duly elected. A special election to unseat and replace a council member may be held upon presentation to the Principal Keeper of a petition signed by 60 per cent of the residents of a wing. The administration will take no part in the selection of wing representatives, but an official or officials designated by the

²⁰Sykes, The Society of Captives, p. 116.

Principal Keeper will serve with a Committee of the Inmate Council as election commissioners to insure that all elections are conducted properly and fairly.

3. It shall be the duty and responsibility of the Inmate Council to ascertain the opinions and recommendations of the inmate body with respect to matters pertaining to the general welfare of the inmates and to faithfully and accurately convey these opinions and recommendations to the chief administrative officer of the prison or the Departments of Institutions and Agencies on behalf of an individual inmate.

4. So long as the Council and its members remain in good standing in the institution each member thereof shall have the privilege of interviewing any or all of the inmates in the group which he represents without surveillance of any employee. The Principal Keeper may, by reason of the bad conduct or segregation of any inmate, deny this privilege. It is intended by this paragraph to permit personal interviews with inmates and administration to the various facilities of the institution.

5. It is to be understood that the Council will not be quoted as in favor of or opposed to any matter except by express approval of the Council as a whole. No person may therefore quote the Council without its approval.

6. Under conditions to be prescribed by the Principal Keeper, the Council may have access to the institutional radio system at reasonable times and for the purpose of disseminating information to the inmates. This privilege can be withdrawn at any time by the Principal Keeper if abused.

7. Except in an emergency, major changes in policy and practices affecting the welfare of the inmates shall be taken up first with the Inmate Council. It is understood that the Principal Keeper may call upon the Council to correctly interpret any changes in policy or practice, and to assist in implementing such change.

8. It will be understood that at a specific time each day an authorized representative of the Council may, if there are matters to be presented, confer with the Principal Keeper or an official designated by him. It is

understood that any matters referred by the Council to the administration will be handled and decided as rapidly as possible.

9. Major proposals and resolutions by the entire Council shall be in writing. All replies shall likewise be in writing.

10. Every official in the institution will be instructed to cooperate to the full with the Council.

11. It is hoped and expected that by this method the method may be supplied whereby complaints and grievances may be promptly presented and disposed of. It is not expected that such requests be granted if in the judgment of the Principal Keeper they shall interfere with the maintenance of a necessary and humane discipline in the institution.

12. It would be advisable, at least in the early stages of its activities, that the Council meet with the officials on a date mutually agreed upon with the presence of the Principal Keeper and the Commissioner or his Deputy. It would be advisable to have a monthly report prepared by the Council and forwarded to the officials.

13. The Principal Keeper is by law vested with complete authority in the management of the institution and the maintenance of discipline; and nothing contained in this agreement is to be inconsistent with that legal obligation.

14. This arrangement shall be terminated whenever in the judgment of the Commissioner and the Principal Keeper it has ceased to serve a useful purpose or to facilitate that cooperation between the employees and inmates so essential to the satisfactory operation of the institution.²¹

A continuing series of conflicts plagued the relationship between the Inmate Council and the prison administration. The complaints presented by the Council ranged from lack of funds for eyeglasses

²¹Sykes, The Society of Captives, pp. 117-119.

to the number of men kept idle. In Sykes' opinion the administration attempted to answer the grievances and requests of the council in a straight forward and sincere fashion and carefully pointed out barriers to certain proposals. Members of the council pressed for a number of innovations such as an increase in the number of delegates-at-large, the duties and responsibilities of the council in representing individual inmates, and the visiting of individuals in solitary confinement. The administration, particularly the custodial staff, viewed this activity as threatening. When demands were denied, the Inmate Council staged a five day sit-down strike, and as a result all relations between the administration and the council deteriorated. Shortly thereafter, prison officials seized the chairman of the Inmate Council and his followers and transferred them to various county jails throughout the State of New Jersey. Although the Inmate Council never was officially disbanded, it ceased to be a significant part of the institution.²²

J. E. Baker, when associate warden at the Terre Haute penitentiary, conducted extensive research into the concept of inmate self-government and surveyed fifty-two institutions in 1963. He received 44 replies of which only seven reported the existence of self-government councils. To the question, "Are there any material advantages to an inmate as a member of the self-government group?",

²²Sykes, The Society of Captives, pp. 119-120.

there were just two qualified responses: "only his social development" and "...gives him status in the eyes of the inmates but no material advantage from the viewpoint of the administration."

Baker notes that the past failures of self-government lay in their use of an elected or appointed group of prisoners to discipline other inmates, and that inmate self-government has never been completely accepted by institution staffs.²³ Baker believes, however, that

...On the current scene there are no longer inmate self-governments as proposed and attempted in early experiments...The features...most acceptable to prison administrators have been retained under an arrangement known as the inmate advisory council...the advisory council represents one of the most satisfactory devices for encouraging inmates of a prison to think constructively about their own institutional environment and provides a means by which inmates may share the responsibility with the staff of making the prison a better place in which to live...Successfully used, the council has a two-way function. It is an agency for communicating to inmates the responsibilities which the administration expects of them and to present a picture of the administrative problems in the areas with which inmates are concerned--notably food. By showing them the budget and soliciting their suggestions as to how a better job might be done with available resources, a structure is created which provides for and encourages thoughtful, constructive feedback. This approach involves the same psychological principles basic to management efforts to provide employee job satisfaction--call it morale if you wish. It is significant to note that no institution responding...indicated a conscious planned use of group membership as part of the development plan for a particular individual inmate. It would appear that this use is one of the principal features of the rationale for inmate

²³J. E. Baker, "Inmate Self-Government", Journal of Criminal Law, Criminology and Police Science, Volume 55, March 1964, p. 39-40.

advisory councils, yet is the least explored area of all. For instance, a properly operated council offers an excellent harnessing and direction of the abundant energies and usually high abilities of many offenders not amenable to conventional treatment forms. Some men need an experience of working for the welfare of others. Others require ego-satisfying assignments in which they can escape the failures of being engulfed in the crowd.²⁴

Baker suggests that correctional administrators look again to the modern counterpart of self-government, the inmate advisory council. It must, however, be considered in its proper perspective, that is, as a part of social education for inmates and a morale-raising device for the entire institution through its facilitation of two-way communication between staff and inmates.²⁵

Offenders Planning and Developing Correctional Programs.

One of the newest fields in which offenders and ex-offenders have been employed is in the research, planning, control and treatment of crime and delinquency and other areas of human service especially among the poor and disadvantaged. The basis for the study of this concept was provided by a grant from the National Institute of Mental Health and was under the direction of Douglas and Joan Grant. An experiment conducted by Dennie L. Briggs, from 1958-1962, at The California Institute for Men, experimented with a therapeutic community concept that showed potential for self-help among prison populations. Prior to examining the Grant's research, it is informative to review the work done at Chino by Briggs. The title of

²⁴Baker, "Inmate Self-Government", p. 42-43.

²⁵Ibid., p. 47.

Briggs' study is A Transitional Therapeutic Community for Young Violent Offenders, and basically attempts to answer these questions: (1) Can the natural careers of young violent offenders be altered, or must we wait until they burn out by the time they reach their early thirties? (2) Can the resources of a prison be rearranged to be more effective in changing the course of events? (3) Can the offender himself play a critical part in changing the violent behavior of his peers? These questions were important because the ratios of professionals to inmates, probationers and parolees had little or no effect on changing criminal behavior. The study was originated to determine if the prison environment could be significantly altered, including the roles of the staff, in order that inmates could emerge and become skilled at changing the delinquent behavior of fellow offenders. Dormitory type housing units were selected for the community because the promotion of social interaction was necessary to the study and cells would restrict the amount of interaction possible. Inmates volunteering for the project were assigned to the California Institute for Men at Chino. All were serving felony sentences for a minimum of one year. They were first-time offenders, but most had long histories of juvenile offenses and may have served sentences in various juvenile institutions. Inmates were selected for the project if they were under twenty-five years of age, at one time had a relationship with some adult, and the ability to relate to peers.

If during interviews they exhibited evidence of internalized conflicts, anxiety, a discomfort with their current delinquent status, some motivation to change, ability to differentiate social roles and recognize responsibility for their own behavior, sufficient ego strength to undergo the stress of the project and some capacity to change, they were considered as possible candidates for the project. An equivalent control group was selected who would undergo normal treatment at Chino. The initial project staff consisted of five correction counselors who had previously been employed in work which emphasized individual casework with a psychiatric orientation; seven correctional officers who originally had no therapeutic relationship to the project, and a full-time clinical psychologist. For the first two years of the project, the inmates worked in the institution's laundry, in an attempt to provide a work task that would develop pride in workmanship. Though logical, it failed because of other "con-wise" men who also worked in the laundry and were involved in various rackets. It was felt, however, that the project inmates tried to develop laundry duties into constructive work but were unsuccessful.

The average day ended with a total project gathering called a community meeting. It began by reading a log which contained information about the men's social behavior and delinquencies which occurred during the past twenty-four hours. Much time was

devoted to discussions of the work situation as it was freshest in everyone's mind. Eventually the meeting was changed to the morning hours, and the inmates took over the log and recorded material to be used in the community meeting. The men could choose what they wanted to discuss from the log or bring up new subjects. No chairman or leader of the meeting was established, but the project director was frequently turned to for advice. Usually the meeting was closed by the project director who summarized his daily observations. The community then broke into small groups of ten to twelve with a counselor as group leader. Initially these meetings resembled psychotherapy groups as most of the topics dealt with individual inmates and their personality problems, although attempts were made to focus on their relationships while in the project, rather than concentrating on their past lives. In the evening hours men were involved in recreational activities and watched a great deal of television. More and more, though, they learned to socialize with each other. This was quite the opposite of the situation from which they had come in the main institution where doing their own time was the existing principle. Unplanned discussions developed in the evening hours and over the weekends. Reading became important and the inmates asked for books on psychology and sociology which had not been previously permitted by prison regulation.

The correctional counselors exhibited difficulty in adjusting to the change in emphasis from individual psychiatric casework to working in groups. They felt their skills were devalued and had a natural reluctance to having their ways of working open to examination in group meetings. Inmates began suggesting they be included in functions formerly reserved for the staff, such as selection of new inmates and to assist in training the staff. This was the ultimate blow to some staff members, and they left the project.

During the first two years the project demonstrated that it was feasible to change a small portion of the prison structure. The inmates showed skill in working with one another and the community meeting became the focal point of the program. It was the community meeting that produced the fundamental changes in the program. These were the inmate's handling of minor infractions which had previously been the responsibility of the correctional officers and the enforcement of the project's rules and regulations.

The final two years of the project contributed significantly to a redirection of the program. The essence of the project became meeting real life situations in a way that the men could learn new values and ways of handling life crises. Attitudes that violence was neither necessary nor manly were developed. Correctional officers no longer wore uniforms, by their own choice, and gradually replaced the counselors who had moved on to other assignments. The project was relocated in another building on

the periphery of the institution and developed unique characteristics and a degree of continuity and autonomy. The length and days of meetings, both community and small groups, were increased; new work projects were developed under inmate supervision and control, and television watching was given up because it drained energy and prevented socializing. Athletic teams were developed among project inmates and prestige was gained from the rest of the institution. Inmates took over the responsibility for greeting the numerous visitors to the project. Inmates, now called residents, took over responsibility for operating the housing unit, developing a night fire watch to count and report the physical presence of residents, and eventually no staff were required to oversee the project. The staff was available for giving assistance upon request. The residents virtually gained total autonomy in selecting and discharging residents and often selected serious escape risks who had previously not been considered eligible for the project by staff members. Twelve of the residents took on roles as social therapists and played key roles in the project confronting the men in the meetings with their deviant behavior. The social therapists became models for other residents to follow. They were more capable of access to the residents than staff members and eventually they requested training and supervision from the staff and were included in staff planning conferences.

The project was evaluated when seventy-five per cent of the residents over the four year project had been on parole for one year in the community. Those who had participated in the project were doing significantly better than the control group. Optimum time in treatment was nine months, and those who remained longer did no better than those who spent less time. The most important comparison made, though, was between those who had participated in the second two years of the program versus those who had participated in the first two years. The inmates who had been part of the project in its second two years, when it was administered primarily by other residents, were succeeding much better on parole than either of the other two categories.

The project director, Dennie L. Briggs, concluded the study by stating that there will never be enough professionals to work in corrections and that using professionals in the traditional manner is less effective than creating an independent growing community, and that if prison officials and professionals support a program of this nature there is no way of knowing how effective this type of structure can be.²⁶

The most significant difference between Briggs' project at Chino and the Grant experiment at Vaccaville was in their stated purposes. Chino was designed to create a therapeutic community

²⁶Dennie L. Briggs, "A Transitional Therapeutic Community for Young, Violent Offenders", The Howard League for Penal Reform, Undated.

in which individual offenders would be rehabilitated by the group influence of their peers. The New Careers Project had the expressed intention of providing social development training to inmates, followed by parole to a half-way house for additional training combined with correctional work in the community. At the start of the Vaccaville experiment it was thought that the men would be trained as "linkers"; that is, assistants to professional counselors, researchers, parole agents and others. If, as a result of the Chino Project, ex-offenders became correctional workers, it was a bonus feature. Implicit in the New Careers principles of operation was the belief that experience in the field can be an initial substitute for academic training.

The very beginnings of the Vaccaville Project presented significant problems, the first was that the use of facilities at San Quentin was denied, and the project's headquarters and training site was moved to the smaller prison at Vaccaville; thus the size of the experimental group was forced to be divided into three consecutive phases. Selection of inmates also caused problems. The judicial policy of indeterminate sentences made it difficult to obtain volunteers with closely coinciding release dates.

All inmates in the experiment were nearing the end of their sentences and were considered by the staff to be vacillating between commitment to conventional and criminal values. They had been convicted primarily of property offenses and several were well

on their way to becoming skilled, professional criminals, by their own description. The original feelings and attitudes of the inmates ranged from extreme optimism to uneasy suspicion.

Once in the Vaccaville institution the inmates lived in a self-contained wing of the prison and had to submit to the same custody regulations as the general inmate population to include counts, body searches and shake-down inspections of living quarters. As a rule the volunteers had the same privileges as the general inmate population, but on the whole they kept to themselves.

The unique features of Vaccaville's experimental program was that the trainees were told, from the beginning, that they were to be partners at every stage who would participate positively and be co-planners in the direction the course would take and in every aspect of it.

The real problem that had to be solved during the initial portion of the experiment revolved around the relationship between the volunteers and the project staff. The staff had to gain the inmate's trust and somehow get them to drop their defensive poses so that they could begin to work and learn. The trainees had little faith in their potential for learning and did not recognize their experience as being valuable. Out of the phase one or orientation portion of the program the training schedule was developed.

ACTIVITY	HOURS PER WEEK
Team and work study	30 1/2
Study groups	8
Living learning groups	7 1/2
Writing seminars and consultation	3
Social trends and issues	3
Group sharing of self study	2
Project progress review	1 1/2
Program planning and evaluation	1 1/2
TOTAL	57

The total group of trainees were divided into two-man teams each with a staff counselor. The most important activity was the team project with learning-by-doing basic to the program. The work involved research, analysis, conceptualization, formulation, and writing of proposals in sociological language. Examples of projects undertaken by the first group of trainees were a survey of inmate attitudes toward the prison group therapy sessions and reasons for dropouts in institutional academic programs. The second and third phases of the experiment had the benefit of having former trainees working in the community and therefore did not have to confine studies to institutional programs. They dealt with the development of non-professional and ex-offender aides in parole, alcoholic treatment and mental health programs. As part of the learning aspect such subjects as organizational change, interviewing techniques, and group dynamics were studied. The social trends and issues portion of training, designed to develop interest and involvement in issues outside the project itself and to stimulate

awareness of the larger social context in which the project was taking place, covered a wide range of topics such as the population explosion, alcoholism, the problems of automation and pollution. The trainees chose the subjects and developed presentations on their own. Surprisingly some of the better papers and presentations in the various areas were prepared by individuals with limited formal education. The idea of formal education versus street sense or experience was a constant problem for the staff. Normal personnel selection procedures gave primary consideration to those having the highest formal qualifications. Individuals in this category did not, however, do as well in the program as those who had a higher maturity level and enthusiasm for the project.

Ambivalent attitudes toward the program were prevalent in the minds of the trainees when entering the program. Ideas of helping kids, making something of my life, earlier parole, getting in good with the parole board are all examples of initial mental perspectives held by the trainees. As they became increasingly conscious of their own abilities, the trainees developed a sense of allegiance to a movement and an awareness of the multiplicity of problems waiting on the outside.

The first of the prison trained correctional workers left Vaccaville in May of 1963. The plan to use them as assistants to professionals did not develop; therefore a grant from the

Office of Economic Opportunity enabled the ex-offenders to be employed as technical assistants to various state agencies. The majority of the ex-offenders in reality, though, worked as salesmen of the New Careers concept to agency and civil service staffs.

Of the individuals released those who had the most difficult time adjusting were those whom the staff had expected to adjust most easily; that is those with middle-class backgrounds and who had done best at school. One conclusion drawn was that those who, before prison, had no chance because of their deprived surroundings were the ones who were able to forge ahead once the opportunity was given them.

Five years after the first individual came out of Vaccaville, thirteen of the eighteen trained personnel were still working in New Careers type activities, and only one of the other five had been reconvicted of a crime. The final conclusions drawn from the report was that the people who could benefit most from a Vaccaville type experience are those who have not achieved their potential because of lack of opportunity and encouragement. Of the three reactions to frustration, drugs and dreams, mental breakdown and delinquency, it is those in the last category who will be going in and out of prison. The program offered its participants a future outside of and beyond the group itself, but

that it required the carrying out of what had been learned within the group to others outside it.²⁷

Inmates as counselors. To this point in Chapter III the primary emphasis has been on prisoners influencing other prisoners operating within the institution. Information obtained from the American Correctional Association shows that over one-half of the State Department of Corrections send inmate talk teams into the community for the purpose of addressing various civic groups, educational institutions and groups of young people.²⁸

It is difficult if not impossible to judge the effectiveness of these type programs on the civilian community. The State of Colorado has developed a particularly strong program in this area. The primary reason for using Colorado's Crime Prevention Teen Program, Inc. in this report is that, unlike most other institutions which have similar programs, inmates from the Colorado State Penitentiary are unusually well prepared for their task. In April of 1966, with administration approval, the inmates of the Colorado State Penitentiary formed an organization that is referred to as the Crime Prevention Teen Program, Incorporated. From then to the present, the program is still controlled and operated by inmates. Its members have spoken to over a million people and have traveled

²⁷Nancy Hodkin, "The New Careers at Vaccaville: A California Experiment" The Howard League for Penal Reform, Undated.

²⁸Information received from the American Correctional Association, 12 March 1973.

over 200,000 miles throughout Colorado and several other states. There are usually three speakers per engagement. Each speaker tells his own story, especially that part dealing with his involvement in crime. Usually this takes between seven to ten minutes per individual. After all three have completed their stories, there is a question and answer period during which the audience may ask questions that might come into their minds. The team members answer all questions honestly and to the best of their ability.

To become a member of this organization, an inmate must first be interviewed by the Screening and Planning Board of the Dale Carnegie Alumni, which involves six inmates and the Alumni sponsor. If the inmate is approved for the Dale Carnegie course, he will spend fourteen weeks of his free time in classes on "How to Win Friends and Influence People, How to Stop Worrying, and Human Relations Techniques and Public Speaking." Upon completion of this course he must then apply for membership in the Dale Carnegie Alumni, faithfully attend meetings and participate in programs when called upon. After one month's membership in the Dale Carnegie Alumni, the individual may apply to the Inside Phase of the Crime Prevention Teen Program. The individual will again be carefully screened by inmate members as to whether he is acceptable as a member of this committee. If he is approved, his application will be forwarded to the Executive Committee of the overall program. He again must pass the majority vote of this group prior

to being accepted for the inside phase. The administration's advisor to the program has final approval of the individual's application. Approval granted, he will be assigned to the Inside Committee which is responsible for addressing visiting church, civic and social groups touring the penitentiary. After ninety days of participation with this section and a number of successful presentations to various groups, he may apply to become a member of the Outside Committee where more interviews and screening occurs. Personality, behavior, time served, time remaining on sentence, institutional progress, age crime committed, and general stability of the applicant is considered. If approved by the Outside Executive Committee, the individual is brought before the entire Crime Prevention Teen Program membership. He delivers a presentation just as he would if he were addressing a group of citizens on the outside. The candidate is critically evaluated and may be deferred from a month to several years. The final decision remains with the administration, but recommendations from the program members are heavily weighed.

At present, the Crime Prevention Teen Program, Incorporated, has thirty-one members whose crimes range from car theft, robbery, rape, drug abuse, and murder.²⁷

Project Yough was conceived in Massachusetts by an inmate serving a life sentence for murder in connection with an armed robbery. With persistent effort he started a program of individual one-to-one counseling of selected delinquent boys referred to him

²⁷ Information received from personal correspondence with the Colorado State Penitentiary, Canyon City, Colorado.

by the juvenile court. The first counseling took place in a cell. The procedure was for the convict in one or a series of sessions to relate as an interested friend to the boys difficulties and try to clear the folly and stupidity of types of responses that would inevitably lead to arrest, incarceration, and an unhappy wasted life and to emphasize the shame, monotony and futility of life behind prison walls. The project was officially recognized by the Massachusetts Department of Corrections in 1967 and began functioning under an advisory board. Other prisoners became part of an offender counseling panel. All of the inmates working in the project have had several months of instruction in counseling techniques.

The project changed direction several years after its inception, and presently it operates under a community coordinator and a staff liaison officer. Its primary duties now consist of receiving groups from the community to hear panel discussions by inmates followed by on-the-floor discussions in informal small groups. The responses of community participants have been favorable, and client contacts with counselors indicate that they, the client, benefited by their brief association with concerned father figures. No rigorous evaluative research using controls has been done, thus no empirical evidence on which to assess the specific kinds or duration of benefits of a program of this nature exists.²⁸

²⁸Morris, "The Involvement of Offenders in the Prevention and Correction of Criminal Behavior," p. 6.

In evaluating the appearance of panels of inmate speakers before school assemblies, civic groups, and church organizations, it is difficult to determine the reasons why people attend such a discussion. Students are somewhat of a captive audience brought by a teacher who wants to give his pupils a direct contact with reality by listening and learning from an individual who has experienced something out of the ordinary. It is possible that most people who voluntarily listen to an inmate at an organized affair do so because of the fictional aura of mystery and excitement that surrounds imprisoned men who are envisioned as a romantic stereotype of evil. The consequences of hearing inmate speakers may be good and useful. Their appearance and articulateness may dispel erroneous public opinions of what offenders and prisoners are really like and create public attitudes favorable to corrective rather than punitive methods of dealing with criminals.

In reality and regardless of whether the program is based in the community or in the prison, the true beneficiaries of these programs are the inmates themselves. To most people, adult or juvenile, the discussions do nothing more than reenforce their already existing commitment to non-violation of norms. For the percentage of the population already committed to deviant behavior, a talk by one with whom the delinquent can identify may arouse some doubt about the worth of a criminal course of action and perhaps even temporarily defer it, but would not likely have any

useful effect upon the persisting, underlying factors that cause the delinquent or criminal response. The inmate speakers, on the other hand, benefit from the change of pace in being temporarily away from the confines of prison. It demonstrates that someone has trust and confidence in them. They socialize with people holding anti-criminal values, receive recognition for contributing something to the community and gain new perspectives on their own lives while broadening their thoughts and interests.

Ex-Offender Programs It is difficult to determine or evaluate the impact that ex-offenders have had upon other ex-offenders, or for that matter, upon the total community. In fact, how many ex-offenders have, upon release from prison, given a part of their lives to assisting other inmates being released from prison is unknown. For many it has been a totally individual and unpublicized venture; others have consciously and purposely initiated programs designed to utilize their own experiences in and out of prison to assist others in readjusting to society and remaining unconfined. Offender self-help activities vary in their size, orientation and staying power. Some are well organized and established while others have appeared, shown promise and then faded from the scene. Programs such as the Seventh Step Foundation, which will be reviewed in depth later in this chapter, was organized totally by an ex-convict. The Norfolk Fellowship, on the other hand, is a professionally initiated organization which uses ex-offenders as rehabilitation agents. Organized in 1957 by the institution's Protestant Chaplain, the Norfolk Fellowship began by bringing people from the outside community into the prison to attend fellowship meetings with inmates after Sunday morning services. By 1960, the program had become non-sectarian in form. Community representatives who came into the meetings were called outmates. They began holding meetings outside of the prison to which inmates were invited as speakers. By 1965 the Fellowship included in its base, six permanent inmate led groups with participants drawn from a roster to which any inmate could join

as vacancies occurred. Highly structured small groups met in various sections of the prison as often as four times monthly. This elective program was called social education and the inmate-outmate ratio was frequently one-to-one. The general Sunday sessions continued but included less outmates because the social education group meetings were recognized as being more important to the rehabilitation process. In October of 1967 the Norfolk Fellowship took on a new, experimental program suggested by Norfolk's Warden, Henry J. Picard. The program was officially titled Project Re-Entry and was based upon the idea of allowing selected former inmates to return to the institution to participate in fellowship activities. During the next two years eighteen former inmates became part of the program. As the project received public notice, more and more ex-offenders requested permission to enter Norfolk as part of the Fellowship and it became necessary to develop a set of policies to foster the growth of what was to become a full scale operation. A conference of twenty-four ex-inmates, prison staff members, and parole officers determined that the ex-inmate could be used as a unique correctional resource who could help confined offenders in five basic ways:

- (1) Because of his own experience he is especially fitted to share the emotions of the inmate.
- (2) He could help the inmate examine the attitudes that got him into prison and if continued might lead to further criminality.

- (3) Because he had successfully overcome the difficulties of readjustment following confinement, he could offer the inmate a measure of hope for a successful future.
- (4) He could provide a positive figure with which the inmate could easily identify.
- (5) He could offer himself in fellowship like any other outmate.

Officially Project Re-Entry began on September 13, 1969. Ex-offenders, now members of the project, took part in all fellowship activities. The normal pattern for participation is that the ex-offenders meet bi-monthly and join in the discussions with any of the six permanent groups at Norfolk just as any other outmate, but he is known to the group as an ex-offender. He is frequently questioned about his experiences on the outside, problems of adjustment, parole procedures, employment practices and anything else of interest. Ex-offenders also participate in the social education and Sunday morning activities. An additional benefit which may be, in reality, the most important aspect of the ex-offender program at Norfolk is that it gives inmates the opportunity to talk with ex-inmates who have been successful. Inmates formerly heard and saw only the negative aspect of the outside, that is the recidivists who, for any number of reasons, were reconvicted or violated parole regulations. Now the inmates see success. The attitude of "he made it, so can I" prevails. It must be considered that these successful ex-inmates also influence the institutions' staff. Usually the only former inmates they see

are the ones who failed on the outside after release and are returned. Successful former inmates give the staff a feeling of job satisfaction. Both the inmates and the correctional staff feel the ex-offender is a positive force. They help inmates to achieve a better understanding of the realities and frustrations they will face and to see some of the ways in which these problems can be overcome. Project Re-Entry and the Norfolk Fellowship have not been without problems. Possible security violations were and still are a consideration even though they have been nonexistent, and if the warden of Norfolk had not been totally behind the project it is doubtful that Re-Entry would have been accepted by the correctional staff. Many inmates, even some who belonged to the Fellowship, had a mistrust of the ex-offenders and it took a significant period of time for the ex-offenders to be accepted by the inmates. Conferences held at Norfolk have pointed out several areas where ex-convicts can be used, not only at Norfolk, but in the overall field of corrections. These are in public relations where they can be effective in stimulating public interest and concern about the correctional process; and in both institutional and community work where they can work effectively as consultants and staff members. Their successful handling of problems and their experienced based insight into the difficulties facing offenders gives them unique qualifications to work with those confined in prison and those unconfined but still under correctional supervision in the community.²⁹

²⁹Telephone interview with George Bohlinger, Warden, Norfolk Correctional Institution, Norfolk, Massachusetts, March 12, 1973.

Another Massachusetts based, ex-offender staffed, self-help organization was originally initiated by Doctor Timothy Leary, while at Harvard University. When experimenting with the mind-expanding drug, psilocybin in 1961, Leary suggested that ex-offenders should form a close knit, emotionally interacting, and mutually supportive group. Leary left the program in 1963 and after a series of difficulties the Self-Development Group, Inc. was organized at the Massachusetts Correctional Institution at Concord. In 1965 approval was granted for an ex-offender organization to be established outside the institution. Special permission had to be given because the Massachusetts Penal Code forbids parolees to associate with one another.

The Self-Development Group today has a small, paid staff of ex-offenders who work with inmate groups in prisons, ex-offenders in the community, the wives and families of the confined and paroled and adjudicated youthful offenders. The Group is based on the premise that offenders, ex-offenders, and potential offenders can and will relate better to each other than with anyone else; and that the crime-oriented comradeship existing in prison and communities can be switched to a parallel track and turned into constructive associations. One of the obvious concepts also is that criminal behavior is a habit that can be changed. The Group is composed of and entirely run by convicts and ex-convicts; the only requirement for membership is a desire to stay out of prison and a willingness to help others do the same. The methodology used by the Self-Development Group is similar to that used by the Alcoholics Anonymous Association and Synanon

in that a counterconditioning principle is used to break a habit by coming to a clear understanding of what one's needs are, and by learning and substituting new constructive responses for old destructive ones. All of this is accomplished in an atmosphere of friendship, trust and reality. Members of the Group meet inmates upon their release, assist them in finding employment, and through its meetings provides an opportunity for the ex-inmate to freely express his needs, frustrations, fears and aggressions. The main advantage to the atmosphere provided by the group is that ex-offender counselors have shared these same experiences and can provide a concerned and supportive attitude.³⁰

There are many other private offender-initiated organizations designed to assist the released convict by taking advantage of the experiences of ex-offenders. The Fortune Society in New York, The Community Achievement and Improvement Group in San Diego, Efforts from Ex-Convicts in Washington D.C. and the Future Society in Canada are just a few that have received national notoriety. Of all these organizations, the Seventh Step Foundation, headquartered in Topeka, Kansas, is one of the best known and publically supported. A national organization of help and self-help for convicts and ex-convicts, the Seventh Step was founded by the late Wilbur Sewell, author of the book My Shadow Ran Fast under the pseudonym, Bill Sands. A product of a wealthy but broken home, Sands was forced to choose between parents

³⁰Morris, "The Involvement of Offenders in the Prevention and Correction of Criminal Behavior", pp. 12-13.

when they were divorced. As a youth, Sands was frequently beaten by his mother and "rebellion was born".³¹ In and out of jails and reform schools, at the age of twenty Sands was sentenced to spend the remainder of his life at the California State Penitentiary at San Quentin for four counts of armed robbery. Under the influence of Warden Clinton T. Duffy, Sands' attitude in prison changed from a hard convict to a man with a purpose.³² Sands spent only a few years in San Quentin. His prison experiences, however, became deeply ingrained in his very being. Work in the entertainment field interested several people to encourage Sands to write his autobiography primarily because at one time he had been the cellmate of Caryl Chessman. Always in the recesses of his mind was the desire to help convicts, particularly, the hard core incorrigibles. Sands made known his intentions to begin a program to use ex-convicts to help convicts to conclude his nightclub act in Kansas City. His words were:

I am an ex-convict. Almost twenty years ago I was released from San Quentin on parole, and nearly seventeen years ago that parole was discharged. In the intervening years I have led a diamond expedition into Venezuela, coached swimming teams in India, had big business in the United States, entertained in nightclubs, flown airplanes and driven racing cars--and I have contributed nothing. Tonight, I would like to change that.³³

In 1963 Bill Sands was introduced to seventy-five convicts at the United States Federal Penitentiary at Leavenworth, Kansas. The inmates were told Sands was an outsider who had something to say. His first words to an inmate audience were:

³¹Bill Sands, My Shadow Ran Fast, (Englewood Cliffs, New Jersey: Prentice-Hall, Inc., 1964), p. 11.

³²Ibid., Forward, viii.

³³Ibid., p. 175.

Fellows, I was introduced as an outsider. I don't feel like one. That's because twenty years ago I was Inmate Number 66836 in San Quentin. I was a convicted armed robber, several times over, with a previous record of armed robberies as a juvenile. I served my time then, as you're doing now. And was also what you'd call a solid con. I had no use for stool pigeons then, nor do I now. You can guess what my opinion of prison guards was at the time I was beaten by them in San Quentin prison. That basic opinion of brutal guards is unchanged today. So you see, I can't talk down to anyone here but I would like to make one thing clear. There may be men in this room who are institutionalized--who don't care whether or not they return to prison, if and when they get out. I have nothing to say to them. I am talking to the guys who feel as I felt--who want to get out and stay out. I can tell you how.³⁴

Several states were visited by Sands in an attempt to fully implement his plan. The State of Kansas specifically the Penitentiary at Lansing finally agreed to conditionally try his program. The first Seventh Step meetings were held once a week for a two hour time period and geared as a pre-release class for prisoners who would be released within a ninety day period. The convicts ranged from first timers in prison who had been confined for only a few years to five-time losers with more than twenty-five years in various institutions. As was his intention, Sands provided necessary guidance but allowed the convicts to determine their own program. This first group of inmates designed the seven steps to freedom, a guide, in effect, to remain free once released from prison.

- (1) Facing the truth about ourselves and the world around us, we decided we needed to change.
- (2) Realizing that there is a power from which we can gain strength, we decided to use that power.

³⁴Ibid., p. 184.

- (3) Evaluating ourselves by taking an honest self appraisal, we examined both our strengths and weaknesses.
- (4) Endeavoring to help ourselves overcome our weaknesses, we enlist the aid of that power to help us concentrate on our strengths.
- (5) Deciding that our freedom is worth more than our resentments, we are using that power to help free us from those resentments.
- (6) Observing that daily progress is necessary, we set an attainable goal towards which we can work each day.
- (7) Maintaining our own freedom, we pledge ourselves to help others as we have been helped.³⁵

Two basic aspects of the first Seventh Step classes produced the attitudes which still prevail in the foundation today, that the classes should be conducted by ex-convicts rather than correctional authorities because such a man knows what must be done, knows what it feels like to be out in the world, branded with a felony record, and because the men inside prison refuse, for the most part, to take moral lessons from the so-called do-gooders. Another premise basic to the foundation was and is the personal understanding that convicts must learn that he is going back to the same world he left, the same world he could not adjust to before. The world has not changed in his absence; if he is to merge with it, it is he who has to do the changing.³⁶

Bill Sands' book My Shadow Ran Fast is autobiographical in nature, and was a best-seller on the nation's non-fiction list for

³⁵Ibid., p. 205.

³⁶Ibid., p. 201.

several months. The sequel appropriately titled The Seventh Step, while not as widely popular, is of significance for a report of this nature because it concentrates on both the internal and external problems and difficulties in establishing a convict self-help program.

Regardless of Sands' idealistic yet practical intentions to use only ex-offenders in the Seventh Step program, he realized that a strong voluntary community based effort was necessary to effectively operate and expand the foundation. Kansas State Penal Law required that in order for a parole approved man to be released he must have guaranteed employment before discharge. This fact accounted for the large percentage of overdue men at Lansing who technically were on parole but unable to leave the institution because of lack of employment. The solution to this problem was to initiate an adjunct program titled Man-to-Man. The concept was for individual citizens in the community to attend several pre-release meetings then sponsor an inmate in the community. The program was ultimately successful but was not without problems, primarily because Sands at first allowed the volunteers to select those whom they chose to sponsor.

As described by Sands:

I invited the sponsor to pick their men. Most of them had been to class before, and they knew the man by sight. But they had no way of judging character among convicts. As soon as the selecting began, I saw they made a mistake. John Fisher, a dentist, who had attended two previous meetings, had clearly made up his mind beforehand. He walked right past...several... men I respected...and picked Gene Browning--one of the

joint's most notorious punks. I immediately understood why...Browning was only twenty-three years old, a first-time loser, gentle-looking and slight and neat. He looked for all the world like a college senior or a young writer. When I looked around, I saw that the sponsors, with practically no exceptions, were all making the same mistakes. They simply chose by the signs people use on the outside to judge men.³⁷

The solution to this problem was for the volunteers to sponsor overdue inmates, regardless of race, color, creed, or appearance, based strictly by order of oldest date in prison. The first in order was a fifty year old Negro convicted of rape. He was sponsored, released and two years later was still out; but Gene Browning, the cleancut punk and the first man sponsored out under the program was back within a year for repeating his crime of cartheft.³⁸

Sands also describes the conflict occurring at Lansing between his program and the custodial force. A petition had been circulated by a guard captain and signed by all of the guard lieutenants. It stated that the Seventh Step class in general and Bill Sands in particular, had destroyed the "rapport between the convict population and the custodial staff." The petition demanded the warden of Lansing prohibit Sands from entering the prison. Sands and his staff supporters interpreted the custodial reaction as being caused by a reduction in the prison practice of snitching or stool pigeoning.³⁹ The decision of the warden, as to the future of the program, was favorable to Sands and the foundation; from that point the Seventh

³⁷Bill Sands, The Seventh Step, (New York: The New American Library, Inc., 1967), pp. 85-86, 89.

³⁸Sands, The Seventh Step, pp. 88-89.

³⁹Ibid., pp. 78-79.

Step Foundation continued to expand and became well established at Lansing. A sizeable grant was contributed to the foundation by philanthropist W. Clement Stone of Chicago. This and numerous promotional television and radio appearances by Sands enabled the Seventh Step to become a significant force in the field of corrections. In 1965 the Foundation opened its first community based facility in Topeka, Kansas. Its purpose is to continue relationships developed in prison, and to provide assistance relating to employment, housing, clothing, financial problems, and general counseling.⁴⁰ Today the foundation has thirty-five chapters in eleven states and Canada. The following listing depicts representative states therein:

State	Number of Chapters
Arizona	2
California	10
Kansas	7
Ohio	3
Maryland	1
Michigan	1
Nebraska	1
Tennessee	1
Virginia	1
New Mexico	1
Indiana	1
Canada	6 ⁴¹

Important in the operation of the Seventh Step Foundation is the fact that the organization was founded by a convict to assist other convicts in and out of prison. The Seventh Step places a great deal of importance and emphasis on the term convict. Mr. Bill Larson, Director of the National Foundation emphatically states that only one half of

⁴⁰The National Seven Stepper, Volume 2, Number 2, May 1972, p. 10.

⁴¹The National Seven Stepper, Volume 1, Number 1, March 1972, pp. 10-11-12.

one per cent are real convicts, the rest of the institutional populations are inmates. He maintains that, in the prison community, the hard core convict stands at the highest level of inmate society, and that this factor is the element that has made the program workable and successful. All convicts are not exactly alike but there are some basic requirements that are necessary to achieve this status. Larson's description of the true convict is, a man's man, an individual who lives by a specific, strong and unshakeable set of principles from which he never waivers, a man who minds his own business and settles his own arguments, a man with unquestionable integrity. The one factor that is an absolute requirement in all convicts is total contempt for the prison administration. The true convict rejects any and all prison programs but at the same time is not considered a troublemaker.⁴² Vernon Bridges, Director of the Seventh Step Prison Programs, has spent twenty-seven of his forty-nine years in various institutions. He maintains that a cardinal rule of the convict is never to ingratiate yourself with any member of the institution's staff. Any cooperation, beyond the mere routine, is considered a violation of convict trust. Bridges noted that, as a convict, whenever he was approached by a member of the correctional staff he always maneuvered into a position where the conversation could be overheard by at least one other convict. This was to avoid any suspicion of collusion between a convict and the administration.⁴³

Both Larson and Bridges staunchly maintain that hard core convicts

⁴²Interview with Bill Larson, Seventh Step Foundation, Topeka, Kansas, March 9, 1973.

⁴³Interview with Vernon Bridges, Seventh Step Foundation, Topeka, Kansas, March 9, 1973

are the most influential individuals in the institution. Only a tacit series of compromises between the staff and the convicts allows the institution to be administered in relative order. It is important to recognize the Seventh Step concept of what the convict really is because the purpose of the program is to assist the convict or as he has been commonly known, the incorrigible. The basic operational procedure in the Seventh Step program, as conceptualized by Bill Sands, was to take advantage of the convicts strengths, that which distinguishes him as a hard core convict rather than an inmate. Sands believed that the character of the convict, that is, his integrity, principles and real manliness, could be redirected to getting and keeping him out of prison. Traditional correctional treatment methods had not been effective, and punishment only hardened the convict even more. In effect, the prison and its programs did not change the incorrigible. One of the principles of the convict code is based on the old adage that a man's word is his bond and that if a convict could be persuaded or influenced to give his word that he will remain "straight" once out of prison, then this was the first step to complete rehabilitation. The code is so strong and so entrenched in the convict that the promise to avoid criminality, given from one convict to another, cannot be broken.⁴⁴ Obviously this is an oversimplification of the foundations' method because it is a complicated process to convince the convict that he should change and redirect his efforts to

⁴⁴Interview with Bill Larson, Seventh Step Foundation, Topeka, Kansas, March 9, 1973.

remaining free. It is a process that requires realistic thinking and a desire to change by the convict and dedicated supportive assistance by a group of ex-convicts who have themselves changed and who sincerely want to see their former peers also change and successfully adjust to society.

As noted, the Seventh Step program was originally designed to deal strictly with the previously described convicts. The foundation changed direction after Bill Sands' death in 1969, for two basic reasons: (1) too few individuals in prison meet the criteria achieved by convicts; and (2) again, as previously noted, the convict as the most influential and respected member of prison society, can be effective in changing the lower stratas of the population. By allowing, in the words of Larson and Bridges, the "snakes" and "scorpions" (lower class inmates) of prison society to participate and share with convicts the experience of the Seventh Step in prison and benefit from the community assistance offered by ex-convicts, they can also remain free from incarceration. After nearly ten years of operation, the Seventh Step still maintains the premise that, because of his experiences, the convict and ex-convict can have a significant and lasting effect in contributing to the positive change in criminals. From the aspect of future planning, the Foundation envisions the need for a closer working relationship between the foundation and professionals working in corrections. To this date, in the opinion of the National Director, most professionals refuse to recognize the capabilities of an assistance oriented convict and ex-convict organization. Mr. Larson feels that the Seventh

Step and other similar organizations can only reach their full potential when combined in a total rehabilitation program and that ex-convict workers and professionals must recognize their complementary roles in order to assist individuals in changing their behavior and becoming useful, contributing members of society.⁴⁵

Ex-Offenders as Correctional Staff Members. It has not been determined where the ex-offender can be most influential in contributing to the correctional process. The very existence of walls, guards, gun towers and locked doors in a prison reduce the capability of originating and implementing effective treatment programs. The trend in corrections today is toward community based facilities where the many and varied community resources can be included in offender rehabilitation. In the community the ex-offender can act in a supportive supervisory role offering advice based on personal experience. Public agencies, concerned with preventive and corrective work with offenders are realizing the potential of and using ex-offenders as paid staff members in the community, particularly as assistants to probation and parole officers. Individuals in this category are normally referred to as probation or parole case aides. The State of California, since 1967, has been making use of ex-offenders and other indigenous personnel under a project titled

⁴⁵ Interview with Bill Larson, Seventh Step Foundation, Topeka, Kansas, March 9, 1973.

The Reduction of Delinquency through the Expansion of Opportunity.

It was planned from the beginning to utilize indigenous personnel to provide expanded services in the community to seriously delinquent minors who would probably otherwise be committed to institutions. Additional assistance is provided to the families of these juveniles. The project began with four teams composed of an experienced probation officer, in a supervisory role, and two probation aides. Each team supervised thirty youths aged thirteen to eighteen. Presently the project operates from three locations and consists of twenty-four teams supervising seven hundred and twenty cases. The director of the project was authorized to select both professionals and aides, and this contributed to the overall success of the program. Aides were chosen from a cross section of the community. The primary attributes desired in the aides were some form of past community involvement, openness, assertiveness, warmth, and a willingness to learn. The objective of the program obviously was to assist juveniles, an additional benefit was to develop the idealism and dedication of reformed criminals and community people. Aides are treated as equal partners and expected to participate meaningfully. Each has a desk the same size and color as the rest of the staff, a telephone, calling cards, a parking space, in a word he has status. While status is important, one of the significant problems is the lack of financial compensation for work done. Both professionals and aides do basically the same work and generally achieve the same results. California's pay scales for probation officers are, however, based primarily

on educational achievement. Most of the aides recognize that the lack of education is a major barrier to upward mobility. To encourage increasing skills through education projects, aides are given six hours weekly for this purpose. All forty-eight aides are attending junior college intending to hurdle this barrier. The attitude of the aides is one of meeting the problems of poverty and delinquency where the problems are. This provides experienced professionals with new insight into defining and meeting client needs. The advantages of having aides on the staff is that they bring vitality and worth to the program, they are seldom punctual but are impervious to a forty hour work week concentrating on getting the job done without worry of the number of hours spent on the job. The project director notes that the most amazing factor of all is that these individuals are working for a public agency, something for which they had little use before.⁴⁶

The Federal Probation Office in Chicago is conducting an experimental program with part-time aides, many recruited from the ranks of ex-probationers. These individuals work evenings and weekends exercising general supervision over probationers. The aides telephone reports to the central probation office where they are automatically recorded and available to probation officers. The general goals of the project are to examine the effects of using part-time indigenous para-professionals; including ex-offenders, as assistants

⁴⁶Morris, "The Involvement of Offenders in the Prevention and Correction of Criminal Behavior" pp. 20-21.

to probation officers. Primary interest centered on the effects of the program on clients, but additionally, the assistants are assessed to determine if they are changing in areas of job satisfaction, performance career aspirations, beliefs and attitudes.

As of June 1, 1970, forty-nine aides, supervised by two professionally trained probation officers, were providing direct services for one hundred and sixteen probationers, parolees, and mandatory releasees. Aides are recruited from neighborhoods with high delinquency rates. Ex-offenders cannot have a record of treason or bribery of a government official and must not be currently under correctional supervision. Additionally, they must not have been convicted of a crime for at least one year. Negative community references or evidence of gross psychopathology is also a disqualifying factor. Recruitment of aides has been successful to the point of establishing a waiting list. The aides have not received a great deal of formalized training because it would "bleed out" the very qualities that make the aide potentially effective. Instead, the overall format for training is designed to increase the individual's knowledge and understanding of the role of the helping person in a correctional setting and to increase his knowledge of various community resources and referral procedures. Also covered are the limits of his authority, his role in crisis situations, the relationship to staff, clients, and the community, and his part in case management. Training is given in decision making, problem identification, and the confidentiality of the client-worker relationship. The use of aides is presented as a positive perspective. The

conviction is that they are being utilized because they have much to contribute to the rehabilitation of offenders, rather than simply because there is a manpower shortage. Upon completion of training and orientation, the aide is administered a formal oath of office that signifies him as an officer of the court. While this ceremony does not necessarily mean much to the non-offender, it has special significance to the ex-offender aides because it is a positive and rehabilitative counterpart to the earlier legal ceremony, the trial, that deprived him of social status and stigmatized him for the rest of his life. It is overt recognition of new and initial confidence and trust that is being placed in his competence and fidelity to his job and pro-social way of life.

Probation aides have been able to establish positive working relationships with their clients. Most display a greater ability and skill to deal with the external needs of the client than in dealing with his inter and intrapersonal needs. Their ability to empathize and simply listen to problems has been of great benefit. Clients have been receptive to aide supervision even though it means more contacts with the probation office than is ordinarily required under normal probation supervision. Motivation is generally high among case aides, they have the ability to relate to clients and assist them with a variety of problems. The aides have initially welcomed and sought out close supervision, however, frustrations have confronted the aides because of the task of dealing with a myriad of social problems within the complex bureaucratic structure. Aides

have required significant assistance in recognizing and accepting the limitations and opportunities of their work, displaying severe anxieties when their client's intractable behavior results in arrest and probation violation. Group meetings of aides and supervisors, conducted in a free-wheeling, enthusiastic, and uninhibited atmosphere, have helped to alleviate the situation. As noted, the primary concern of a program of this nature is on its clients. Several questions are also to be answered--does the experience of being a probation aide professionalize the individual to the point that the attributes believed most useful in working with clients are obliterated? Or, are these attributes simply polished and enhanced by the experience, making them all the more productive? Two probation aides, both ex-offenders, have been accepted into full-time positions usually reserved for individuals with professional training. The first, while serving as an aide, received a Law Enforcement Assistance Act scholarship, graduated and is a full-time Illinois adult probation officer. The second, from case aide status, has been named chief counselor and director of a newly created federal program for alcoholic recovery service.⁴⁷

The State of Missouri, in 1970, hired its first full-time ex-offender at the state pre-release center on an experimental basis. The ex-offender's duties were to assist parole officers in understanding the feelings of the men about to be released and to supplement the critical shortage of professionally trained officers. The

⁴⁷Morris, "The Involvement of Offenders in the Prevention and Correction of Criminal Behavior", pp. 21-22.

ex-offender was considered more effective in the one-to-one counseling of certain individuals. The past experience of being incarcerated was considered important to the effectiveness of job accomplishment. Ex-offenders have been used in various parole and probation offices in other cities throughout the state. Their duties are traditional, including individual counseling, group therapy, and investigation. In St. Louis, an ex-offender was assigned a small, intensive, fifteen man caseload as a full-time parole officer. His success rate was as good and in some cases better than experienced professional parole officers. The only responsibility denied the ex-offender was that of issuing violation warrants on parolees. The ex-offender parole officer has the definite advantage of being able to acquire more information in a more rapid manner about an individual who had or was about to move into the area of a parole violation. This channel of information is often the unofficial neighborhood grapevine to which the professional officer is seldom privy. The ex-offender because of this source is able to intervene faster and in a more effective manner than professionals. Ex-offender probation aides in Missouri have frequently been considered more severe and authoritarian with their clients than regular probation officers. The explanation of this factor is that the ex-offender understands the emotional pain of incarceration and often feel that if there had been someone to establish firm and severe limits on their behavior they might not have suffered through the experience of prison. The ex-offender probation officer works with a sincere desire to keep probationers out of prison and will employ whatever methods

necessary to keep individuals from violating the terms of their community supervision resulting in incarceration.⁴⁸

The Missouri Department of Probation and Parole is responsible for operating the state pre-release center located at the Church Farm Correctional Institution near Jefferson City, Missouri. This facility employs an ex-offender parole aide who works with a parole officer as a team to prepare individuals to leave prison under parole supervision. The center is located in a wing of the Church Institution and while the concept of the program is more than worthwhile, its location within a prison complex is not conducive to an operation of this nature.

On March 15, 1972, an interview was conducted with Mr. David Blackwell, a twenty-four year old state parole officer and Mr. William Hunter, a parole aid, who served over eight years for second degree murder. Because they work as a team, the interview was conducted jointly. Both Blackwell and Hunter believed their varied backgrounds and orientations were complementary in accomplishing the purpose of the pre-release center. Mr. Hunter believed that his primary advantage in correctional work stemmed from the fact that he had been through the entire criminal justice system of arrest, trial, incarceration, and parole. Because of this, he feels he is in a position to better understand the position and problems of individuals about to be released from prison. Hunter also maintained that many inmates are open, frank, and communicate more

⁴⁸ Interview with James E. Markham, Missouri Department of Probation and Parole, Jefferson City, Missouri, March 15, 1973.

willingly with him because he is an ex-convict and they feel he will be more receptive to them. Mr. Blackwell noted that the ex-offender is particularly valuable in one-to-one and group counseling sessions because he can confront anti-social behavior from a realistic and experienced basis. Confrontation by a professional oftens results in the inmate making statements such as, "You don't know, you've never been there," in order to justify their behavior. The presence of an ex-convict prevents the inmate from using this tactic. Mr. Blackwell noted that one distinct function of the ex-convict is to act as a pro-social model, an example for the pre-releasees to observe. He is one who has successfully served his time, been released, readjusted to society and has now returned to prison, not as a parole violator or criminal, but to assist others. Mr. Hunter was familiar with the various ex-convict groups offering assistance to offenders and parolees but felt that his success within a state agency would lead to the employment of other ex-offenders within correctional systems. Both Blackwell and Hunter felt they provided a more realistic, effective service to their clients than if they worked individually.⁴⁹

The State of Missouri, Department of Probation and Parole, is actively seeking ex-offenders as employees within their system, and encouraging interested former convicts to increase their educational qualifications to gain status as full time employees.⁵⁰

⁴⁹Interview with David Blackwell and William Hunter, Missouri Department of Probation and Parole, Jefferson City, Missouri, March 15, 1973.

⁵⁰Interview with James E. Markham, Missouri Department of Probation and Parole, Jefferson City, Missouri, March 15, 1973.

CHAPTER IV

CONCLUSIONS

The purposes of this report were to examine the correctional portion of the criminal justice system to determine if offenders and ex-offenders can be effective agents of change in the correctional process. The study was based primarily on library research but interviews were conducted with ex-convicts working for both public and private agencies designed to assist those in prison and those under community supervision. Correctional administrators who supervise institutions or agencies where ex-convicts are employed or sponsor programs of inmate assistance, were also interviewed. Based upon rising recidivistic rates and increasing criminal activities, it is clear that while prisons legitimately punish offenders for their acts and prevent them from committing crimes while incarcerated, they do not, however, correct, rehabilitate, or resocialize anyone.

Prisons were originally created out of a humanistic desire to replace the more brutal forms of punishment, such as, execution, branding and maiming. Correctional institution programs have evolved from the punitive orientation through attempts to change prisons to places of penitence, centers of learning, and large industrial operations. Virtually all of these attempts have failed for any number of reasons, and have been replaced by a treatment orientation. The punitive aspects of prison life have always been retained whether desired or not. In corrections today there is still difficulty in determining the specific

purpose for its existence, and thus the operation of most institutions is based primarily on a series of compromises. Regardless of the orientation or idealistic desires of correctional workers, the very qualities that make a prison, such as walls, locked doors, gun towers, and guards prevent the implementation of effective correctional treatment programs.

The punishment orientation of imprisonment is on the wane, and is being replaced by a movement toward community based correctional facilities and programs, where the many and varied resources within the community may be brought to bear upon the problems of the individual.

The Theory of Differential Association is an attempt to explain criminal causation. As modified, it also describes a method that can contribute to the correctional and rehabilitative process. In regard to the subject matter of this report, Differential Association promotes the ideology that criminal or reformed criminal groups are more effective in changing offenders than correctional agencies. Differential Association must, however, be kept in its proper perspective for what it is, a theory. It is not a mandate to immediately begin an en masse hiring of former offenders as "expert" in the field. The critical shortage of manpower, in not only corrections but the entire range of human services, and the improper orientation of most correctional is reason to consider ex-offenders as potential sources of correctional manpower. Most correctional authorities agree that steady employment upon release from prison is an important factor in preventing recidivism. If correctional authorities expect business, industrial and governmental agencies to readily employ ex-convicts then corrections must also be ready and willing to hire qualified former offenders. The modification of human behavior is not an activity that one

individual performs upon another. If offenders are to be held responsible for their criminal actions, they also must be responsible for and participate in the changing of his behavior toward conformity with legal and social norms.

Rehabilitation as a desired purpose of correction, is hampered in its effectiveness by the inability of most correctional professionals to properly understand needs, desires, and problems of their clients. Inmates, as a rule, also dislike, mistrust, and do not cooperate with professionals in their attempt to conduct correctional treatment.

Group therapy, inmate self-government and advisory councils, self-help programs, and community talk teams aimed at crime prevention, are various methods by which inmates participate in their own rehabilitation. As a general rule, while programs of this nature contribute to reformation, they are only of value when combined in a total correctional treatment program.

It is difficult to determine how many ex-convicts have dedicated their time and energies in an individual and inpublicized way to assist those released from prison. The use of ex-offenders as members of correctional staffs, particularly in the community activities of probation and parole is increasing. There are other organizations, the majority of which are ex-offender initiated and operated, that assist prison releasees in securing employment, arranging for financial matters, and, in general, adjusting to society. The rationale for using ex-offenders

in correctional work is that, because of their background and experience with the criminal justice system from arrest and trial through imprisonment and parole, it puts them in a position to understand and communicate with their former peers. The ex-offender correctional worker speaks the same language and is from the same general background as his client. He acts as a pro-social model, an individual who has been through the system and who now, not only expresses pro-social values, but encourages others to do the same. He is an example of one who has been through the prison experience and has benefitted from it. The ex-offender may be the solution to the problem of resocializing and reintegrating criminals into the community.

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THE ROLE OF THE OFFENDER AND EX-OFFENDER
IN THE CRIMINAL JUSTICE SYSTEM

by

JOHN REID JOLLEY

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ABSTRACT

Jolley, John R., The Role of Offenders and Ex-offenders in the Correctional Process. Master of Arts (Department of Sociology), May 1972, Kansas State University, Manhattan, Kansas.

Purpose

The objectives of the report were: (1) to examine the purpose of prisons and programs designed to prepare individuals to return to society; (2) to review alternatives to imprisonment; (3) to establish the necessity and practicality of using convicts and ex-convicts as rehabilitation agents in prison programs, and employees of correctional agencies; (4) to review programs which use offenders and ex-offenders as agents of change.

Methods

Methods used to obtain information for this report were: (1) a review of materials including books, articles and papers presented in studies concerning the use of offenders and ex-offenders in various functions of the criminal justice system; (2) correspondence with administrators of programs employing offenders and ex-offenders as workers; (3) interviews conducted with prison administrators and directors of probation or parole departments who employ ex-offenders in various capacities and former offenders working in these or related capacities.

Findings

1. The commission of a crime is a social act and a social problem. Individuals who are effected by social problems can be effective in providing solutions to them.

2. The field of corrections is virtually unknown to the average citizen in the United States. The recidivistic rate of the criminal population and the increase in criminal activities indicates that society must do everything in its power to make the correctional process rehabilitative.

3. Corrections has been slow to change and is based on a series of compromises. The cause for this fact is that the purpose of corrections has not been firmly established and recognized,

4. The punitive reaction to crime is waning, and today's trend is toward a therapeutic ideology. The prison, however, is not conducive to a treatment modality.

5. Alternatives to confinement such as probation, work release, half-way houses, and parole allow the community to become involved in the resocialization process.

6. The Theory of Differential Association attempts to explain criminal causation. Modified, the theory describes a method contributing to the correctional process, specifying that reformed criminals are more effective in changing offenders than correctional agencies.

7. The critical shortage of manpower in corrections and all the human services, plus the improper orientation of many correctional employees gives cause to consider the ex-offender as a source of manpower.

8. The modification of behavior conducive to law breaking is changed only as the offender responds to his experiences. Offenders are involved in the correctional process and if the offender is considered responsible for his criminal behavior he must be responsible for changes in his behavior toward conformity with legal norms.

9. Rehabilitation, as a purpose of corrections, is hampered by the inability of many correctional professionals to understand the needs and problems of their clients. Inmates, generally, dislike, mistrust, and do not cooperate with professionals attempting to conduct correctional treatment.

10. Offender programs such as group therapy, inmate self-government, advisory councils and community talk teams are effective only when incorporated into a total correctional treatment plan.

11. Employing ex-convicts in probation and parole activities is increasing. Based upon their experiences with the criminal justice system, the ex-offender is capable of understanding the problems of parolees and probationers and communicating more effectively with them.

12. The former offender can function as a prosocial model, giving the client an example of someone who has successfully readjusted after release from prison and who is making a contribution to society.