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COMPREHENSIVE CORRECTIONAL TRAINING AND EMPLOYMENT ACT, 1972

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HEARING
BEFORE THE
COMMITTEE ON EMPLOYMENT,
MANPOWER, AND POVERTY
OF THE
COMMITTEE ON
LABOR AND PUBLIC WELFARE
UNITED STATES SENATE

NINETY-SECOND CONGRESS

SECOND SESSION

ON

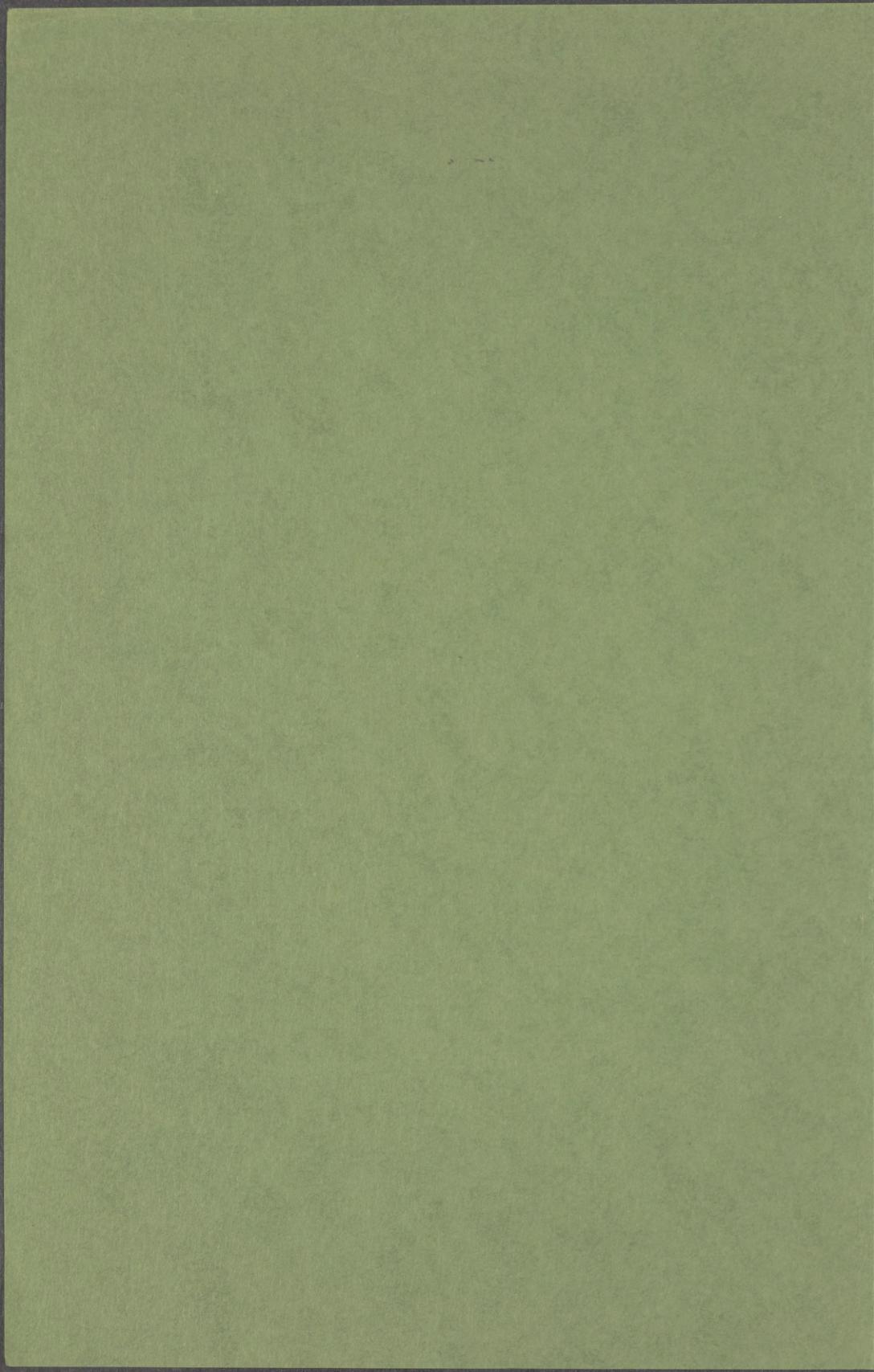
S. 2962

TO AMEND THE MANPOWER DEVELOPMENT AND TRAINING
ACT OF 1962 TO PROVIDE FINANCIAL ASSISTANCE FOR A
SPECIAL MANPOWER TRAINING AND EMPLOYMENT PROGRAM
FOR CRIMINAL OFFENDERS AND FOR PERSONS CHARGED
WITH CRIMES, AND FOR OTHER PURPOSES

JUNE 19, 1972

RIKERS ISLAND, N.Y.





COMPREHENSIVE CORRECTIONAL TRAINING
AND EMPLOYMENT ACT, 1972

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SUBCOMMITTEE ON EMPLOYMENT,
MANPOWER, AND POVERTY
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RIKERS ISLAND, N.Y.



Printed for the use of the Committee on Labor and Public Welfare

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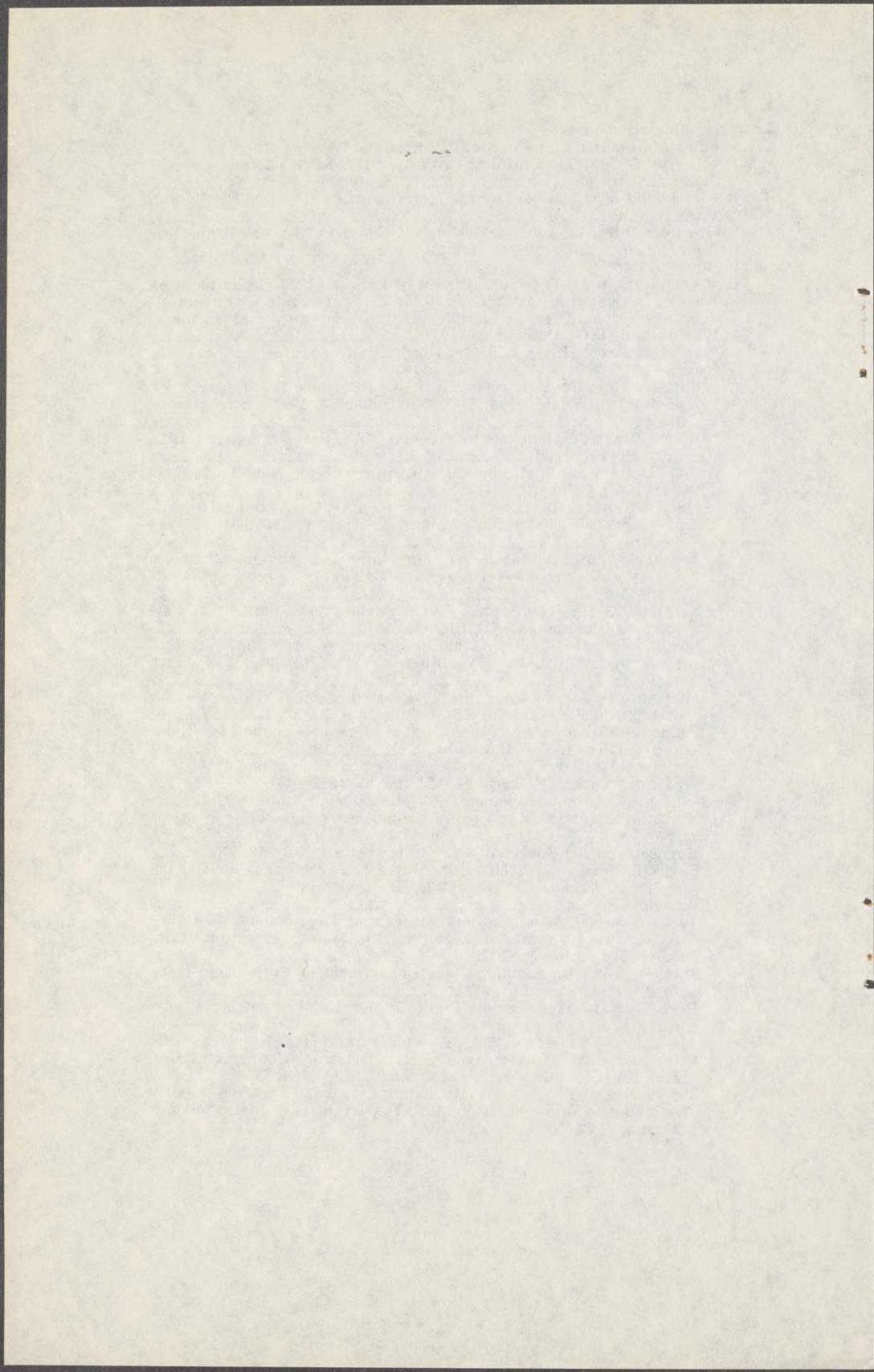
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COMPREHENSIVE CORRECTIONAL TRAINING AND EMPLOYMENT ACT, 1972

MONDAY, JUNE 19, 1972

U.S. SENATE,
SUBCOMMITTEE ON EMPLOYMENT, MANPOWER, AND POVERTY
OF THE COMMITTEE ON LABOR AND PUBLIC WELFARE,
Rikers Island, N. Y.

The subcommittee met at 10:30 a.m., at the New York City Correctional Institution for Men (Adult), Senator Jacob K. Javits, presiding pro tempore.

Committee staff present: John K. Scales, minority counsel.

Senator JAVITS. The hearing will come to order.

This is a hearing conducted pursuant to the authority of the Committee on Labor and Public Welfare of the U.S. Senate, the chairman of which is Senator Harrison A. Williams of New Jersey. I am the ranking minority member, and I have been authorized to conduct this hearing.

This hearing has been called to consider S. 2962, the Comprehensive Correctional Training and Employment Act, 1972, a bill which Senator Hart and I have introduced in the Senate, together with 17 other sponsors.

(A copy of S. 2962 follows:)

(1)

IN THE SENATE OF THE UNITED STATES

DECEMBER 7, 1971

Mr. JAVITS (for himself, Mr. HART, Mr. BAYH, Mr. BROOKE, Mr. BURDICK, Mr. CRANSTON, Mr. EAGLETON, Mr. JACKSON, Mr. KENNEDY, Mr. MCGOVERN, Mr. MONDALE, Mr. MUSKIE, Mr. NELSON, Mr. PELL, Mr. PERCY, Mr. RANDOLPH, Mr. STAFFORD, Mr. STEVENSON, and Mr. TUNNEY) introduced the following bill; which was read twice and referred to the Committees on Labor and Public Welfare and the Judiciary, sequentially (by unanimous consent)

A BILL

To amend the Manpower Development and Training Act of 1962 to provide financial assistance for a special manpower training and employment program for criminal offenders and for persons charged with crimes, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Comprehensive Correc-
4 tional Training and Employment Act".

5 SEC. 2. Part D of title II of the Manpower Development
6 and Training Act of 1962 is amended to read as follows:

II

1 "PART D—COMPREHENSIVE CORRECTIONAL TRAINING
2 AND EMPLOYMENT PROGRAMS

3 "FINDINGS AND STATEMENT OF PURPOSE

4 "SEC. 251. (a) The Congress hereby finds that—

5 " (1) the principal objective of the correctional sys-
6 tem in the United States is the rehabilitation of individ-
7 uals confined in correctional institutions under sentence
8 or while awaiting trial, sentenced to probation or released
9 on parole, in order to benefit the Nation, reduce recidi-
10 vism, and return such individuals to useful and self-
11 sustaining positions in the community;

12 " (2) effective manpower training and employment
13 programs with appropriate supportive services have been
14 identified by correctional experts and been demonstrated
15 as among the most critical elements of successful re-
16 habilitation.

17 " (3) although advances have been made in identi-
18 fying particular approaches which offer promise of real-
19 istically meeting the employment and training needs of
20 criminal offenders and persons charged with crimes, more
21 widespread use of such techniques, approaches, and
22 methods is necessary to deal adequately with the needs
23 of such individuals and to facilitate their return to the
24 community.

25 " (b) It is the purpose of this part to provide a com-

1 prehensive sequence of specialized manpower training and
2 employment programs and special supportive services for
3 criminal offenders and persons charged with crimes, as an
4 integral part of the correctional process and with the assist-
5 ance of the private sector, in order to improve employment
6 opportunities for such persons, to increase the effectiveness
7 of the correctional process and to better serve the Nation by
8 reducing recidivism.

9 "DEFINITIONS

10 "SEC. 252. As used in this part the term—

11 "(1) 'eligible individual' means any individual who
12 is charged with or convicted of any criminal offense,
13 including youthful offenders and juvenile delinquents;

14 "(2) 'eligible applicant' means any State or local
15 public agency or private agency or organization, includ-
16 ing State and local public correctional agencies, any
17 State vocational educational agency, any State voca-
18 tional rehabilitation agency, any State or local educa-
19 tional agency, any postsecondary training or educa-
20 tional institution, any skill center determined by the
21 Secretary to be qualified, any community action agency,
22 community development corporation or opportunities
23 industrial center, any business organization, and any
24 institution of higher education or any combination of
25 such agencies, organizations, or institutions;

1 “(2) manpower training and employment pro-
2 grams for eligible individuals sentenced to any form of
3 correctional institution, including prerelease and other
4 work programs outside the institution;

5 “(3) programs under which a full range of public
6 and private employment and advancement opportunities
7 are made available to eligible individuals, including pro-
8 vision for incentive payments and provision for reim-
9 bursement payments with respect to an eligible individ-
10 ual who is determined, under criteria established by the
11 Secretary, to be not fully productive initially in the
12 employment opportunity provided;

13 “(4) recruiting and training programs for profes-
14 sional and paraprofessional personnel for participation in
15 manpower training and employment programs eligible
16 for assistance under this part with priority to recruiting
17 former criminal offenders or persons charged with
18 crimes;

19 “(5) in consultation with State and local public
20 officials, manpower training and employment programs
21 for eligible individuals for employment in State and
22 local programs supported by Federal grant-in-aid pro-
23 grams;

24 “(6) research programs and the development and
25 broad utilization and dissemination of information relat-

1 ing to the training of, and the furnishing of employment
2 opportunities to, eligible individuals with particular em-
3 phasis upon impediments to employment and advance-
4 ment (including statutory impediments) and the re-
5 lationship between such training, employment, and
6 recidivism;

7 “(7) programs under which personnel of the local
8 offices of the United States Employment Service and
9 of other public and private placement agencies are
10 specifically trained to provide technical assistance in the
11 placement of eligible individuals seeking employment;

12 “(8) programs for the provision of manpower train-
13 ing and employment services in model community train-
14 ing and employment centers, including residential and
15 nonresidential centers and other community-based cen-
16 ters in which juvenile delinquents and youthful offenders
17 will participate in intensive programs of training and em-
18 ployment with supportive services, to assist such eligible
19 persons who need and can benefit from an unusually
20 intensive program, operated in a group setting;

21 “(9) programs providing bonding assistance as
22 surety for financial loss in the provision of training and
23 employment opportunities for eligible individuals; and

24 “(10) activities undertaking independent evalua-
25 tions of programs conducted or assisted under this part.

1 "FINANCIAL ASSISTANCE FOR MANPOWER TRAINING AND
2 EMPLOYMENT PROGRAMS

3 "SEC. 254. (a) In order to carry out section 253 the
4 Secretary is authorized to make grants to and to enter into
5 contracts or other arrangements with eligible applicants in
6 accordance with the provisions of this section.

7 "(b) Any eligible applicant desiring to receive financial
8 assistance under this part shall submit an application con-
9 sistent with basic criteria established by the Secretary under
10 section 255. Each such application shall, in accordance with
11 regulations promulgated by the Secretary—

12 "(1) insure that participants are provided with
13 such manpower training and employment assistance,
14 and, where appropriate supportive services (including
15 basic education, drug addiction or dependency rehabilita-
16 tion, health and other services) sufficient to enable them
17 to secure and retain meaningful employment in jobs for
18 which a demonstrated demand has been determined to
19 exist generally by such eligible applicant.

20 "(2) whenever feasible, provide for—

21 "(A) participation of representatives of indus-
22 try and labor, employment personnel from the pri-
23 vate sector of the economy, educational and voca-
24 tional educational personnel, and qualified correc-

1 tional personnel, in the development and conduct of
2 programs to be assisted;

3 “(B) maximum utilization of work experience,
4 work-release and cooperative training and the use
5 of training equipment comparable to that currently
6 used in the job for which training is furnished;

7 “(3) provide assurances that the applicant will
8 maintain and certify a record showing the training and
9 employment experience of the eligible individual;

10 “(4) provide assurances, where feasible, that prior
11 arrangements have been made with appropriate parole,
12 probationary or judicial authority for release of partici-
13 pating eligible individuals upon satisfactory completion
14 of training;

15 “(5) provide assurances that, where appropriate,
16 the applicant will provide (itself or by contract or other
17 arrangement) for additional manpower training and
18 supportive services for such individuals, for a period of
19 no less than twelve months following release from
20 charges or a correctional institution but in no case shall
21 such additional training exceed twenty-four months fol-
22 lowing such release;

23 “(6) provide wherever appropriate for the utiliza-
24 tion of professional and paraprofessional personnel
25 trained under this part;

1 “(7) provide for appropriate monitoring procedures
2 on a quarterly basis and for an independent evaluation
3 of programs for which assistance is provided;

4 “(8) set forth policies and procedures which assure
5 that Federal funds made available under this part for
6 any fiscal year will be used to supplement, and to the
7 extent practicable, increase the level of other public funds
8 that would, in the absence of such Federal funds, be
9 available for the purpose of this part, and in no case
10 supplant such funds;

11 “(9) set forth such fiscal control and fund account-
12 ing procedures as may be necessary to assure proper
13 disbursement and accounting of Federal funds paid to the
14 eligible applicant (including such funds paid by the
15 eligible applicant to any agency of a political subdivision
16 of such eligible applicant) under this part; and

17 “(10) provide for such reasonable reports, includ-
18 ing reports containing the information required under
19 section 261 (a), in such form and containing such infor-
20 mation as the Secretary may reasonably require to carry
21 out his functions under this part and for keeping such
22 records and for affording such access thereto as the
23 Secretary may find necessary to assure the correctness
24 and verification of such reports.

1 broadly representative of business, labor, and the public
2 interest; and

3 “(4) insures that programs provide equitably for
4 various segments of the population of eligible individu-
5 als, including but not limited to those with past records
6 of unemployment, irregular employment or employment
7 at unskilled levels.

8 “EQUITABLE DISTRIBUTION OF ASSISTANCE

9 “SEC. 256. The Secretary shall establish criteria de-
10 signed to achieve an equitable distribution of assistance
11 among the States under this part. In developing such criteria
12 as are appropriate for each part, he shall consider, among
13 other relevant factors, relative crime rates and the ratio be-
14 tween the numbers of persons confined in correctional institu-
15 tions, on probation, on parole, or charged with crimes within
16 the State and the number of such persons within the Nation.
17 No State shall receive more than 15 per centum of funds ap-
18 propriated under this title.

19 “LIMITATIONS ON FEDERAL ASSISTANCE

20 “SEC. 257. Federal financial assistance to any program
21 or activity carried out pursuant to this part shall not exceed
22 90 per centum of the cost of such program or activity, includ-
23 ing costs of administration. The Secretary may, however, ap-
24 prove assistance in excess of that percentage if he determines,
25 pursuant to regulations establishing objective criteria for such

1 determinations, that a greater Federal contribution is neces-
2 sary in furtherance of the purposes of this part. Non-Federal
3 contributions may be in cash or in kind, fairly evaluated,
4 including but not limited to plant, equipment, and services.

5 "SPECIAL MANPOWER MODEL TRAINING AND EMPLOYMENT
6 PROGRAMS IN FEDERAL CORRECTIONAL INSTITUTIONS

7 "SEC. 258. The Secretary is authorized, pursuant to
8 agreements entered into with the Attorney General, and the
9 Secretary of Health, Education, and Welfare, to conduct
10 special model programs, consistent with the provisions and
11 purposes of this part, for eligible individuals in Federal cor-
12 rectional institutions and in the Federal court system.

13 "AVAILABILITY OF EMPLOYMENT OPPORTUNITIES
14 SECTOR

15 "SEC. 259. The Secretary shall insure that due consid-
16 eration is given to applications for programs serving eligible
17 individuals submitted for on-the-job training programs and
18 other employment programs conducted under this Act and
19 the Economic Opportunity Act of 1964, as amended, and
20 the Emergency Employment Act of 1971.

21 "COORDINATION AND PROGRAM LINKAGES

22 "SEC. 260. (a) The Secretary and the Attorney General
23 shall enter into such agreements and make whatever
24 arrangements are necessary to assure the combining of re-
25 sources and maximum coordination and joint planning be-

1 tween programs conducted and assisted pursuant to this part,
2 programs assisted pursuant to parts C and E of title I of the
3 Omnibus Crime Control and Safe Streets Act of 1968, as
4 amended, the Juvenile Delinquency Prevention and Control
5 Act of 1968, as amended, and other related provisions of
6 Federal law.

7 “(b) Pursuant to agreements entered into between the
8 Secretary of Labor and the Secretary of Health, Education,
9 and Welfare, the Secretary of Health, Education, and Wel-
10 fare shall make arrangements for education for eligible in-
11 dividuals participating in programs assisted under this part
12 and shall establish linkages between programs conducted
13 under this part and under education, vocational rehabilitation,
14 mental health and similar related programs.

15 “(c) The Secretary is authorized to enter into arrange-
16 ments, including provision for reimbursement, with the Direc-
17 tor of ACTION under which volunteers recruited by the
18 Director are made available to assist in the operation of pro-
19 grams conducted or assisted by the Secretary under this part.

20 “(d) In providing assistance under this part, the Sec-
21 retary is authorized to make such arrangements as are neces-
22 sary to insure maximum coordination and joint planning
23 between programs conducted and assisted under this part
24 within each State.

1 "STUDIES AND REPORTS

2 "SEC. 261. (a) The Secretary, in consultation with
3 the Attorney General and the Secretary of Health, Educa-
4 tion, and Welfare shall conduct a continuing evaluation de-
5 signed to measure the effect of programs conducted or
6 assisted by him under this part and shall submit to the Pres-
7 ident and to the Congress annually a detailed report setting
8 forth the results of such evaluation.

9 "(b) The Secretary, through the Bureau of Labor Sta-
10 tistics, shall compile relevant information on the employ-
11 ment opportunities (including the length of employment)
12 of criminal offenders upon their release from confinement
13 and shall publish the results of the information obtained
14 pursuant to this subsection in the report required under sub-
15 section (a) of this section.

16 "(c) The Chairman of the United States Civil Service
17 Commission, in consultation with the Secretary, shall report
18 to the President and to the Congress no later than six months
19 from the effective date of this part on the extent to which
20 and manner in which (including any recommendation for
21 legislation) employment opportunities for criminal offenders
22 may be increased in the Federal service, with special refer-
23 ence to the criteria used in determining the suitability of
24 criminal offenders for Federal employment.

"PAYMENTS

1

2 "SEC. 262. (a) From the sums appropriated pursuant
3 to section 264, the Secretary shall pay to each applicant
4 which has an application approved under section 254 the
5 Federal share specified in section 256 of the cost of such
6 application.

7 "(b) Payments under this part may be made in install-
8 ments and in advance or by way of reimbursement, with
9 necessary adjustments on account of overpayments or under-
10 payments.

11

"WITHOLDING

12 "SEC. 263. Whenever the Secretary, after reasonable
13 notice and opportunity for hearing to any applicant, finds
14 that there has been a failure to comply substantially with any
15 provision set forth in the application approved under section
16 254, the Secretary shall notify the applicant that further pay-
17 ments will not be made to the applicant under this part until
18 he is satisfied that there is no longer any such failure to
19 comply. Until he is so satisfied, no further payments shall be
20 made to the applicant under this part.

21

"AUTHORIZATION OF APPROPRIATIONS

22 "SEC. 264. There are authorized to be appropriated for
23 the purposes of this part \$40,000,000 for the fiscal year end-
24 ing June 30, 1972, \$100,000,000 for the fiscal year ending

1 June 30, 1973, and \$200,000,000 for the fiscal year ending
2 June 30, 1974.”

3 SEC. 3. Title III of the Manpower Development and
4 Training Act of 1962 is amended by adding at the end
5 thereof the following new section:

6 “APPLICABILITY

7 “SEC. 311. The provisions of this title shall not apply
8 to part D of title II of this Act.”

9 SEC. 4. (a) Section 8 of the Act entitled “An Act
10 to provide for the establishment of a national employment
11 system and for cooperation with the States in the promotion
12 of such system, and for other purposes”, approved June 6,
13 1933, as amended, is amended by adding after the second
14 sentence thereof the following new sentence: “Such plan
15 shall include, in addition, provision for the designation and
16 assignment of necessary personnel for the promotion and
17 development of employment opportunities and placement
18 services for criminal offenders and persons charged with
19 crimes in such State upon their release and for job counseling
20 for such offenders prior to their release.”

21 (b) The Secretary of Labor shall report to the Congress
22 no later than six months prior to the effective date of the
23 Comprehensive Correctional Training and Employment Act

1 on the implementation of the requirement imposed by sub-
2 section (a).

3 SEC. 5. Part E of title II of the Manpower Development
4 and Training Act of 1962 is amended by striking out "SEC.
5 261." and inserting in lieu thereof "SEC. 271."

Senator JAVITS. The bill could provide a total of \$340 million over a 3-year period for a comprehensive effort of training and employment opportunities for offenders and persons charged with crimes, including work release and related programs for incarcerated offenders, jobs in the public and private sectors, pretrial intervention and probation programs, and other activities.

Its emphasis is on those activities that are truly job related including the use of up-to-date equipment, and the full involvement of the private sector.

We hold this hearing at Rikers Island because it is here that one of the most important existing efforts in the field of manpower training for offenders is based.

This program, which is funded jointly by the Department of Labor and the Department of Health, Education, and Welfare through State and local educational, manpower, and correctional agencies, currently provides courses in woodworking, machine operation, and metal fabrication to 80 inmates between the ages of 18 and 48, over approximately 6-month period.

In contrast, at any given time there are approximately 8,000 persons at Rikers Island.

Since it began in October 1965 lack of funds has forced the program to close down a number of times.

The current program commenced in August 1971 and will be up for renewal in August of this year.

Thus it is a symbol both of the great promise that these efforts hold and of the shortcomings that arise from lack of adequate Federal assistance.

The Federal Government is currently spending approximately \$40 million nationwide in manpower training funds for offenders—approximately 1 percent of the \$4 billion spent annually on manpower training and related services generally—although offenders are among the most disadvantaged elements of our society.

Again, in terms of crime prevention and corrections since 1970 we have raised the total amount spent annually on those items by more than a billion dollars, from \$856 million in fiscal 1970 to \$1.9 billion in fiscal 1972. But our expenditures for manpower programs for offenders has been increased by only \$35 million in the same period, from \$5 million in fiscal 1970 to \$40 million in fiscal 1972. In short, we have applied only 4 percent of more than a billion dollars in new anticrime money to manpower training and employment programs.

There are currently in the Nation 4,037 local jails—of which 75 are in New York State. A survey of such jails nationally has established that 89 percent lack any educational or training facility at all.

There are in the Nation currently 160,000 inmates in local jails of which 17,399 are in local institutions in this State. In general 85 percent of inmates in these and other institutions lack any marketable skill and have not finished high school.

Upon release—and more than 19 out of 20 offenders in the Nation are eventually released—offenders face an incredible maze of obstacles which prevent employment, ranging from State and local laws, regulations, and licenses, and punitive attitudes as well as other forms of discrimination.

The unemployment rate of ex-offenders is three to four times that of other groups.

It is not surprising that two out of every three confined in correctional institutions are repeaters. The cost of recidivism to society, as to the individuals involved, is therefore staggering.

The American Correctional Association has estimated that it takes \$11,000 a year to keep a family head in prison, taking into account the loss of earnings, the cost of keeping him in jail, the cost to the taxpayers if his family goes on welfare and the loss of taxes he would otherwise pay.

This figure does not even take into account the personal or property loss that may have accompanied the crime.

We can put an end for many to this cycle of crime, poverty, welfare, drug addiction, recidivism, and individual and societal hardship.

Training programs conducted under existing demonstration authority of the Manpower Development and Training Act of 1962 by the Departments of Labor and Health, Education, and Welfare and other agencies have cut the recidivism rate by as much as one-half.

But such training must be related to an actual job and we must additionally provide jobs to ex-offenders on a dramatically new scale.

Approximately 137,000 persons leave the prisons of our Nation each year.

We can and must provide jobs if possible for every one of them, if we are ever going to bring the recidivism rate down materially.

To that end my bill authorizes funding of public service jobs as well as job development programs in the private sector and it is my intention to further buttress that effort by moving to set aside for ex-offenders a quotient of public service jobs that may be created in future public service employment legislation.

But, the key remains the regular private and public sectors which are still bogged down in discriminatory practices.

It is my intention as a supplement to this legislation to call in the near future a meeting of the business and labor leaders of this State, as well as public employers, to pin down firm commitments for jobs for offenders released from Federal, State, and local institutions in this State.

And I urge the President to do that same thing on the national level. Some say that the provision of such opportunities could act to reward crime.

I disagree. Any person released from a correctional institution should be regarded as having completed his debt to society. To deny him or her the opportunity for employment accorded to citizens generally is merely to continue the punishment in the most counterproductive and shortsighted way.

When one talks with those held here—as we will today—it is tragically evident that they want to return to the community and make good even more than we want them to.

I urge that the Federal Government consider the Rikers Island program as one that has indicated sufficient promise to be expanded into a model program so that we can demonstrate what a fully financed training program, linked to a commitment from the community for jobs, can really accomplish.

I am most grateful to Senator Gaylord Nelson, Chairman of the Subcommittee on Employment, Manpower, and Poverty for permitting me, as a member of that subcommittee and ranking minority

member of the parent Committee on Labor and Public Welfare, to chair this hearing.

We will hear today from a number of distinguished experts in this field, including those participating in administering this program, persons who are attempting to deal with the problems of the offender after his release, and, importantly, from some of the inmates participating in this program as well.

I wish to simply make three announcements before we start: First I know of no single aspect of rehabilitation more important in relationship to recidivism with respect to those confined to these institutions than a connection with jobs at the other end.

It is interesting to note among the most significant manpower programs is that conducted by the Rev. Leon Sullivan of Philadelphia, the Opportunities Industrialization Centers which, notwithstanding the fact that they have no stipend for the individual study, have had the greatest success in attracting trainees and connecting them with the job.

We certainly would like to emulate that.

Secondly, that though my bill does not provide for jobs in the public sector, I will make every effort in connection with public service employment legislation to provide a minimum of 25,000 jobs for those who are inmates of institutions like this in the public sector.

Finally, I wish to announce that I shall do my utmost to pick one of the graduate trainees for work in my own office, either in New York or Washington; and I will interview the most likely candidates and practice what I preach myself, notwithstanding the limitations of my staff.

One of the important barriers to be broken through is the fear of hiring those who have served in a correctional institution. I might add, this applies also to drug addicts who have been rehabilitated and find it very difficult to get jobs.

That is the framework within which we will take our testimony today and I would like to invite Senator Dunn, who heads the appropriate State committee, who is here, to join me if he would be kind enough to do it, and when the Congressman arrives, I will ask him to join me in hearing the witnesses.

At this point in the record I order printed the prepared statements of Senator Hart, Senator Bayh, and Senator Tunney each of whom have co-sponsored this legislation.

(The prepared statements follow:)

PREPARED STATEMENT OF HON. PHILIP A. HART, A U.S. SENATOR
FROM THE STATE OF MICHIGAN

This hearing called by Senator Javits will illustrate in more vivid fashion than could a dozen speeches on the Senate floor the critical importance of manpower training programs and related support activities for meaningful reform of our correctional system. As I indicated when S. 2962 was introduced by Senator Javits and 18 other Senators, including myself, concentration of our resources and efforts in the area of training and employment is probably the single most important opportunity to break the cycle of recidivism which haunts our Nation's prisons. This bill, along with the pretrial diversion measure introduced by Senator Burdick, could form the basis for truly significant Federal penal reform.

Hopefully, these hearings will help convince our colleagues that the time has come to take such a step. I request permission to insert in the hearing record at this point my remarks upon introduction of S. 2962.

[From the Congressional Record—Senate, Washington, Dec. 7, 1971]

Mr. HART. Mr. President, for too long prison reform in America has been like Mark Twain's observation on the weather. Everyone talks about it, very little is done.

Over and over, Presidential commissions and expert studies tell us that our correctional systems do not correct. The file cabinets of Washington overflow with that finding. Yet to date the response has been a token, totally inadequate one. Recent tragedies at Attica and other institutions only underline our failure to make prisons decent places of true rehabilitation.

The bill introduced today by Senator JAVITS and myself zeros in on useful skills and employment assistance to criminal offenders—the area long recognized as perhaps the most critical ingredient of successful rehabilitation.

Some may shortsightedly call this "coddling criminals." But I can think of no more foolish mistake we can make in the protection of the public safety than to withhold adequate resources and energy from offender rehabilitation on that ground. Almost two-thirds of those now in prison have been there before. We should know not merely how many men are sent to jail, but what kind of men emerge.

Manpower training programs for prisoners do exist, of course, on a fragmented and uneven basis. But this area of effect must be given priority, while improved correctional institutions are developed and other important services provided. Particularly while our economy is in disarray, the problems faced by an unskilled ex-offender who seeks to go straight are enormous.

One of these problems is the man's criminal record itself, which is often an almost insurmountable hurdle to employment. The junior Senator from North Dakota (Mr. BURDICK) has introduced a bill to remove that hindrance as far as possible for offenders who can demonstrate good conduct since their release. And under the leadership of the Senator from North Dakota, his subcommittee of the Judiciary on penitentiaries has advanced legislation on many other fronts to facilitate successful rehabilitation.

With his backing, and the other bipartisan support behind this bill I hope that we can pass this measure promptly in the next session. It provides a comprehensive range of training and employment services at every stage of the criminal justice process—with emphasis on early intervention for those who can be diverted to constructive employment or schooling prior to incarceration. In addition, priority will be given to funding programs which have lined up job opportunities for those in training. All applicants for Federal assistance under this act will be required to involve the local business community correctional officials, and the potential trainees in planning and executive programs.

Hopefully, with this bill we can begin to help offenders turn away from careers of crime. Put more bluntly, perhaps we can reduce the number of "graduate degrees in crime" which is all the prison release papers now seem to constitute.

PREPARED STATEMENT OF HON. BIRCH BAYH, A U.S. SENATOR FROM THE STATE OF INDIANA

The harshest and most discriminating punishment received by most of those incarcerated within American prisons may not be that of being compelled to spend a portion of their lives in confinement, but rather that of being denied even the potentiality of ever becoming a successful member of the society which has censured them and into which they eventually will be released. At least 95 percent of prison inmates return to society. An illiterate and unskilled exconvict is unable to find the employment which is so important to his successful reabsorption into the community. Statistics indicate that 70 to 80 percent of prison inmates will reappear in the criminal justice process at some time after release; and, one must conclude that a significant reason is the failure of prison manpower training and employment programs.

In every correctional institution in the United States, the majority of inmates suffer under the handicap imposed by meager or non-existent vocational skills. Unfortunately, the U.S. Department of Labor has predicted that, by 1975, the unskilled labor market will utilize less than 5 percent of the entire work force (as compared with 17 percent in 1963). Obviously, without vocational training, the released inmate's possibility of employment grows more improbable and the return to crime more likely.

Almost from the time prisons were first established to replace corporal punishment, it has been said that men are confined as punishment, not for punishment. Their imprisonment is supposed to serve a good purpose—rehabilitation. Most certainly that purpose is not being satisfactorily realized.

Idleness, make-work, housekeeping and training unrelated to job realities are usually what face a man when he enters prison. The prisoner's problem are compounded when he is released, usually without any money or negotiable skills. Most employment in prisons is simple housekeeping. The maintenance of the institution overcomes the rehabilitative purposes of its existence. A recent article in the *Prison Journal* noted:

The public image of state prisons as bee-hives of productive activity, with "cons" working long hours manufacturing auto tags, road signs, brooms and clothing, is largely erroneous. Even the few so employed seldom work more than six hours a day. The rest are subjected to the demoralizing and wasteful assignment of trying to appear busy at housekeeping tasks, most of which can be completed easily in the first hour or two of the work period . . .

Although we have finally come to realize that poverty and lack of job skills are among the prime determinants in producing criminals, a major part of the remedy this Nation now prescribes is imprisonment for many years under situations where offenders are plunged into even deeper poverty, denied real job training or experience, and made more bitter because of the menial, meaningless work they are forced to do at less than peonage wages. President Nixon's Task Force on Prisoner Rehabilitation recognized that effective vocational programs are crucial to the reduction of recidivism. The task force report concluded that, "Satisfying work experience for institutionalized offenders . . . and the assurance of decent jobs for released offenders should be at the heart of the correctional process."

The fact that employment problems are a major factor in recidivism was documented by a study of Federal prisoners for the U.S. Department of Labor's Manpower Administration. The study, entitled "Employment Problems of Released Prisoners," revealed many significant facts. Among its findings were as follows:

The majority of men leaving prison did not have prearranged jobs. Most of those who did were parolees; having a job traditionally has been a requirement for parole. Most prearranged jobs were obtained through the help of the prisoner's family, friends, and former employers. Correctional institutions, probation-parole officers, and State employment agencies provided minimal assistance.

Over half of the ex-offenders had one or more periods of unemployment. They required a median of 29 days to find their first job.

Unemployment was a major factor contributing to new violations of the law by former prisoners.

Inadequate supervision by the corrections systems contributed to failure by ex-offenders to find and hold jobs.

Although this is the most recent comprehensive study of its kind, it should be noted that the basic data for this survey are now at least 5 years old. Since then, a number of government programs have been brought to bear on the problems of former offenders. Among these are the federally funded JOBS program, the concentrated employment program, New Careers, and the work incentive program. Generally, these programs seek out the hard-core unemployed and prepare them for jobs. Also, the Labor Department specifies that a majority of Manpower Development and Training Act (MDTA) enrollees be disadvantaged, and MDTA is now providing modern training for a limited number of inmates in prisons around the country.

The Federal work training programs are obviously having some impact. However, these programs affect only a handful of criminal offenders. They are a beginning, but a more comprehensive system is needed.

S. 2962, the Comprehensive Correctional Training and Employment Act, provides for specialized manpower training and employment services at every stage of the correctional process. This legislation would also substantially increase Federal funding for offender programs. Particular emphasis would be placed on those elements of manpower training and employment programs which have been demonstrated to be particularly effective in rehabilitating offenders.

S. 2962 provides for a needed reform. I believe it is imperative that we recognize that the failure to obtain and maintain suitable employment goes hand in hand with recidivism. If recidivism is to be meaningfully reduced, the released prisoner must be trained in terms of his ability, placed on the right job, and provided with the sustained support he needs to keep that job. The vast majority of inmates return to society. They must compete for jobs with those who have never been deprived of many normal opportunities and much of the motivation for self-improvement. I believe that we have an obligation as a nation to see that our offenders be afforded the employment opportunities they need to function successfully in society.

PREPARED STATEMENT OF HON. JOHN V. TUNNEY, A
U.S. SENATOR FROM THE STATE OF CALIFORNIA

Mr. Chairman and members of the committee, I wish to thank you for allowing me to present the following testimony:

It is no secret that America's correctional system is a national disgrace. Existing prison conditions are causing dissatisfaction and disruption behind prison walls, resulting in violent prison outbreaks such as we have seen at Attica, Rahway, and many of our other correctional institutions. They are also contributing significantly to our ever-climbing crime rate.

Nineteen out of 20 prisoners are eventually released from prison, yet, it is estimated, that two-thirds of these will then commit additional and often more serious crimes upon release. In fact, it is said that four out of every five crimes are committed by these "alumni" of our correctional institutions. In truth, then, our so-called correctional institutions are not rehabilitating our prisoners at all, but rather returning them to society even more deviant, disturbed, and less able to adjust to community life than when they first entered.

Although California has one of the most progressive corrections systems in the Nation, our correctional institutions do have severe problems as evidenced by the violent outbreaks not too long ago at Soledad and San Quentin. For example, we have a serious problem of unemployment which affects our State's population as a whole, but which, of course, has a more severe impact on our offender population, who notoriously have a much more difficult time finding jobs. According to recent statistics I have obtained from our department of corrections, only 38 percent of those completing prison training programs find employment at the end of 1 year.

In order to prepare a man for a successful reentry into society, he must be equipped with the skills and provided with the opportunities to become an economically self-sufficient member of his community. Relevant job training programs and meaningful employment opportunities are a key ingredient of any successful rehabilitation effort. Yet this is precisely the area where our correctional institutions are faltering.

Offenders enter our prisons with an incredible lack of vocational skills. It is estimated, for example, that 85 percent of the inmates in our Federal institutions have no marketable job skills whatsoever. Few have had a history of steady employment. Yet in our Nation's prisons there are few training and employment programs which are relevant to the needs of today's job market. Ninety percent of our local institutions have no job training programs at all. The few that do exist are on a fragmented, uneven basis, and do not make a significant impact on the total prison population of the United States. It is no wonder that the unemployment rate for offenders is three times the national average!

The legislation we are considering today, S. 2962, the Comprehensive Correctional Training and Employment Act, would, however, significantly improve job training and employment opportunities for offenders. This legislation, which amends the Manpower Development and Training Act, would provide financial assistance to public or private agencies for the development of a special manpower training and employment program for criminal offenders.

In addition, the bill will particularly benefit Mexican-Americans and blacks in California who now constitute nearly one-half of our total offender population although chicanos comprise 16 percent of the population and blacks nearly 8 percent. They enter our correctional institutions with a much lower level of skills and aptitudes than their white counterparts. In addition, they have had a more dismal history of unemployment. The unemployment rate for all persons of Spanish origin, for example, is 1.7 times greater than the unemployment rate of all others in the labor force. And I imagine that this figure is much higher for the unfortunate many who have come into contact with our criminal justice system. We cannot allow such large numbers to reenter society with so few vocational skills, and such dim employment prospects.

Despite the fact that they are overrepresented in our courts, jails, and prisons, in proportion to their total population, there is evidence that they are underrepresented in prison training and employment programs regardless of their severe vocational deficiencies. It has been suggested that those who do participate are often involved in

maintenance duties, rather than in the more desirable trades training areas, such as electronics and drafting. In fact, in testimony before the Senate Subcommittee on National Penitentiaries, several weeks ago, Mr. Ray Procunier, director of California's corrections system, conceded that it has been necessary to institute an arbitrary quota for training programs in order to assure equal opportunity in rehabilitation programs and desirable jobs.

The Comprehensive Correctional Training and Employment Act will not only significantly expand job training and employment opportunities for the incarcerated, but also will increase opportunities for the great number of California's offenders who are now out in the community on probation and parole.

First, the bill is aimed at providing these opportunities to offenders at all stages of the criminal justice system—before trial, during and after incarceration. For example, financial assistance will be provided for pretrial or other intervention programs offering those charged with crimes an opportunity to participate in job training and employment programs prior to the final disposition of their cases. If their performance is favorable, charges against them will be dropped. Such a program not only reduces court congestion and long delays between arrest and trial, but also prevents stigmatizing young first offenders with a criminal record. I might note that similar programs carried out in New York City and Washington, D.C. have been demonstrated to be effective in rehabilitating offenders and reducing recidivism rates.

The bill also helps offenders who are actually incarcerated by expanding their job training and employment opportunities. It requires, for example, the maximum utilization of work-release and the use of up-to-date training equipment in work training programs.

The bill also expands training and employment opportunities for those on probation and parole—who, we must remember, constitute two-thirds of our total offender population. For example, S. 2962 provides for training and employment services in model community training and employment centers, including halfway houses and other community-based centers. It also authorizes the Secretary of Labor to provide employment opportunities for offenders in the public sector.

Second, the "Comprehensive Correctional Training and Employment Act" would involve the private sector in the rehabilitation of offenders by providing incentive payments to those employers who agree to hire offenders.

Thirdly—and I think this is one of the bill's most important features—S. 2962 recognizes the key importance of linking an offender's job training to an actual job upon his release. For the bill gives funding priority to training programs in which arrangements are made with public or private employers for subsequent employment opportunities for participating offenders. It also requires the formation of advisory committees for programs to include representatives of business, labor, and the public sector, who would assist in linking job training to actual employment needs.

In addition, you may be interested to know that the bill insures that programs authorized under this legislation will be coordinated with those already in existence, so that there will be no unnecessary duplication of programs carried out by the Law Enforcement Assistance

Administration, the Department of Health, Education, and Welfare, or other agencies concerned with offender rehabilitation.

In order to carry out the many provisions of this legislation, the bill authorizes \$100 million to be appropriated for fiscal year 1973 and \$200 million for fiscal year 1974, thus significantly increasing manpower training and employment opportunities for a greater proportion of the offender population. Presently manpower training and employment programs account for less than 1 percent of the \$4 million spent on manpower programs, and less than 4 percent of the \$1 billion spent for corrections annually. Gentlemen, employment opportunities must be made available for all our offenders, not just a select few, if we really want to make headway in reducing recidivism and cutting crime.

I am pleased to note that S. 2962 makes special provision that programs authorized under this legislation will provide equitably for all segments of the offender population, no matter what their level of skills or employment history.

Another serious problem in California's correctional institutions is that of ethnic and racial tension. Many members of minority groups feel that they are the victims of a criminal justice system that only seeks to subjugate them. Well, to my mind, there is no more effective way to insure that a greater number of Chicanos consistently fill our jails and prisons than to deny them equal job opportunities and employment—opportunities that would allow them to become self-sufficient members of the community, with no need to resort to crime.

Gentlemen: I submit that our best hope for rehabilitating offenders and reducing recidivism lies in an effective manpower training and employment program which would adequately prepare them for a crime-free life in the community upon release. S. 2962 would provide it.

Thank you.

Senator JAVITS. Our first witness is scheduled to be Commissioner Malcolm, but I understand that he has not arrived as yet.

Mr. Seckendorf, would you be good enough to lead off and use that little podium?

We understand the witnesses will do their utmost to confine their opening statements to 3 minutes.

STATEMENT OF ROBERT S. SECKENDORF, ASSISTANT COMMISSIONER FOR OCCUPATIONAL EDUCATION, UNIVERSITY OF STATE OF NEW YORK, STATE EDUCATION DEPARTMENT

Mr. SECKENDORF. Senator Javits, on behalf of Commissioner Nyquist, I want to thank you for the invitation extended to the New York State Education Department to comment on Senate bill 2962, which is proposed as an amendment to the Manpower Development and Training Act of 1962.

As stated in the bill, its purpose is to provide financial assistance for a special manpower training and employment program for criminal offenders and for persons charged with crimes.

Since the department has an administrative responsibility for manpower training programs approved under MDTA and conducted at

correctional institutions, we are pleased to have the opportunity to express views on this bill.

Let me point out that Senator Javits and the cosponsors have developed an outstanding and far-reaching proposal which has long been needed.

The proposed bill provides for much needed resources and guidelines for implementing training programs and supportive services for the rehabilitation of criminal offenders.

It recognizes that these programs are needed even before sentencing takes place, and particularly during the time that a sentence is being served.

It provides the opportunity for training agencies outside of the penal institution to conduct training on a contractual basis within or outside the correctional institution, and also recognizes the importance of placing the rehabilitated offender in a job in which he can succeed.

The State education department strongly supports this bill because it provides comprehensive training programs and remedial supportive services as the means for rehabilitation of incarcerated persons.

As stated by Senator Hart, a cosponsor of Senate bill 2962, our correctional systems do not correct. This bill does prescribe a means to effect "correction" through rehabilitation of criminal offenders.

Our support for this bill is based in part on the experience that the Department has had in the development and planning of the manpower training program here on Rikers Island.

There have been problems with the manpower program at this location as there would be with any new program, but much progress has been made in its operation so that it is now functioning with considerable success.

As this program demonstrates, much more must be done here and elsewhere. This legislation will contribute immeasurably toward strengthening programs on Rikers Island and in other locations.

Our department is prepared to carry a key role in implementing this legislation and we, therefore, believe it essential that the department have an involvement in planning as well as the selection of agencies that will conduct training programs within or outside the correctional institution.

I call your attention to the fact that this authority is presently vested in the education department for the regular manpower programs.

We believe it is essential in the administration of this proposed program that the Federal resources be used effectively in conjunction with State and local resources committed to the same purpose. Under section 260, "Coordination and Program Linkages," in subsection (d), there is a provision that "* * * the Secretary is authorized to make such arrangements as are necessary to insure maximum coordination and joint planning between programs conducted and assisted under this part within each State."

We commend the intention of this subsection, but we believe that in order to assure the maximum effective use of the funds in this program, the subsection should be strengthened to require that funds

expended in any State be committed in accordance with a State plan to be prepared by the appropriate State departments of correction, labor, and education and to be approved by the Secretary.

Such State plans should be required to (1) demonstrate cooperative planning among responsible agencies; (2) identify the role and functions of the several agencies in arranging for education and training components and (3) provide for appropriate placement and followup of trainees.

In addition, a State plan should provide for identification of needs and propose a system for utilizing all available agencies and institutions for providing training in the most effective and economical way.

Each State should be given an appropriate period of time for the preparation of a State plan for funds under this part.

Upon approval by the Secretary of the State plan, funds would flow through the State for either State-administered or locally administered projects. If a State chose not to submit a plan or the plan was determined unsatisfactory by the Secretary, funds should then flow directly from the Secretary to the administering local or State agencies.

The numbers and types of "eligible applicants," as provided in this bill are of such magnitude that the potential for competing applications is tremendous.

The inefficiency of this process and the administrative burden which will be placed on Federal agencies must be avoided.

The most compelling reason for the provision of a State plan, however, lies in the potential for the maximum use of State resources and organizations to obtain the most effective return for the Federal dollars committed.

We recommend several minor modifications to the bill as indicated on the marked copy of the bill which I will provide to Mr. John Scales.

One last comment: the bill provides for training under a variety of circumstances with provision for followup, job development, placement, and evaluation.

These are essential components of any good training program. However, one of the needs which the bill does not include is the establishment of a screening process for the development of a profile or classification of potential referrals to training.

We suggest that provision for establishment of occupational diagnostic procedures be included in the bill so that each institution involved in manpower training must have the capacity to assess the training potential of its inmates.

Again, may I thank you, on behalf of the commissioner and the State education department, for the opportunity to express our support of this legislation.

Thank you very much.

Senator JAVITS. Thank you very much, Commissioner Seckendorf. That is very helpful.

The Chair would like all the witnesses in this panel to testify before we ask questions collectively.

I now call on Deputy Chancellor Irving Anker, deputy chancellor, New York Public Schools.

**STATEMENT OF IRVING ANKER, DEPUTY CHANCELLOR, NEW YORK
PUBLIC SCHOOLS**

Mr. ANKER. Senator Javits, we at the Board of Education appreciate the opportunity to comment on S. 2962. I have a prepared statement from Dr. Scribner, who was unable to be here today. I want to make one or two additional comments on my own.

You and your committee are to be highly commended on bill S. 2962, which is an excellent and urgently-needed amendment to the Manpower Development and Training Act of 1962. The bill is especially significant in view of the volatile atmosphere in many correctional institutions throughout the nation.

As you know, with your support, the board of education, through its MDTP, has conducted several manpower training projects on Rikers Island. In fact, at the present time, the Board's MDTP is conducting an effective training project for inmate trainees which is funded by MDTA until August 11, 1972.

A prospectus has been submitted to the New York State Department of Labor and Education for a more comprehensive project that is scheduled to begin on August 14, 1972, through September 14, 1973, to train at least 400 inmate-trainees.

This proposed project will provide for inmates to receive training in MDTP facilities located on Rikers Island during their period of incarceration, but with the added opportunity to complete their training after release in board of education/MDTP skills centers on the mainland.

It might be significant to note that the New York City Parole Commission—now the New York State Parole Commission—has also been involved in these MDT programs since the first project was funded on October 11, 1965. In support of the ultimate effectiveness of education in correction institutions, it is interesting to note from a report issued by that Commission in February 1967, that a follow-up of 222 former MDTP trainees from Rikers Island project, who had been in the mainland community for an average of 8½ months, had a recidivism rate of about 20 percent, as compared with an expected 50-70 percent.

There was a 90 percent employment placement record for that group. Nevertheless, despite the documented success of MDT programs at Rikers Island, since the first project in 1965, MDTP has been plagued with some 38 months of inactivity due to failure of funding of programs for inmates at that institution. This lack of continuity in funding may well be the greatest deterrent and disability in the rehabilitative processes.

The "Comprehensive Correctional Training and Training Act," introduced by you and your colleagues appears to thoroughly meet the challenges for the President's task force on prisoner rehabilitation as stated in the Congressional Record, Volume 117, No. 190, "... work experience for institutionalized offenders including vocational and prevocational training when needed, and the assurance of decent jobs for released offenders, could be at the heart of the correctional process."

Given the support of this viable legislation, correctional training institutions will be able to effectively attain the principal objective of the correctional system in the United States by providing total

rehabilitation in order to benefit the Nation, and return exinmates to society armed with valuable skills and knowledge that equips them to compete and become productive citizens.

We are indeed fortunate that you have chosen to give your support to this vital piece of social legislation.

From the board of education, we have a number of staff members present: Assistant Superintendent Hart, who is in charge of our special education program, Acting Director O'Daniel, who is behind me, who is the director of our manpower development training program; and Mr. George Quarles, administrator of our career education program, is sitting in the back.

I might add that I met at Commissioner Malcolm's request with him and his staff about a month ago, on his appeal that we provide additional services. We at present run a school about a couple blocks from here for inmates below the ages of 21.

We have 589 such pupils now, but that is a limited program within special education.

For the adult trainees, we have only this very limited facility that exists here.

Within the last week, I received a letter from Commissioner Malcolm in response to his request for additional assistance for the training of adults. He lists here in this letter that I have—and I will not enumerate the particular units—but he has four units on Rikers Island mentioned, but he lists 470 inmates who have applied for vocational training of one form or another, for whom he is asking our assistance, starting July 1, just 2 weeks from now.

We will be able to provide him with some assistance, but unfortunately probably relatively little without additional funding. That, of course, is our major problem.

Senator JAVITS. Thank you very much.

I want to thank your associates as well for joining you here today. We may have a few questions.

The Commissioner of the New York State Department of Industrial Relations is represented by Mrs. Martin, who does not expect to testify, but is here to observe on his behalf.

Our next witness will be Mr. Schulte, representing William vanden Heuvel, Chairman of the New York City Board of Corrections.

STATEMENT OF DAVID A. SCHULTE, REPRESENTING WILLIAM J. VANDEN HEUVEL, CHAIRMAN, BOARD OF CORRECTION, CITY OF NEW YORK

Mr. SCHULTE. Senator Javits, Congressman Biaggi, Senator Dunn. Mr. Malcolm, my name is David Schulte. I am here at the request of William Vanden Heuvel, chairman of the New York City Board of Correction.

Rather than read his testimony, which I think you will find extremely interesting, I am going to submit his testimony for the record and I so do.

Senator JAVITS. So ordered.

Mr. SCHULTE. I would like to make a few remarks myself as a member of the Board of Correction.

I have been involved in this problem as a citizen for some 10 or more years. I believe, Senator Javits, that what you are doing with

your bill, S. 2962, is one of the most significant things that has been done in the field of correction since I can recall.

At the present time, the MDT is a modest effort, as you can see here, to solve a desperate problem, and that is the problem of recidivism.

This program at present is inadequately funded, and inadequate to the task of rehabilitation, either of New York City or New York State prisoners. This bill, in my opinion, is a beam of common sense directed into murky concepts of the revolving door of rehabilitation.

I hope it will provide sufficient funds. It must provide sufficient funds to increase the internal functioning of MDT so that all inmates in this institution and in other institutions who wish to avail themselves of meaningful rehabilitation techniques will have that opportunity.

I hope this bill will significantly direct itself also to the vital area of aftercare attention for the ex-offender.

Many of the releases on Rikers Island, as you may know, Senator, have plea-bargained from original drug-connected felonies of violence, to a misdemeanor.

Therefore, many of them do not come under the supervision of parole and are released with no supervision back to the streets of New York City and other areas.

To expect these people to function successfully in society now, when they could not previously, is dangerous, wishful thinking, and a disservice to the inmate, and in my opinion, to society.

They must be given jobs either by the private sector or by government upon their release, and this, I think, is one of the significant features of your bill. They must have guidance counseling after their release from prison to keep them on the job, to get them to the job, and to help them with family and social problems that often block rehabilitation and lead back to prison.

Those inmates who feel that they need methodone maintenance on the outside or some other kinds of drug rehabilitation therapy must be given places and programs which do not now exist. I cannot stress enough that it is foolish to release an inmate who knows that he cannot conquer the drug problem by himself, without giving him this kind of therapy and making it available.

None of this now exists and that is why your bill is so important, both for society and for the ex-offender. Because it is going to bring sense out of nonsense and order out of disorder.

What we in the correctional field have done up to the present time makes little sense, though a lot of hard work has gone into rehabilitation by the many dedicated people in this room represented by Commissioner Malcolm.

So I think we need the funding of bill S. 2962. We need its after-care job programs, its counseling programs, its drug therapy programs, and most importantly, its administrative evaluation techniques. I congratulate you, sir, and the other sponsors, and I hope this will lead to an end of revolving rehabilitation; that is, of attempting to retrain the same group of offenders that is now constantly plaguing society.

Thank you.

(The prepared statement of Mr. vanden Heuvel follows:)

Testimony of William J. vanden Heuvel, Chairman
of the New York City Board of Correction, before
The United States Senate Subcommittee on Employment,
Manpower and Poverty

June 19, 1972

Senators, I thank you for the opportunity to appear before you to discuss S. 2962 and the development of manpower training ---, a matter which in the judgment of the Board of Correction is vital to prison reform.

We have seen here at Rikers Island, in no small way due to Senator Javits' efforts, a ray of hope. The Manpower Development and Training Program, which many of us consider to be the single best program operating in the New York City prisons, includes the vital components of classroom instruction and vocational education. Too often, we watch as ambitious statements quickly degenerate into empty paper programs. The Manpower Development and Training Program has avoided that fate, and demonstrates that vocational training programs, when intelligently conceived and wisely executed, can work.

Based on New York City's experience, my conclusion is that enactment of S. 2962 could have major, lasting and substantive impact, by making the prison experience socially useful as well as addressing recidivism, thereby making the prisons serve the community purposes of controlling crime and reducing violence.

In order to strengthen the Manpower Program here at Rikers Island, as well as indicate those areas of the proposed legislation which deserve particular care and attention, I offer the following recommendations. These recommendations, if implemented, would make New York City's program truly effective for large numbers of inmates, and let it serve

as a nation-wide model for similar efforts to be undertaken after enactment of the bill.

1. Additional funding and staffing is needed so that the program can be expanded within the Rikers Island complex. At present the waiting list for the Manpower Development and Training Program is generally at least five times the number enrolled. Obviously, the program reaches far fewer people than could benefit from it, and addresses only the tip of the iceberg in terms of the problems it seeks to resolve.

2. In my judgment, expansion of the Manpower Development and Training Program concept to other City correctional institutions as well as those run by the State would be highly beneficial. The results demonstrate a lower percentage of recidivism of prisoners who have gone through the program. This is a good indicator that an expansion of the MDTP concept to other City correctional facilities can benefit the prisoners and also society by reducing the amount of crime and violence in our community.

3. As the program now operates, there is little effective follow-up once inmates leave prison. The job placement effort is totally inadequate. It is hindered by the many employment restrictions placed on ex-convicts by New York State law and by the ineffective New York State Employment Service. The State Legislature has undertaken some consideration of these problems, but few substantive changes have yet been enacted. The Legislature must continue to act to repeal the anachronistic and overly stringent prohibitions against employment of ex-offenders, especially those who have completed the MDTP. Obviously, there is great need for the development of a vocational guidance program to be extended to those inmates who have completed this program and have

been released. With more emphasis on job placement and with the proper guidance program, the student "in the street" is given necessary direction and encouragement. The guidance program helps to insure that positive work done inside the institution will not lose much of its effectiveness.

Furthermore, it is important to realize that without proper psychiatric and medical follow-up, the program's effect will be diminished, regardless of the progress made in prison. Access to drug treatment is vital, since many inmates -- probably a majority -- are addicts. With effective drug referrals, the graduates' chances for a successful future are much more secure.

4. There must be more coordination with the State Parole Board. Parole Officer Scuterri, the New York State parole officer at Rikers Island, has described the Board's present relationship with the MDTP as very limited. The only contact occurs when the MDTP submits a written evaluation of an inmate coming before the Board. When the Parole Board was still a City agency, a group of about 15 parole officers would visit the program at Rikers Island. There they would become acquainted with the students who would be reporting to them when they were released. There is presently no mechanism for continuous interaction between the Parole Board and the MDTP, nor is there any continuing arrangement for providing ongoing guidance to inmates who have completed the program and left the institution.

5. There is no provision in the contract with the City Board of Education for recycling within the program. When an inmate completes the program and leaves the institution, another inmate cannot be placed in the vacant spot until the entire course of instruction is completed, thereby causing the enrollment to be falling constantly. Yet literally hundreds of inmates are presently awaiting admission into the program.

To cope with this situation, funding should be provided in 16 or 20 week cycles. Adequate recycling within the training program will lead to much greater efficiency and will help provide more inmates with the opportunity to participate in this most valuable learning experience.

The Rikers Island MDTP is a practical and effective program which offers immense value to the City's correctional system. It is far more effective than other training programs because it is well planned and attempts to integrate sound academic instruction, vocational training and counseling. Studies made in 1966 and 1970 indicate that the rate of recidivism of MDTP graduates was between 25 and 30 percent as compared with approximately 70 percent for other programs.

The MDTP is presently the best program available to prepare inmates of the City's correctional facilities for a more productive life. However, much work needs to be done to improve the program and expand its impact on the City's prison population. Recognition of this, and attempts to institute these recommendations, are steps in the right direction.

Senator JAVITS. Thank you very much, Mr. Schulte, for your very fine and eloquent statement.

The Chair wishes to announce that Congressman Biaggi has now arrived and is not only deeply interested in this subject, but has taken a leading role in it. He is also the Chairman of the Advisory Council for the Manpower Development and Training Act programs here.

In fairness to the witnesses who have been called. I would like to complete their testimony so that they may be excused, and then call on Commissioner Malcolm and Congressman Biaggi.

I have a few questions I would like to ask. Before doing so, the Chair wishes to state that I am very hopeful, and I believe Senator Hart and my cosponsors are very hopeful, that the methadone maintenance waiting list, some 20,000 in the city of New York, may soon be the subject of high priority Federal attention; and that we may see this list very materially reduced by virtue of assistance from the new Federal Drug Abuse Office. There will be announcements on that in due course, but I say that in response to Mr. Schulte's very fine statement.

I have a few questions; and if any of my colleagues have any questions, I hope they will let me know.

Commissioner Seckendorf, I would like to request your comments on the component of training which must be educational, as it is our understanding that the overwhelming majority of the prison population some 85 percent generally lack a high school diploma.

Mr. SECKENDORF. We would view a program of this nature as an education program totally, because the job training, the skill training alone would not be sufficient; and therefore we would urge that it be viewed as an education program and that consideration be given to the involvement of remedial, general education, the basic education as well.

However, in our viewpoint, with respect to a State plan, we believe that such an arrangement could be built into the planning component so that it is viewed as a total education program, coupling the basic education with skilled training.

Senator JAVITS. Mr. Seckendorf, while you are there, could you answer one other question?

Would you give a priority in training funds to programs where arrangements have been made to phase the trainee into a job or would you not favor such a priority?

Mr. SECKENDORF. We would be in support of such an activity so that there would be a continuation from the education and training aspect into job placement and followup, yes.

Senator JAVITS. Another question for you.

What do you consider to be the extent today of private sector—employers and unions—involvement in these programs as, for example, in the contribution of equipment and instructors. Is it adequate, and what do you think should be done about it?

Mr. SECKENDORF. We believe all available sources ought to be used in the development of any program of this nature. Again, the limited dollars that might be available in my program ought to be spread for the best possible use and that would include utilization of any proprietary arrangement that might be possible.

Senator JAVITS. Do we have enough of that now? Or what do you suggest as to the order of magnitude for encouraging it to take a much greater role?

Mr. SECKENDORF. We do presently use proprietary sector in the manpower program, and in all likelihood, that kind of participation could increase from the basic program that we might have within an institution to follow up additional training and job placement.

Senator JAVITS. How essential is it? Is it deficient now; is the private sector not participating adequately?

Mr. SECKENDORF. The private sector is participating at this point, and we probably can make use of it to a greater extent than we are presently.

Senator JAVITS. In other words, it is more a matter of the authority drawing on the resources than the resources being made available?

Mr. SECKENDORF. I would think so, Senator.

Senator JAVITS. That is very important.

Finally, again, a question to you:

What do you say about prison-industry programs—for example, we understand that a typewriter repair operation is now in effect at Green Haven Prison, where the State of New York is sending its typewriters to that institutional training agency for repair.

Can more of that be done? And if so, what?

Mr. SECKENDORF. I would like to have Mr. Siy answer that one.

STATEMENT OF LOUIS SIY, CHIEF ASSOCIATE, BUREAU OF MAN-POWER DEVELOPMENT, STATE DEPARTMENT OF EDUCATION, STATE OF NEW YORK

Mr. SIY. We have an office machines serviceman program presently in operation at Green Haven Prison. The concept of having State work sent to this prison for repair and maintenance is excellent, and it should be expanded upon.

Senator JAVITS. What about municipalities? Do they avail themselves adequately of this service?

Mr. SIY. To the best of my knowledge, they have not as yet sought out this service.

Senator JAVITS. The six largest cities in the State?

Mr. SIY. This program has not involved any of the big six cities from the standpoint of providing service. This has been a pilot type program therefore its scope of endeavor has been limited. Also, there were delays in getting it fully operable.

Senator JAVITS. When you say this, you speak of Green Haven?

Mr. SIY. Yes.

Senator JAVITS. Green Haven and the State. The cities still remain to participate?

Mr. SIY. That is correct.

Senator JAVITS. In this same connection, Mr. Schoenbach, would you step forward?

Please answer this question before you make a statement.

**STATEMENT OF BURTON SCHOENBACH, CONSULTANT, SENATE
COMMITTEE ON CRIME AND CORRECTIONS**

Mr. SCHOENBACH. The Green Haven typewriter repair program has just become operational as a correction industry. Twenty-four reconstructed typewriters were just returned to the New York State Department of Education. This was an experiment to show that the men in Green Haven can do the job. The experiment was so successful that a contract is now being negotiated to make this an ongoing project.

It is an important component to add live experience to any program combining theory with practice. As far as other areas of the State, few State agencies, or political subdivisions of the State, are taking advantage of any correction industries programs.

Senator JAVITS. Mr. Schoenbach, Mr. Scales, my own assistant, tells me that the Singer Co. is running a program in Monroe County. Are you familiar with that?

Mr. SCHOENBACH. I am very familiar with it.

Senator JAVITS. Tell me something about it.

Mr. SCHOENBACH. It is ongoing for about 2 years. It is, I consider, the only rehabilitative correction program that is truly working in the State.

It started out as a probation project. It is now operational in the Monroe county jail in the city of Rochester.

I believe the latest statistics show—Mr. Watkins will correct me—that recidivism is now down to one and a fraction percent, 1.3 percent. That in itself tells the story like it is. It is a fantastic program. Other supporting statistics, which were evaluated by the National Council on Crime and Delinquency, show the following: Job placements, 95.6 percent; and job retention rate, 85 percent.

Let me say, sir, that percentagewise, Rochester has worse problems than the City of New York as far as unemployment is concerned.

Senator JAVITS. Are you a businessman, Mr. Schoenbach?

Mr. SCHOENBACH. I am. I am in the textile business.

Senator JAVITS. I understand that you take a great interest in this matter?

Mr. SCHOENBACH. I have for many years.

Senator JAVITS. Would you mind stepping aside for the moment and we will call you in a minute for your statement?

Mr. Anker, would you please give us the answers to these questions successively, not necessarily in your area.

What about the component of education in any manpower training program?

Mr. ANKER. It is obviously fundamental. I think you will be able to ask Mr. Malcolm himself. Maybe I ought to take this opportunity to quote from the letter I made reference to, the June 9 letter, when he named the 470 inmates for whom he is asking for an education starting July 1, and if I may read just the last paragraph:

We think it is practical to have a program, adult basic education, English as a second language, high school equivalency and basic literacy. We find that basic education must be a fundamental feature of any manpower development training program because in any vocational skills, the individuals are almost totally unable to function without this training in addition.

Senator JAVITS. Would you have any opinion as to the involvement of the private sector, which is what we asked Commissioner Seckendorf about?

Mr. ANKER. I would like Mr. O'Daniel to comment about it but to the best of my knowledge, the private sector has taken a meaningful role in this largely as the recipients of a program, rather than the initiator.

We do have some cooperation with unions. I have right in my hand right now an article from a union newspaper, Amalgamated Clothing Workers, in which they proudly speak of the fact that they are participating in a program of students from this very island, in which young men below the ages of 21 who have received training in tailoring, are given opportunities to be employed in the area.

We do have some contracts that initiate through private industry from the State department of labor. We find the private industry is receptive, but they do not initiate the programs in most cases that we know of. I do not know whether you want Mr. O'Daniel to make any specific statement about this.

Mr. O'DANIEL. We have an excellent relationship with the private sector in the meatcutters school which we operate in Jamaica, Long Island, in which there is an affiliation with the Amalgamated Meat Cutters Union.

Upon completion of the training, each of the graduates becomes an apprentice immediately and enters the trade. I think there is an opportunity for greater involvement with the private sector, since our ultimate objective is jobs; but I have an opinion that it is not too popular with some of the authorities. I do not believe that jobs for the sake of jobs are our objective.

I think that the trainee has to have some skill to sell. Otherwise, we are going to relegate him to the entry level job as a career. I hope I will have an opportunity to make a further statement at some later time.

Senator JAVITS. Fine.

Mr. Schoenbach, would you care to make your statement now?

Mr. SCHOENBACH. Senator, Commissioner Oswald asked me to speak for him.

I would just like the record to show that while I will be making some announcements on some new programs, that in the main, these reflections are my own.

I am a businessman involved for 5 years in penal rehabilitation, first with the Joint Legislative Committee on Penal Institutions and, more recently, with Senator John Dunne.

I began on the premise that the crying need was jobs. I approached the business community for job commitments, and received them, in writing, from major corporations like Con Ed, Bell Telephone, Greater New York Auto Dealers Association, representing over 500 dealers.

In addition, through our efforts, General Motors is now training department of corrections vocational staff and their own expense in the latest technology in the auto industry. All of the promises were based on the inmate's ability to qualify to industry standards.

Ironically, getting jobs was the easy part. When I searched for bona fide training programs, I found most men being trained on 40-year-old equipment. They were being diligently prepared for nothing realistic in our swiftly moving economy.

However, while this was the general situation, I did find a few outstanding exceptions which proved to me that, given the funding, the department can do the job.

The world knows about Attica, but most people in our own State know nothing about Walkill and its optics program.

Why is it such an outstanding success?

The project director, Bernard Kaplan, has come to Walkill from the optics industry. There is an urgent need for this skill, and every man completing the program is employed.

The retention rate is better than 95 percent. In fact, several men are on their way to becoming licensed optometrists.

For the most part, we are dealing with totally impoverished individuals, medically, academically, socially, and, of course, vocationally.

I maintain that we must deal with the whole man and all his problems. Walkill is doing just that.

Another example is the Green Haven facility.

Men are being taught office machine repair skills, another area of need in the labor market. The men involved are receiving live work experience as they repair machines for other State agencies. A fine example of theory combined with practical application—the world of work.

Green Haven and Walkill are examples of what can be done in vocational training. In addition, the department has embarked on a new program to correct deficiencies in administrative and aftercare services:

Attorneys to advise corrections staff as to the rights of inmates.

A classification program to evaluate each man's potential.

An evening academic program which, combined with daytime programming grants 1,000 high school equivalency diplomas annually.

Community treatment centers to help parolees through the critical readjustment period.

Community correctional centers, bringing corrections closer to the urban communities.

Albion, a totally new concept in preparing the inmate to return to society. A fully programmed pre-release center in western New York.

Senator Javits, manpower programs have failed in the past. Let our successes show the way to make this new legislation work.

More than anything else, let us train our men to fill the vacuums in the labor market. We need paraprofessionals in the whole health services field. We need hematologists, physicians' aides, laboratory and dental technicians, X-ray technicians. We need mechanics to service our vast machine and appliance economy; we need auto body and transmission specialists.

An auto body center in Rockland County had to go to Canada to find six repairmen to open a new division. The Greater Newburgh area needs 100 machinists and can't find them. Our national economy is begging for skilled personnel. This is the way to fight the war on crime. As we have done in all our wars, let us forge an alliance between industry and government, not to build weapons but to salvage human beings, our most important national resource. Private enterprise is willing to show us the way. Let us use their expertise to make these programs work.

There are some 30,000 men in New York institutions alone, city, county, and State, men with time on their hands. Where we have failed

to fill this time with programs like the ones at Walkill, this can be the result—a shiv, a dinner knife honed sharp into a deadly weapon by a hopeless man in a cell.

But where we have succeeded, where we have spent our money wisely and well—this is the result—a pair of eyeglasses.

We are at the crossroads, Senator. Your legislation could ultimately make that decision.

Senator JAVITS. Thank you very much.

Do any of my colleagues, Congressman Biaggi, or Senator Dunne, have any questions of these witnesses?

Mr. BIAGGI. No.

Senator JAVITS. Mr. Shulte, one further question.

Do you believe that the board or Commissioner Vanden Heuvel will have any feeling about the fact that we need a component of public service jobs to back up this effort?

Mr. SHULTE. Yes. I think the board is fully aware that the private sector at all times can supply these jobs. I think the public sector—you are speaking of government, of course—

Senator JAVITS. Yes.

Mr. SHULTE. I became honorary director of a hospital in the South Bronx. It is called Prospect Hospital. It is on Kelley Street. This looks like Berlin in 1946. The reason I am told this happens is that all the buildings are being ravaged, set fire to, the pipes pulled out and therefore the water flowing to the building is that there are not enough people on the street in uniform to protect it.

Why not give a man who comes out of Rikers Island a chance to become part of the establishment by providing him with a uniform, not as a policeman, but as a citizen auxiliary, and pay him for this, and give him a walkie-talkie radio so he can protect his own neighborhood from drug addicts?

I think this is one area where the public sector could provide jobs.

Senator JAVITS. Thank you, Mr. Shulte. Thank you very much, gentlemen, for your attention.

You are excused now.

Our next witness, with Commissioner Malcolm's kind cooperation, is the Honorable Mario Biaggi, 24th District, New York State, and also the chairman of the advisory council of the MDT program here at Riker's Island.

STATEMENT OF HON. MARIO BIAGGI, A REPRESENTATIVE IN CONGRESS FROM THE 24TH DISTRICT OF THE STATE OF NEW YORK

Mr. BIAGGI. Thank you, Senator Javits, Senator Dunn, and special thanks to you, Commissioner Malcolm, for being so gracious in regard to the time factor.

I would like to submit for the record my statement.

Senator JAVITS. It will be incorporated into the record.

Mr. BIAGGI. First, we thank those members of the advisory committee who are present today and responded and hopefully we will see the day our objective will be attained.

We have come some distance since our interest was first manifested. We have aroused the interest, of course, of many people, not the least of which, as a matter of fact, probably the most important, is

that of the Senator of New York State, Senator Javits, in connection with his bill, Senator Hart, and the 17 cosponsors.

My own appraisal is that it augurs well for the future.

I have been at this institution many, many times. I have spoken at many, many places in connection with the problem. It is one of those unique situations where everyone agrees the program is excellent. It makes a great deal of sense. It should be applied everywhere. Everyone should be given an opportunity.

We have had many incidents in the correctional institutions throughout the country, and we hear time and time again the very same comment, comments that would support programs of this nature.

There is a crisis syndrome in our country. If we can maintain the pressure, perhaps the crises will be alleviated permanently, but the unfortunate part of it is that when the incidents dissipate with the passage of time, we find ourselves falling into the old status quo situation. I have been here and I have spoken to hundreds and hundreds and hundreds of inmates. I observed initially the several million dollars worth of equipment collecting dust. I like the way Commissioner Shulte described it. It is a program that had fits and starts. Continuity, of course, is essential for those who administer the program.

I asked the inmates who would like to participate and almost unanimously there was an affirmative reply.

Anyone staying in this institution or institutions like it know that idle time plays havoc with the individual's morale, his mentality, his physical well-being, his whole outlook on life. They themselves recognize the same thing after a while, perhaps not at first, but after a while, and seek something to do—anything.

Unless you provide them with something meaningful, that "anything," could be destructive.

Even on a long-range view, the facts are, ladies and gentlemen, that this program works. It works. It is the one program that I have seen in a lifetime that works.

Many have been observed, many avenues have been suggested, and there are advocates of many other theories and ideas and their motivation. But they have not been productive. This one is productive. We are talking in terms of paltry sums, as it relates to providing a solution to a monumental problem that hits at each of us, not at the institution, but home in the streets, at home where we live. These are human beings.

It won't help the incorrigibles, but I think they are minimal. But for vast numbers of those who look for hope, for a tomorrow, for an opportunity to go out and earn a livelihood, to be given an opportunity to marry, if they are not already, raise a family, become productive members of the community, this manpower development training program is the answer.

Frankly, it is the most important answer that can be provided to this very critical question.

I was delighted to see that in Monroe County, the rate of recidivism was one and a half percent. This is astonishing. I would like to see the program and the analysis of that.

But one and a half percent; it is almost miraculous—we will settle for considerably less.

Here, as Commissioner Malcolm indicated, it is 20 percent recidivism, as contrasted to 80 percent recidivism among those who do not participate. With so graphic an illustration on the basis of experience, it seems incomprehensible that this proposition should not be applied throughout the country.

Senator, you are to be congratulated for the bill, and I know you have been in the forefront of many causes of this nature; and I am hopeful and, frankly, not without some basis, that because of your interest and because of your expertise, and your capacity and your seniority, that you will be successful in having this enacted into law.

I have a counterpart in the House, and I am delighted, frankly, to be associated with you in this undertaking; and I thank you for this opportunity and thank you all again for being here.

(The prepared statement of Congressman Biaggi follows:)

REMARKS OF
THE HON. MARIO BIAGGI OF NEW YORK
BEFORE THE
SENATE SUBCOMMITTEE ON EMPLOYMENT, MANPOWER AND POVERTY
RIKERS ISLAND
June 19, 1972

Mr. Chairman, to say that our correctional system has failed to live up to its name is an understatement. Wardens and corrections officers will agree, sociologists and educators will agree, legislators and citizens will agree and certainly the inmates themselves will agree. Yet despite such unanimity of thought, we as a society have not been able to make our correctional system a vehicle for reform instead of a school for crime.

The legislation this Committee is considering today and legislation I have introduced on the House side as H.R. 15270 would dramatically increase the federal commitment to penal reform. This legislation is needed and must be implemented if there is ever to be a definitive turn-around in our rising crime statistics.

At the present time, federal involvement in rehabilitation efforts in correctional institutions is primarily limited to manpower development training projects. The Department of Labor in the last five years has developed several program affecting individuals at various stages of the criminal justice system.

The programs so far have been exceptionally successful. Here at Rikers Island for example, the recidivism rate among inmates who have completed the MDT program is approx-

imately one out of five. This compares with four out of five in the general prison population.

Federal funding, however, has been woefully inadequate. In the last two complete fiscal years only \$11.6 million was spent on such programs. True, the thrust of the federal enabling legislation was to establish pilot or experimental programs. Massive federal funding was not contemplated by the Congress. At the time the present law was enacted it was expected that the states and localities would take over operation of successful programs and expand them with non-federal funds.

Again, the experience at Rikers Island is typical. This project was originally funded in 1965 at a cost to the federal government of \$2.3 million. That funding stopped in 1969. For two years, the buildings for the MDT program and all its equipment stood idle for lack of funds. Last year after a great deal of effort by both our offices, Mr. Chairman, this project was partially funded at \$258,000. This permitted 80 inmates to receive training.

This project will be idle once again unless funding is continued this August. It is clear the State and the City do not have the financial resources to take over the project as was contemplated by Congress.

Therefore, the federal government must move to fill this vacuum. No federal anti-crime program will be successful unless we move on this aspect of our criminal justice system. All the police on the streets, all the anti-crime

devices, all the sentencing and resentencing by judges will not put an end to the criminal repeater. Successful rehabilitation coupled with these other programs offers this Nation the opportunity to restore order to a society racked by a demoralizing fear to walk the streets of our cities and towns.

Rather than talking about any particular legislative proposal now before the Congress, I would like to address my remarks to specific aspects that any final legislative proposal must contain.

As a 23-year veteran of the New York Police Force and as a practicing lawyer, I can say with certainty that I am familiar with all aspects of our criminal justice system. In addition, since being elected to Congress, I have become increasingly involved in the effort to reform our correctional system.

Our penal institutions, to say the least, are demoralizing. The long ride we all took to get to this Island visibly portrays the isolation of prison life. Here, within the limits of the largest city in the world, a person feels alone and rejected by society. It is this atmosphere that develops the climate for the growth of a life of crime.

More funds are certainly needed for improving facilities as well as funds for upgrading the training and skills of correctional officers and administrative personnel. This, however, is the subject of other legislation.

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Training programs even under present conditions offer a chance to many of the inmates in our prisons to make a new start in life. This is particularly true with first offenders and youthful offenders.

In the past, I have found that too many training programs in correctional facilities are not providing skills for which there is a demonstrable need in the outside world. The programs authorized by federal legislation should require surveys or an understanding of the local job market to identify job categories where there is a shortage of available manpower and then gear the prison program to meet these needs.

While an inmate is being trained, he must at the same time be counselled in how to get along in a new environment. As an ex-convict, he starts out with a brick wall in front of him. If he is to successfully surmount this obstacle, he will have to be equipped psychologically to do so. Counselling and upgrading of basic educational and social skills are thus essential aspects of any training program.

Once trained and equipped to live in the world once again, the correctional system cannot just throw the inmate out on the streets and wish him well. The success of such a program will in large part be measured by the number of trainees placed in jobs. To assure success, then, it is only logical that the prison program should follow through with job placement and counselling. This can frequently be coordinated with half-way house programs as a means of reorienting the convict in society.

Beyond training and job placement there should be periodic follow-up through the parole system in the next few years after release. Statistics show that in the first five years after leaving prison, a convict is most likely to return to a life of crime. Thus it is essential that our training and guidance programs continue to provide support services on a limited basis in this critical period.

Programs such as this alone are not going to be the answer to our Nation's crime problem. However, with four out of every five criminals returning to a life of crime after serving time in a prison, any change in this statistic as a result of such training programs is a step in the direction of safer streets and fewer victims of crime. Coupled with other anti-crime programs such as increased police visibility, better crime-fighting skills and improved lighting and security devices, Americans will be able to walk the streets once again without the fear of being robbed, raped or murdered.

Mr. Chairman, I urge the Committee, to consider these suggestions and the suggestions of the other witnesses testifying here today very carefully. This legislation cannot wait for the 93rd Congress. We as national legislators must act now in this last faltering area of the criminal justice system. There is no law that prevents a Senator or Congressman or any other citizen from being the next victim of a criminal repeater. Let us act now to break this cycle once and for all.

Senator JAVITS. Thank you very much, Congressman. It is very kind of you; and your help will be absolutely indispensable in getting the bill passed.

Our next witness is Commissioner Malcolm, New York City Department of Corrections—the key man in the city in this field.

STATEMENT OF BENJAMIN J. MALCOLM, COMMISSIONER, NEW YORK CITY DEPARTMENT OF CORRECTIONS

Mr. MALCOLM. Senator Javits, Congressman Biaggi, Senator Dunne, ladies and gentlemen, and distinguished guests:

First, I would like to take this opportunity on behalf of the mayor and the department of corrections to welcome all of you to Rikers Island.

I think it is quite appropriate that Senator Javits should choose Rikers Island as the focal point to hold this important hearing on bill S. 2962, the proposed Comprehensive Correctional Training and Employment Act, as an amendment to the Manpower Development and Training Act of 1962.

I say "appropriate" for a very good reason, because the first MDT program was started here almost 7 years ago under this roof and in this very same building.

I say "appropriate" because this is where the problem is so great and help is so badly needed.

Our census on Friday, June 16, indicated we had approximately 6,200 men and women on this island—no doubt, this is the largest concentration of inmates in the country. Another 4,800 inmates are housed in facilities throughout the city, making a total of 11,000.

To relieve our overcrowded conditions and ease the workload in our institutions, an additional 1,700 men are temporarily housed in State facilities. Our primary operation is a system predominantly geared to house pretrial inmates awaiting court dispositions.

Of the 11,000 total, over 7,100 are pretrials, because our main emphasis must be care and custody of pretrial inmates; we differ substantially from most State and Federal institutions.

Our turnover is rapid in many cases. The average stay of most inmates is quite short. During the course of the year, some 100,000 inmates pass through our institutions, either as detainees or those serving relatively short sentences. Today, I want to offer my very strong support for bill S. 2962; this legislation is absolutely necessary if the criminal justice system is ever going to make a substantial change in the lives of criminal offenders.

Certainly, recent and present events within the system mandate that a change is necessary. We cannot afford to wait or enjoy the luxury of some meaningless studies. There is no question in my mind about the value of the MDT program as an effective tool in combating recidivism.

It was during the summer of 1965 in this very building that I, with others, helped to plan the first MDT program on Rikers Island.

It commenced on October 15, 1965, and was followed by two others, ending July 31, 1966. Although only 222 inmates were trained, a study conducted by me from 1968 to 1970, as a thesis requirement at NYU of a random sampling, proved that 70 percent were successful. The major problem at that time was placement in meaningful jobs.

Today, we need the facilities and the resources to train thousands of pretrial and sentenced inmates, but let us make certain that job opportunities are available or else the training will be almost futile.

I am very happy to note that bill S. 2962 recognizes many of the problems that confront New York City.

The provision that addresses the problem of the pretrial detainee is quite significant, although our detention population has a rapid turnover, there are some 5,000 cases on any given day whose average stay is over 4 months, longer than many sentenced inmates.

Most innovative and progressive is the provision suggesting alternative work programs and training through detention.

I am convinced that unless we provide some alternatives to warehousing poor people in our jails who cannot make bail, we will always be faced with unrest, overcrowding, disturbances, and riots.

Presently, the department of corrections, in conjunction with the courts, district attorneys, legal aid societies, and private agencies in the communities are involved in an alternative to detention programs in which some 500 addicts have been released to methadone maintenance programs.

We have a success rate of about 80 percent in this program.

Therefore, I am convinced that a program that provides training and employment as an alternative to incarceration will prove equally as successful.

Other significant provisions of this bill will be of great value in reducing crime and an incentive to persons who hire offenders, and certainly will ease the reluctance to hire offenders and eliminate obstacles and provisions in various statutes which affect hiring of ex-offenders.

It is hoped that this bill will address itself to the problem of discrimination.

Unfortunately, we in the field of corrections have been trying to treat the social ills of the Nation, and New York City, where the black population is approximately 21 percent, its prison population is approximately 70-percent black and another 20-percent Puerto Rican.

We see the products of discrimination in housing and schooling, in health, employment, and many other aspects of life.

I think it is common knowledge that whatever the unemployment rate is in this country, it is always double for blacks and browns.

It is heartsickening to me when I walk through the cell-blocks only to be greeted by a sea of black and brown faces. It is sheer folly and ludicrous to expect prisons to correct, without the deep involvement of the community at large.

After a person has been bludgeoned by discrimination in our society for a long time, it is an easy task to assign the job of rehabilitation to our penal systems, and to be overly critical when it fails to correct. Unless the attitudes of society changes, particularly in the area of employment, we can expect very little change in the way of recidivism.

Commonsense and logic should tell us that any human being living in this land of plenty will try to survive either by employment, public assistance, or by other means. Our efforts must be directed toward the first mode of survival, rather than the latter, whether or not he is an ex-offender.

In conclusion, I honestly feel that if this bill is passed, it will answer many of our present problems and will have a tremendous impact on reducing the crime rate.

Thank you.

Senator JAVITS. Thank you very much, Commissioner Malcolm.

Commissioner Malcolm, would you mind answering two or three questions?

Commissioner, of the number you have given confined to local correctional institutions, would you give us the number who are under 24 years of age, and in other age brackets?

Mr. MALCOLM. We usually break our numbers down to those who are adolescent, 21 years and under.

Senator JAVITS. Yes. I would appreciate that.

Mr. MALCOLM. We have in the sentence category, those men serving 90 days, up to 3 years, who are under 21 years of age, approximately 1,000 located here.

We also have, in addition to that, awaiting trial in our adolescent remand shelter, almost 1,900 who are under 21 years of age.

Senator JAVITS. Can you give us another classification?

What proportion of the total correctional population is classified as drug abusers?

Mr. MALCOLM. On our methadone program, 55 percent of the males coming in are in need of methadone detoxification, and can very well be classified as drug abusers.

Another small percentage, where it is difficult to determine, because at the time of entry they are not in need of methadone detox.

On the female side, it is 70 to 80 percent who are drug abusers.

Senator JAVITS. In terms of discrimination, I think you have quoted some appalling figures relating to the fact that blacks and Puerto Ricans account for 90 percent of the correctional population.

Mr. MALCOLM. That is right.

Senator JAVITS. They have a double problem. They have the problem of discrimination as well as the problem of criminal record; is that not true?

Mr. MALCOLM. That is correct.

Senator JAVITS. In addition, the Puerto Ricans also have a language barrier.

Mr. MALCOLM. That is right.

Senator JAVITS. So we face a monumental problem.

Under those circumstances, can you give us by way of comparison, your best estimate of the rate of recidivism of those who are confined in city correctional institutions?

Mr. MALCOLM. Unfortunately, we do not have the facilities, Senator, to follow these men into the field and find out what happens to them. That is a parole problem.

I would like to make this statement:

I spent some 20 years in New York City working in the field of parole, and I have heard all kinds of figures about recidivism. I do not know of any study that has actually been made.

I have heard figures for 20 years. We did a study of people on parole, and we found those in the MDT program were 70 percent successful and others less than 50 percent. And rather than to talk about a figure where there has been no hard research on, to my

knowledge—and I have heard this for 20 years—I would prefer not to give you a figure; I would say the figure is extremely high.

Senator JAVITS. The national figure is supposedly as high as 80 percent, according to authoritative information which has been developed through the Law Enforcement Assistance Administration.

Mr. MALCOLM. We heard figures here in New York City as high as 70 and 80.

Senator JAVITS. This is about the norm?

Mr. MALCOLM. I would think so.

Senator JAVITS. Could you submit to us, Commissioner, at a later date, for the record, a comparison between the cost of the correctional institutions and looking after the inmates, per annum, and what you estimate the cost to be if we had really effective manpower training programs which could take such proportion of the correctional population as was capable of taking that kind of instruction?

Mr. MALCOLM. Yes; we could come to a rough figure on that, because we know what it costs to train; we know what it costs to house a man in an institution; and no doubt the cost to support his family who is on welfare.

Senator JAVITS. What percentage and number of the total inmates are engaged in manpower training today?

Mr. MALCOLM. Out of 11,000 inmates that we have here, I would say less than 100.

Senator JAVITS. Less than 100—unbelievable.

Commissioner, one final thing.

Commissioner Martin, who is appearing here for Commissioner Levine, wished me to emphasize—and I do—that the bill which I have introduced applies to men and women alike, that it therefore could reach the female inmates of Rikers Island as it would reach the male inmates.

Commissioner, thank you very much. The record will be kept open for 10 days in order to submit the data which Commissioner Malcom will supply.

We next have a panel of participants and exparticipants in the program who will be introduced by Mr. Edward W. O'Daniel, director of manpower and training of the board of education in the city of New York; and Miss Alice Reed, the project director.

Would the group please come forward?

May I advise the press and the photographers that there are to be no pictures or identification by name of any member of this group and in addressing these witnesses I shall use fictitious names, so that their rights are absolutely protected.

Mr. O'Daniel, if you would make a statement and call on these gentlemen as you will and otherwise handle this part of the testimony.

STATEMENT OF EDWARD W. O'DANIEL, DIRECTOR OF MANPOWER AND TRAINING, BOARD OF EDUCATION, CITY OF NEW YORK

Mr. O'DANIEL. Senator Javits, honorable guests, and ladies and gentlemen:

I have a brief comment or two I would like to make.

It is the unrelenting endeavor of the board of education's manpower development and training program to continue an unabating attack

on what we consider to be the underlying cause of the regenerative frustration and despair of failure of inmates and the poor in general.

It is our endeavor to bring to Rikers Island a continuing manpower program with the same innovative energy that is applied to manpower training on the mainland.

We have observed that the New York City Manpower Area Planning Council, in its fiscal year 1973 plan, has designated inmates and ex-offenders as manpower priorities.

This is very encouraging.

We have also noted that the Federal Manpower Administration has recognized that each State devote 5 percent of its MDTA apportionment to inmate training, with the added inducement that there is a possibility of matching funds from the MDTA unapportioned account.

I understand they have more money than anybody down there.

The most encouraging interest manifested has been the presentation of the amendment to MDTA of 1962 by the Honorable Senator Javits and his committee.

Upon review of this bill, there is no doubt that it is the most thorough effort yet to be made in meeting the statement of purpose of the Congress in attaining the principal objective of the correctional system which is the rehabilitation of individuals confined in correctional institutions and, thus, reduce recidivism and return such individuals to useful and self-supporting positions in the community.

The sincere interest displayed by the efforts of Senator Javits, Elwood Taub and the MAPC of New York City, Congressman Biaggi, Commissioner Malcolm, and others too numerous in the time allowed at this time make all of our efforts very worthwhile.

I would like to briefly present to you some of our success stories.

We have a few young men, some of whom may still be in training here; some of whom have been transferred to training on the mainland.

Upon release from Rikers Island, they were transferred to an MDTA skills center on the mainland.

During their stay in MDTP, these men have been intensely involved in valuable vocational skill; their academic skills are being reinforced; English as a second language strengthened; they have had an option of learning to be either a production machine operator, woodworking machine operator, metal fabricator/welder, but were denied other opportunities such as duplicating machine operator, typist, and many other areas of occupational training due to lack of funding.

For the first time in the history of MDTP on Rikers Island, these inmate-trainees received a stipend from the State employment service while incarcerated; \$5 weekly was put into their commissary account to purchase necessities and \$15 weekly was put into their savings account. Thus, upon release, each inmate had a neat nest egg to help him make the transition from institution to civilian.

Unfortunately, however, we are able to offer this opportunity to only 80 inmates at a time with the present funding level even though there may be 2,000 men who are eligible for such training on the island.

If I may take a moment, and with your permission, Senator, after I present these young men, I have one or two other comments to make.

Gentlemen, it gives me great pleasure to introduce you to this group, and I think they would be glad to hear from you some of your comments.

John, would you like to make a statement?

JOHN. Are you going to ask me a question?

Senator JAVITS. What would Mr. O'Daniel suggest? Would you suggest we ask questions?

Mr. O'DANIEL. I think for the sake of time, you could make a statement about some of your experiences here and what your plans are in the future.

STATEMENT OF JOHN

JOHN. My plans are that I came away here without a trade, and I came here to learn a trade. I had to pick machine shop.

I came with a lot of fellows who wanted to join the MDT program, but they did not understand English and they did not have a teacher of English.

We run into a lot of programs, that when we get out, a lot of guys, they don't have a place to go or they don't have a place to go and get a job, you understand. I think that it would be better for a lot of guys that when they want to try to better themselves, to have a chance, because most of the time they forget—when they go back out there, we go to the same thing, the same surroundings; and I think I would appreciate it if you would try to do something better.

Senator JAVITS. John, are you confined here now? Are you here on Rikers Island?

JOHN. Yes.

Senator JAVITS. When are you going to be ready for release?

JOHN. I think it will be August 2.

Senator JAVITS. How long have you been here?

JOHN. About a year now.

Senator JAVITS. How old are you?

JOHN. Thirty-one.

Senator JAVITS. How did you manage to get into the program?

JOHN. I came here—I wanted to learn more English, and more education. I was ready to go upstate, and by the time it happened that they opened their program, so I put in an interview and they got me for the program.

Senator JAVITS. Being one of 80 out of so many thousands of other men, do any of the other inmates talk to you about whether they could get in the program too?

JOHN. Yes. A lot of them asked me a question about how they could get in, but they only take 80 guys.

Senator JAVITS. These others, do many of them speak English, too?

JOHN. No. A lot of them do not speak English at all.

Senator JAVITS. But some do?

JOHN. Most of them do.

Senator JAVITS. They cannot get in?

JOHN. They cannot get in because they do not have no space.

Senator JAVITS. As far as you are concerned, do you feel that when you get out of here, you will be able, for example, to avoid any other criminal offenses in order to live and get along?

JOHN. Well, I get in trouble for a long time, and this was the first time I had an opportunity to get a trade.

Senator JAVITS. You feel you have a chance with a trade?

JOHN. That is right. Before I went upstate, I did not learn nothing up there, and I went through same thing. When I came here, like I had to go out there and really try my best with a trade which I did not have before, to try myself to stay out there—

Senator JAVITS. Where is your home, New York City?

JOHN. New York, lower East Side.

Senator JAVITS. Did you come here from Puerto Rico, or were you born here?

JOHN. I came here from Puerto Rico in 1950.

Senator JAVITS. With your family?

JOHN. With my family. In 1955, I went upstate.

Senator JAVITS. How many times have you been confined on separate sentences?

JOHN. About seven times.

Senator JAVITS. Seven times.

Do you think that it would do the other fellows as much good as it did you as—if they could get in the program?

JOHN. Especially for adolescent; you know, they are still young. I went through this when I was young, and they didn't have nothing like this before, and I went back to the same thing.

They got too many adolescents over here that they didn't have a chance to learn a trade or any education to get out.

Senator JAVITS. Thank you, John.

Mr. O'Daniel, would it be appropriate, if it is not, please tell me, to submit for the record, a record of John's convictions and the offenses for which convicted, and the amount of sentence for each?

My reason for asking that is because, obviously, if you can get into a normal life a seven-time offender, there is enormous public benefit, and when my colleagues see what brought him here, they can see what society would be saving in the future.

Would that be possible?

Mr. O'DANIEL. I will inquire.

Senator JAVITS. If it is possible, just using the first name, and nothing else.

Thank you, John.

Mr. O'Daniel, I would suggest that we have two witnesses who are still incarcerated and two graduates, and that will give us a sampling.

Mr. O'DANIEL. At random, I would like to pick one young man who completed his training here, who was transferred to our school in Williamsburg. He is studying metal fabrication, 24 years old, first arrest.

He obtained his high school equivalency diploma while in training here.

Richard?

Senator JAVITS. Richard, tell us in your own words what your experience was.

STATEMENT OF RICHARD

RICHARD. My experience before I came here, I had little, no real goal, no ambitions in my life. But as I came here, I went to school, as I started learning a little bit more, having counselors talk to me, I have learned a little concept about things.

I have learned a trade. I have got my high school equivalency diploma and been accepted to a community college. I think it has been a good improvement.

Senator JAVITS. How long have you been out?

RICHARD. Been out for about 2 months.

Senator JAVITS. Do you have confidence in yourself—I am sure you have companions—that you can stay out of trouble in pursuing the path upon which you have now been set?

RICHARD. Yes, I do have confidence in myself.

Senator JAVITS. You do not have any internal weakness about it? You are not unsure how you can make out?

RICHARD. I have a definite pattern about how I will do my things, but it would be nice, you know, if I would have some type of guidance, you know, maybe someone to talk to when I am depressed and feeling down.

Senator JAVITS. You do not have that now?

RICHARD. Now, I have someone to turn to.

Senator JAVITS. Who is that?

RICHARD. I can always call up here, call Mr. McDonald, or you know see the teachers at school.

Senator JAVITS. You can get guidance?

RICHARD. I can get some guidance.

Senator JAVITS. Do you have confidence that you can get a job?

RICHARD. Yes; I have confidence.

Senator JAVITS. Once you complete your training?

RICHARD. Yes.

Senator JAVITS. Mr. O'Daniel, was there any drug involvement in the case of either of these last witnesses?

RICHARD. Yes.

Senator JAVITS. You have had drug involvement?

How do you feel about that? Do you feel you can resist that now?

RICHARD. Yes; I feel I can.

Senator JAVITS. Has the training and the fact that you have a possibility of a job helped you in that regard?

RICHARD. Yes.

Senator JAVITS. What about John? Did he have a drug involvement situation?

JOHN. Yes, sir.

Senator JAVITS. Come back one minute please.

Thank you very much, Richard.

Do you feel that your training is going to help you, John, resist renewed involvement in drugs?

JOHN. Yes.

Senator JAVITS. You really do genuinely in your heart?

JOHN. Yes.

Senator JAVITS. You are not married?

JOHN. I have three children, but we are separated.

Senator JAVITS. You have three children?

JOHN. Yes.

Senator JAVITS. Do you feel incentive to do something for them?

JOHN. Yes; that is why I want to learn something, you know, get a trade. When I get out, I will go help them.

Mr. O'DANIEL. I would like to call Alan. This young fellow is 21 years old. He is a youthful offender, no drug involvement, no

previous arrests, had completed 10th grade, now high school equivalency earned at Rikers Island, will attend college in September.

Senator JAVITS. Tell us in your own words about your experience, Alan.

STATEMENT OF ALAN

ALAN. When I came here, I was returned for violation of parole. From being in the street, I realized that I did not know anything, any type of trade, or anything like that.

When I was returned, I said, well, when I spoke to Miss Reed and Mrs. Jackson, which was the secretary here, they told me about the MDT program and what it offered. So I signed up.

I was accepted, came down and took the test, and then, being around people here that were really trying to make it gave me some type of encouragement—the counselors; and so now I feel as though I have got myself together. I am ready to go into the main, but for the main, but for the job; if you learn the trade, and then released, and you have trouble finding a job.

What is the sense of learning the job when you cannot put it into practice? So I pushed a little bit more for high school equivalency. Now I am accepted into two colleges, and I plan to go to college in September.

Senator JAVITS. How will you maintain yourself in college? How will you live when you are in college?

ALAN. They give you financial aid.

Senator JAVITS. You are going to work that out with the college?

ALAN. Right.

Senator JAVITS. When will you be released from here?

ALAN. August 4.

Senator JAVITS. Do you have a family?

ALAN. Yes; I do.

Senator JAVITS. You are not married personally?

ALAN. No; but I have two children.

Senator JAVITS. Do you want to do anything for them?

ALAN. Yes.

Senator JAVITS. You have a family? Your mother and father?

ALAN. My mother is deceased. My father is living.

Senator JAVITS. Did you get any encouragement from him?

ALAN. Well, I didn't I had encouragement from an uncle of mine that I looked up to.

Senator JAVITS. Good.

What about other inmates? Have they talked to you about the opportunities that you have had?

Did they show some interest in it themselves?

ALAN. Yes; if they can only be given a chance for the program being extended; if they can get in it, try to do something.

Senator JAVITS. You would feel that the fellows are entitled to a chance to get into the program and it should not be limited because they have no family, and would you agree that there needs to be a job at the other end—

ALAN. Yes; something to go to, where there is no length of time confined to anything. This is the main problem, you know; going back to the same thing, state of relapse, length of time finding something.

Senator JAVITS. Do you have any fear of going back and having some of your old associates and friends try to bring you back into doing something wrong and to get you in trouble again? Do you have any fear of that?

ALAN. No; I do not have any fear of that.

Senator JAVITS. Do you feel you can stand up to it better because of the training you have had?

ALAN. Yes; the training and counseling I have had.

Senator JAVITS. Thank you, Alan.

Mr. O'DANIEL. I would like to call one more gentleman, and then ask if anyone has anything they would like to say.

This young fellow is now in our Williamsburg Adult Training Center studying machine shop, 23 years old, charged with burglary, three previous arrests, 10th grade education, earned high school equivalency diploma.

George?

Senator JAVITS. George, tell us in your own words your experience.

STATEMENT OF GEORGE

GEORGE. I am a high school dropout to start with. I guess I was lucky when I got arrested to go into this program. I graduated here, got my high school diploma. Now, I am attending Williamsburg Training Center. I plan to go to college. I am looking forward to taking retail management.

At the school I am attending, it is beautiful surroundings, beautiful teachers; everybody is equal. I am trying my best, you know, to become somebody, because I figure I was arrested several times before; and I learned, you know; so therefore, I am trying my best to stay away from trouble, you know, and become somebody with something to look at, you know.

I also never expected to get a high school diploma. I never expected to go to college. So I am very proud of Manpower, you know, like many of the students, they go outside and they forget they have been in the Manpower Training Center, like they just put it aside.

I am very proud of this Manpower training program and will always remember them, you know, and I will never say, like I was ashamed that I was—because this is the first time that I got busted, or arrested, and I got something out of it.

If there is any question, I will gladly answer.

Senator JAVITS. Is there any drug involvement in this case?

Mr. O'DANIEL. No drug involvement in this case.

Senator JAVITS. Do you have a family of any kind?

GEORGE. Yes.

Senator JAVITS. Of your own?

GEORGE. I am living with my mother and nephew.

Senator JAVITS. Have you been getting encouragement from the family?

GEORGE. Yes. Besides, I am responsible for the house now, because I am the man of the house.

Senator JAVITS. Do you feel any problem about resisting your old associates who might try to get you back into criminal life?

GEORGE. No. I figure they are not going to get me nowhere, so why should I go back to them?

Senator JAVITS. You feel confident that you are learning in the right way and you are going to get somewhere?

GEORGE. Right. The more I learn, the more proud I get.

Senator JAVITS. Do you feel a lot of other fellows would like to be in your condition, do what you are doing?

GEORGE. Yes.

I also feel if there were to be an outdoor organization for this kind to go into, before they start to get back to our world, it would be great.

Senator JAVITS. You mean an organization that would counsel you?

GEORGE. For them to go through before they start a new life; because most of them, they do not know where to go, and they go to the same place, the same surroundings.

Senator JAVITS. Thank you very much, George.

Mr. O'Daniel, please feel free to call any other person who is in your panel, who you feel may wish to make some statement.

Mr. O'DANIEL. Well, gentlemen, without calling on you individually, would any of you like to come up and volunteer some statements?

Senator JAVITS. Do not be bashful. If anyone would like to say something, please do so if you feel there is something you can add.

Mr. O'DANIEL. We need your support, gentlemen. While we have got all these people here, let's sock it to them.

FRANK. I have got to admit I am nervous.

Senator JAVITS. That is all right. Try to relax.

STATEMENT OF FRANK

FRANK. When I came into the program, I had several arrests, maybe more than my friend over here (indicating), and during all this time, I never had an opportunity like this one here.

So coming into this program, I think I got a little something out of it that I never could have gotten before, not only the school or the trade or what not, but the counseling was great. And through the counseling department, I think I gained a brandnew confidence in myself, something that I feel like I am more prepared, better armed now, to meet society than I was before.

Now I can, you know, look a person straight in the face and not be ashamed to go and get a job or be rejected like before. I had plenty of drug arrests. It makes you feel a little inferior to everybody else knowing that you were—but now, as it is, coming through here, I do not feel that way any more.

I am very confident in myself. I know that I can stand up as well as the next guy. What I feel most right now is that although the program is beautiful and does a lot for a guy in here and a guy out there, there is still something lacking as far as job placement for ex-convicts.

This is one of the biggest problems, where you go to get a job. You cannot feel quite confident, although you have all this training and what not; you still end up being turned down in some way or another.

But if they had some sort of job placement for ex-convicts, some sort of organization that would give jobs to them, or where they could

go for a job, and then I think it would be a big help—well, much bigger help to the guy, now knowing that when he goes there, he is going to meet somebody there that he has already met over here, or something, somebody that can really do something for him.

What I say is that, I think you just need some sort of job placement out there; that is all.

Senator JAVITS. You are looking for a job now?

FRANK. Yes.

Senator JAVITS. How long have you been looking?

FRANK. I have been out now about a month.

Senator JAVITS. About a month.

Are you discouraged by the fact you have not found one yet?

FRANK. I think if I was discouraged, I would not be here right now.

Senator JAVITS. What are you living on in the meantime?

FRANK. I am living on stipend that I got while I was here. I have done a couple of days work, just like—something—

Senator JAVITS. In what? What have you worked in?

FRANK. Cook. Short-order cook.

Senator JAVITS. And again, I would like to ask Mr. O'Daniel if, in view of the large number of your previous involvements, if it would be possible, again, to get a listing of the charges and the sentences.

Frank, one last thing: Is there any drug involvement in your case?

Mr. O'DANIEL. It is not indicated here; numerous arrests, but not indicated.

Senator JAVITS. Do you feel confident in yourself now that you can resist—suppose you do not find a job for another month or so; do you feel confident you are going to stick to it along this line?

FRANK. Well, I feel, like I say, feel more confident now than I ever did. I do not think there is too much out there that I could not stand up to, on rejection, and what not. It does not mean that much to me any more, because I know now I could just take that and go on and try again, you know.

Senator JAVITS. Do you have a family?

FRANK. No; I am single.

Senator JAVITS. Thank you very much.

Any other witnesses?

Mr. O'DANIEL. Are there any other gentlemen that would like to make a statement?

STATEMENT OF ROBERT

ROBERT. Most of the things were pointed out already, and I would like to give my view.

When I came here, the only thing I had on my mind has to do my time, get on out, and get back to what I was doing; but talking to some of the fellows in the program and the office in charge, I found out they had a program, MDT, which could give training and vocational skills and, you know, academic subjects go along with it.

It sounded all right. So I inquired, got in, and by being in the program, it has given me a confidence that I never had before. I have been in jail three or four times before. I never felt this way. This is the first time in jail when I feel I am getting something.

Senator JAVITS. How old are you?

ROBERT. 26.

Senator JAVITS. And do many of the other fellows show a similar desire to do what you have been doing, get the same opportunity?

ROBERT. Yes; there have been times, like coming down to the mess hall, or when we meet in recreation, the guys will be giving me their name and numbers trying to get into the program. There is nothing we can do. All we can do is turn over to Miss Reed and that is it.

Senator JAVITS. Do you feel also that you will be strengthened in your ability to deal with the drug problem?

ROBERT. Because I have learned, speaking as an individual, my problem, while I was using drugs, and the confidence they have given me now, I do not think that is an obstacle any more.

Senator JAVITS. You will be able to make it?

ROBERT. Yes.

Senator JAVITS. Miss Reed, we would greatly appreciate it if you could give us some words of advice and guidance.

We have had excellent testimony. The gentlemen themselves have been their own most eloquent witnesses. Mr. O'Daniel has been fine. Mr. Scales tells me you are a tremendous factor here in morale and getting the job done.

Could you tell us a little something about the selection process; in other words, how much of a field do you have to pick from and how do you feel about the potential? If you really had the ability to take all who now wanted it, and who were able to do something with it, what do you feel, as compared with 80 out of the total population; what should you have, if you could manage to accept all who really could do something with the opportunity?

(The prepared statement of Mr. O'Daniel follows:)

PREPARED STATEMENT OF EDWARD W. O'DANIEL, ACTING DIRECTOR, BOARD OF EDUCATION OF THE CITY OF NEW YORK, MANPOWER DEVELOPMENT TRAINING PROGRAM, BROOKLYN, N. Y.

It is the unrelenting endeavor of the Board of Education's Manpower Development Training Program to continue an unabating attack on what we consider to be the underlying cause of the regenerative frustration and despair of failure of inmates and the poor in general. It is our endeavor to bring to Rikers Island a continuing manpower program with the same innovative energy that is applied to manpower training on the mainland.

We have observed that the New York City Manpower Area Planning Council in its Fiscal Year 1973 plan has designated inmates and ex-offenders as manpower priorities. Federal Manpower Administrators have recommended that each state devote 5% of its MDTA Apportionment to inmate training, with the added inducement that there is a possibility of matching funds from the MDTA Un-apportioned Account. And, the most encouraging interest manifested has been the presentation of the amendment to MDTA of 1962 by Senator Javits and his Committee to be known as "Comprehensive Correctional Training and Employment Act (S. 2962). Upon review of the Bill S. 2962, there is no doubt that it is the most thorough effort yet to be made in meeting the statement of purpose of the Congress in attaining the principal objective of the correctional system which is the rehabilitation of individuals confined in correctional institutions and, thus, reduce recidivism and return such individuals to useful and self supporting positions in the community.

The sincere interest displayed by the efforts of Senator Javits, Elwood Taub and the MAPC of New York City, Congressman Biaggi, Commissioner Malcolm and others too numerous in the time allowed at this time make all of our efforts very worthwhile. We feel that they are definitely on the positive road to success in breaking the syndromes of failure and frustration that beset this segment of our society.

I would like to briefly present to you some of our success stories. I present to you several young men who have been inmate-trainees here. Upon release from

Rikers Island, they were transferred to an MDTP skills center on the mainland. During their stay in MDTP, these men have been intensely involved in learning a valuable vocational skill; their academic skills are being reinforced; English as a second language strengthened; they have had an option of learning to be either a Production Machine Operator, Woodworking Machine Operator, Metal Fabricator/welder, but were denied other opportunities such as Duplicating Machine Operator, Typist, and many other areas of occupational training due to lack of funding. For the first time in the history of MDTP on Rikers Island, these inmate-trainees received a stipend from the State Employment Service while incarcerated. \$5.00 weekly was put into their commissary account to purchase necessities and \$15.00 weekly into a savings account. Thus, upon release, each ex-inmate had a neat nest egg to help him make the transition from institution to civilian. Unfortunately, however, we are able to offer this opportunity to only 80 inmates at a time with the present funding level even though there may be 2,000 men who are eligible for such training on the island.

However, the recent turn of events has lifted our hopes. We have submitted a new prospectus to the N.Y. State Employment Service and if we are successful in getting it funded as written, we will be able to train any where from 400 to 600 men a year with a respectable maintenance level of 200 trainees throughout the life of the project. Each inmate-trainee will have the opportunity to select a skill to his liking and aptitude from among the following;

- Automobile Service Station Attendant/Front End Man/Tune Up Man/
Mechanic
- Automobile Body Fender Repairman/Painter
- Woodworking Machine/Carpenter
- Production Machine Operator
- Metal Fabricator/Welder
- Duplicating Machine Operator
- Office Machine Serviceman

All training will be supported by remedial basic education, learning laboratories for individual instruction, English as a second language, High School Equivalency Examination Preparation, College Entrance Examination Preparation, Driver Education, Guidance, and Social Service. And, of course, they will receive a stipend of \$20 per week. Each ex-inmate, upon release will have the opportunity to continue and complete training in a mainland MDTP skills center during which time, he will receive the regular training allowance.

Once funding becomes available in adequate supply, MDTP has the capability to expand services on Rikers Island to other occupational areas. We would like to provide training opportunities for some of the several hundred female inmates on the island. Once it is determined that it is feasible to do so, a prospectus will be presented to the State Employment Service that would develop an up-to-date commercial occupational training program for the inmates of the Women's House of Detention. The curriculum would include typewriting, stenography, book-keeping machine operation, and general clerk. All planning of courses to be offered will follow the dictum of the Department of Labor in seeking funding for training in occupations in which there is an anticipated labor demand. Training schedules would also anticipate early releases and provision for transfer to mainland skills centers upon release under the same conditions as those available for male ex-inmates.

Thus, our main endeavor will be to provide each inmate and ex-inmate, male and female, with the best training available anywhere and prepare them for the challenges of the world of work so that upon the successful completion of training, through the cooperative efforts of our staff and that of the Employment Service the ex-inmate can qualify for full and gainful employment.

We firmly believe that each ex-inmate deserves our best efforts and that each has the potential to make a valuable contribution to our society. We feel that each can play a positive role in the world of work given the adequate tools and skills with which to face the ordeal of survival in our competitive metropolitan area.

We in MDTP, for the sake of thousands of yet untrained citizens who should be our responsibility, hope that the efforts of each of you are successful and especially this vital piece of legislation. Your success will mean that we in MDTP will have the opportunity to continue in our endeavor to search for excellence in manpower training. Thus, we will make our continued positive impact on the syndromes of poverty, unpreparedness, failure, and despair.

STATEMENT OF MISS ALICE REED, ADMINISTRATOR, MANPOWER DEVELOPMENT AND TRAINING PROGRAM, RIKERS ISLAND, N.Y.

Miss REED. I think there are about 2,100 sentenced inmates on the island; and if we could have the capacity for 2,100, that would be it.

Senator JAVITS. You really think you could take them all?

Miss REED. If we could have the money to have various trades in a wide range. Right now, we are limited; it all goes to money. There is a very large Spanish-speaking population on this island, and by "Spanish-speaking," I mean they do not speak English. On our staff, we have only one instructor who is bilingual, so we have a tremendous need for bilingual instructors or perhaps classroom interpreters, if we could not get bilingual instructors.

Senator JAVITS. Miss Reed, the important thing to me is the potential.

Do you feel the potential is the total population?

Miss REED. I think we could turn this whole island into a trade school, vocational school.

Senator JAVITS. And given the language problem, they could absorb it?

Miss REED. Right.

Senator JAVITS. So the job being done is infinitesimal?

Miss REED. A drop in the bucket.

If we had 80 trainees, and 100 percent success with those 80, it is still only 80.

Senator JAVITS. When you say "100 percent successful," what do you consider your percentage of success?

Miss REED. Well, in going back to August 2, 1971, when we started, I would have to check my figures; I do not have them with me now; but let us say 150 have been through the program. I personally know of two who have returned to the island. That does not mean others might not be in a detention institution; we have to do a fingerprint check, really, to follow up our trainees.

Senator JAVITS. How long is the course?

Miss REED. The course under this present contract was set up so that it would run all the way from August 2, last year, to August 11, this year. But we have many who have gone out on parole or conditional release and many who have reached their maximum expiration date. A large majority who leave here have not completed the course. They go into our six centers on the mainland; and they will finish up there.

Senator JAVITS. When you say "our," who runs those centers?

Miss REED. Mr. O'Daniel.

Senator JAVITS. Board of education?

Miss REED. Right.

Senator JAVITS. As far as the population here is concerned, what is the minimal period of confinement for which it is worth including an inmate?

Miss REED. If we can have them for 3 months and be able to transfer them on—because there are very few courses that would run only 3 months.

Senator JAVITS. Now, what about your connections with the job at the other end? Do you handle that?

Miss REED. This is handled through the New York State Employment Service. Mrs. Heller can speak much more eloquently than I.

Senator JAVITS. We will hear her in a few minutes.

I want to tell you how much people like myself appreciate the fact there are dedicated people like yourself and Mr. O'Daniel and others who testified who are doing the job at the grassroots.

I am one man who has no illusion about all these fancy Senators. It is you people who really do it.

Mr. O'Daniel, is there anything you wish to add?

Mr. O'DANIEL. If I may have a couple more minutes, I would like to put a few comments in the record.

The recent turn of events has lifted our hopes tremendously. Anticipating it, we have submitted a new prospectus to the New York State Employment Service, Department of Labor. With your permission, I would like to share copies of it with members of the panel and the audience.

Very briefly, I can tell you what that prospectus is all about.

The plan is to train anywhere from 400 to 600 inmates during the year of this contract, during which time each inmate will have the opportunity to select a skill to his liking and aptitude from among the following courses:

He will have an opportunity to become an automobile service mechanic, with certain spinoffs and lower-level training, if he chooses to stop at that point—such as front-end man, tune-up man, and that type of thing.

Automobile body-fender repair man and painter; woodworking machine/carpenter; production machine operator; metal fabricator/welder; duplicating machine operator; and office machine service man, that you mentioned earlier, about the typewriter repair.

All training will be supported by remedial basic education, learning laboratories for individual instruction when necessary, and English as a second language, high school equivalency examination preparation, high school entrance board examination preparation; driver education, guidance, and social service.

Of course, the trainees will receive the \$20 weekly stipend while incarcerated and will have an opportunity to transfer to mainland training when he is released, during which time he will receive the regular manpower training allowance, which runs from \$50, I think, to something like \$80 a week.

If funding becomes available in adequate supply, MDT has the ability to expand the services on Rikers Island to other occupational areas.

We would like to provide training opportunities for some of the several hundred female inmates on the island.

Once it is determined that it is feasible to do so, we will prepare a new prospectus and submit it to the State employment service for an up-to-date commercial occupational training program for the women's house of detention.

The curriculum would include typewriting, stenography, book-keeping machine operation, and general clerk. Of course, all planning will follow the dictum of the Department of Labor in seeking funding for training in occupations in which there is an anticipated labor demand.

Training schedules would also anticipate early releases and provision for transfer to mainland skills centers upon release.

Thus, it is our main endeavor to provide each inmate and ex-inmate, male and female, with the best training available anywhere and prepare them for the challenges of the world of work, so that upon the successful completion of training, through the cooperative efforts of our staff and that of the employment service, the ex-inmate can qualify for full and gainful employment.

I would like to note that we have had very good success in placement.

I am quite disturbed that you have not got a job yet, young fellow (indicating).

In conclusion, we firmly believe that each ex-inmate deserves our best efforts and that each has the potential to make a valuable contribution to our society; that each can play a positive role in the world of work, given adequate tools and skills with which to face the ordeal of survival in our competitive metropolitan society.

We in MDTP, for the sake of thousands of yet untrained citizens, who should be our responsibility, hope that the efforts of each of you are successful, and especially this vital piece of legislation, Senator Javits; because your success will mean we in MDTP will have the opportunity to continue in our endeavor to search for excellence in manpower training.

Thus, we will make our continued positive impact on the syndromes of poverty, unpreparedness, failure, and despair.

(A copy of the prospectus referred to with additional material follows:)

BOARD OF EDUCATION OF THE CITY OF NEW YORK
 MANPOWER DEVELOPMENT TRAINING PROGRAM
 131 LIVINGSTON STREET
 BROOKLYN, N. Y. 11201
 ROOM 514

STUART C. LUCEY
 ASSISTANT SUPERINTENDENT

EDWARD W. O'DANIEL
 ACTING DIRECTOR
 TEL. NO. 596-6953

PROSPECTUS FOR MDTP TRAINING PROJECT AT THE RIKERS ISLAND CORRECTIONAL INSTITUTION
 14 August 1972 to 14 September 1973

TO: Local State Employment Service Office
 N. Y. Metropolitan Area - 17th Congressional District
 Mr. Edward Caine, Area Manager
 Attention: Mr. William Riggin
 370 Seventh Avenue, New York, N. Y. 10001
 (212) 563-7660 Ext. 640

FROM: N. Y. C. Board of Education Manpower Development and Training Program
 14th Congressional District
 Attention: Mr. Edward W. O'Daniel, Director
 131 Livingston Street, Brooklyn, N. Y. 11201
 (212) 596-6953

1. SKILLS CENTERS IN WHICH TRAINING WILL TAKE PLACE:

Rikers Island Correctional Institution
 12-12 Hazen Street, E. Elmhurst, N. Y. 11370

Brooklyn Adult Training Center
 475 Nostrand Avenue
 Brooklyn, New York 11216

Brooklyn Adult Training Center Auto Annex
 1402 Atlantic Avenue
 Brooklyn, New York 11216

Williamsburg Adult Training Center
 35 Arion Place
 Brooklyn, New York 11206

Jamaica Adult Training Center
 91-14 Merrick Blvd.
 Jamaica, New York 11432

New York City Adult Training Center
 45 Rivington Street
 New York, New York 10002

Mid-Manhattan Adult Training Center
 212 West 120th Street
 New York, New York 10027

2. PROPOSED OCCUPATIONS:

Training will be offered in the following occupational areas;

2.1. Production Machine Operator - 609.885.022

To prepare trainees in performance of various machining operations on the Engine Lathe; Milling Machine; Single Spindle Drill Press; Surface Grinder with sufficient skill and knowledge as a Production Machine Operator to make them acceptable to employers as entry workers in this occupation. Graduates of this course should be able to perform satisfactorily as entry level workers with a minimum of orientation on the part of the employer.

2.2. Woodworking Machine Operator - 669.782.074

To prepare trainees in performance of various woodworking machines such as drill press; power disc sander; power drum sander; grinder; belt sander; jig saw; jointer; woodturning lathe; surface planner; bandsaw; circular saw; radial arm saw; router; and shaper. There are a variety of related skills to be learned such as performance in the use of rule, steel tape, T-square, calipers, calibrated guides, etc. The objectives of training are to teach the fundamentals of woodworking machine tool operation at the semi-skilled level of competency for entry level employment with diminishing supervision by employer.

2.3. Metal Fabricator - 619.380.022

Performance on the fabrication of metal articles made from light, medium and heavy gage sheet metal and steel plate using various power driven machines, i.e., Forming Press; Power Shear; Brake Machine, Electric and gas welding and cutting. Variety of related skills such as safety practices; related shop mathematics; blue-print reading; setting gauges, etc. Objectives are to teach the fundamentals of metal fabrication including the use of necessary machines and equipment to form, bend, cut metal etc. Graduates of this course should be able to operate the above referenced machines as entry level employees.

2.4. Duplicating Machine Operator - 207.782.018

To develop performance competence in the operation of Ink Duplicator, Spirit Duplicator, Photo-offset printing, Photo-offset plate-making, and related clerical skills. Upon successful completion of this course, the trainee should have sufficient general knowledge to operate not only familiar, but unfamiliar, duplicating machines and be able to exercise the skills required of a Mail Clerk and Duplicating Machine Operator with a minimum of supervision.

2.5 Automobile Service Station Mechanic - 620.381
Service Station Attendant - 760.500

Using the Central Motors garage on Rikers Island as a class area, instruction will be unitized in order that each trainee selected will have an opportunity to develop proficiency at a level of which he is capable of attaining. As a Service Station Attendant, the trainee will develop skills in following service station routines; serving customers, lubrication of vehicles, change oil, tires, cashier, maintenance of station, use of small tools for minor adjustments, etc. If the trainee has the aptitude and ability to become a Service Station Mechanic, he will learn to make general repairs, replacement, overhauling, servicing and maintenance of vehicles. All trainees in this course should be able to obtain drivers licenses. If not already qualified they will receive drivers training.

2.6 Auto Body Fender Repair/Painting - 807. 845.

Trainee will be exposed to a base core of instruction by MDTP personnel in Central Motors. Upon completion of his term on Rikers Island, he will be referred to a private trade school for completion of the course in Auto Body and Fender Repair and Auto Painting. All trainees in this course should be able to obtain drivers licenses. If not already qualified they will receive drivers training.

2.7 Office Machine Serviceman - 633.281.030

This course will provide a variety of opportunities for skills development. Trainees will be able to develop competence in repairing typewriters, (manual and electric) and adding machines (manual and electric). Upon graduation, the trainee will be prepared for employment as an office machine serviceman with a minimum amount of supervision. All trainees in this course should be able to obtain drivers licenses. If not already qualified they will receive drivers training.

2.8 Since most of the trainees have been educationally deprived, all skill training will also provide, concurrently, remedial education, English as a second language, and Guidance as is necessary for individual trainee to absorb skill training. High School Equivalency preparation will be provided when appropriate. A learning laboratory will be established to facilitate individual instructions.

3. PROPOSED NUMBER OF TRAINEES AND TRAINING SECTIONS IN EACH CYCLE:

COURSE	NUMBER OF TRAINEES	NUMBER IN EACH SECTION	NUMBER SECTIONS
PMO	20	10	2
WMO	30	15	2
MF	30	15	2
DMO	30	15	2
ASSM	40	20	2
ABF	20	10	2
OMS (TYP)	<u>30</u>	<u>15</u>	<u>2</u>
	200	100	14

Constant enrollment will be maintained at a level of 200 trainees. Slots vacated by early release will be filled from a list of eligible trainees. Total enrollment for project 450 from 17 August 72 to 14 September 73. Over enrollment to provide for prospective dropouts for various reasons.

4. BRIEF DESCRIPTION OF TRAINEES:

Usually 60-65% of the inmate population is made up of minority group members. Approximately 17% have less than an 8th grade education and an additional 75% have not completed high school.

The inmates are confined for various crimes, such as burglary, robbery, aggravated assault, infraction of narcotics laws. Many of these crimes are drug related although the reason for confinement is not listed as such. In addition to being ex-inmates when they leave Rikers Island, as a group they lack recent work history, marketable skills and have meager educational attainment. As a result they are able to obtain only low level employment or none at all. Frustrated in their efforts to obtain a fresh start in life, a considerable number will return to drugs and/or criminal activity.

Recent studies of prisons have indicated that one of the greatest problems is the lack of meaningful programs for the inmate which would lead to their rehabilitation. This program is designed to provide a meaningful attempt at rehabilitation of at least a portion of the population of Rikers Island. Present trainees in the existing program and members of the Department of Correction are in agreement that the trainees, even while in training, show a marked improvement.

5. SELECTION CRITERIA:

The eligibility criteria for participation in this project are:

1. Minimum age 18 years.
2. Trainee should have at least six (6) months time remaining to serve at Rikers Island to permit completion of the course selected; or agree to transfer to mainland training upon release for completion of the course selected.

or agree to transfer to mainland training upon release for completion of the course selected.

3. Trainee may not have disabling pathology or physical deficiencies.
4. Trainee must possess aptitude for and sincere interest in training selected.
5. Trainee may not be mentally retarded or defective. Screening will be based on non-verbal intelligence tests.

Screening Committee shall be comprised of representatives from Board of Education Manpower Development Training Program, Division of Parole, Department of Correction and State Employment Service. In addition, the S.E.S. will cooperate with the aforementioned agencies in the development of job openings and placement of graduates of the program.

The correctional institution will provide all supplementary services at the institution. The New York State Division of Parole will provide parole and related services. Other agencies, public and private will be utilized as necessary to meet the needs of the ex-inmates.

6. TARGET DATES OF TRAINING:

This project will commence on 14 August 1972 with the first cycle ending on 9 March 1973; the second cycle will commence on 12 March 1973 and complete on 14 September 1973. Training will take place for six hours daily for a total of 30 hours per week. Each cycle will provide for 780 hours of training on Rikers Island and for the carryover to the mainland for the completion of all required units of instruction. The following holidays will be observed during each cycle of training:

1972	4, 18 September	1973	1, 15 January
	9, 23 October		12, 19 February
	7, 23 November		17, 20 April
	25 December		28 May
			4 July
			3 September

All instruction will be unitized to provide for carry over of training upon release in a precise manner. Trainees will continue to be carried on the project budget during their tenure of training in mainland facilities*. Overall enrollment will be approximately 450 trainees with an anticipated drop out for various reasons approximately 20% of that total; as well as, anticipated spin offs into direct employment rather than mainland training.

*Or trainees who require continued training on the mainland after release from incarceration will either be carried over to M.D.T.P. training on the prime budget or on an individual referral sub-project.

7. ESTIMATED TOTAL COSTS:

Educational Costs for 400 trainees	\$651,890.00
*Estimated Allowance Cost	<u>480,000.00</u>
	\$ 1,131,890.00

- * Based on a \$20.00 a week stipend while still an inmate and an estimated average of 6 to 8 weeks continuation of skill training at \$70.00 or more after release from Rikers Island.

8. JUSTIFICATION FOR FUNDING FROM UNAPPORTIONED ACCOUNT:

There are data supporting the effectiveness of inmate training at Rikers Island. At this time, there is a successful project being conducted with several trainees participating in mainland instruction. The State of New York does not have funds to support this project in the absence of SMTA funds. This proposal is an endeavor to develop a more viable and comprehensive training project that will provide greater and a wider range of opportunities for eligible inmate trainees to overcome the disability of incarceration.

The first few programs operated at Rikers Island provided only pre-vocational training. Skill training after release was to be provided by the Multi-Occupational Program in New York City. While Correctional Authorities conducted studies that showed the recidivism rate was lowered, the programs were not as meaningful as they could be, since the majority did not enter skill training after release.

The existing program starts skill training on the island and completes it in the Multi. This has proven to be the most efficient program. The inmate has too much time invested in learning a skill to drop out. He is quite eager to be transferred to complete skill training upon release from the institution. This proposal will furnish this type of program except that the skill training on the mainland will be paid for by the project itself.

The State of New York does not have sufficient funds in its M.D.T.A. allocation to support this project. If this proposal is to be repeated, the State of New York could not fund it entirely from its MDTA funds, unless such funds significantly increased.

Signature & Title of Employment Service Official

(date)

Signature & Title of Education Official

(date)

Senator JAVITS. Thank you very much, Mr. O'Daniel and Miss Reed. We greatly appreciate your help and appreciate the presence of the alumni and inmates who participate in the program; and I assure you, I will do my best to bring into realization a much broader program involving more people.

Do any of you who are participants wish to add anything?

HENRY. We need aftercare center on the mainland.

Senator JAVITS. Counseling and jobs?

HENRY. After we finish school, all we do is go home and whatever. We do not see each other until the next day, and the next guy feels depressed, he goes back to drugs. Maybe we can do something, like a group therapy session, like every week or every 2 weeks and get together.

Senator JAVITS. Thank you very much, Henry.

HENRY. It is a good idea.

Senator JAVITS. Thank you very much for telling us your views.

(There follows a profile regarding inmates and former participants who testified.)

PROFILES OF INMATES AND FORMER PARTICIPANTS WHO TESTIFIED

JOHN

Age: 31

Conviction: Bail Jump & Criminal Possession Dangerous Drugs—x2

Sentence: 10 months each—consecutive

highest grade completed—9th

previous arrests: 14

previous convictions: six

previous incarcerations: four

Record

9/30/56 burglary—possession knife

12/3/56 Youthful Offender—Probation

1/15/57 Burglary—store

6/12/57 convicted of unlawful entry—sentenced to Elmira (3 years)

1/29/60 discharged from Eastern

8/13/61 fel. asslt. police officer

11/29/62 convicted asslt. 3—sentenced to six months

5/23/63 pl—possession narcotics

1/27/64 pl—possession narcotics

4/22/64 convicted of possession—1 year—suspended sentence

4/27/64 attempted fel. sale Heroin—sentenced to five years

4/30/64 rec'd Auburn

4/4/69 discharged by expiration

9/25/68 Disorderly conduct, possession of weapon, criminal possession dang. drugs, 4th degree, possession works—sentenced to six months

4/27/70 criminal sale dangerous drugs, 3rd & criminal possession dangerous drugs, 6th

6/12/70 sale to narc officer

6/24/70 attempted escape

6/24/70 current charge

RICHARD

Age: 23

Conviction: poss of drugs

Sentence: 7 months

No previous arrests

ALAN

Age: 21

Conviction: Assault 3

Sentence: 3 year indef.

This was his first charge, arrest & conviction. He was paroled on 8/12/70 violated by not reporting and was returned 8/25/71.

GEORGE

Age: 23

Conviction: Possession Stolen Prop.

Received High School Equivalency while attending MDT Rikers Is.

Record:

Has drug record.

15 yrs old—received 3 yrs probation for breaking into drug store.

20-21 arrested for poss of stolen prop. case dismissed

Arrested again for poss of stolen property—6 months Bronx County.

Education:

Left high school in the 11 grade to support his family

FRANK

Age: 41

conviction: Burglary, G.L. Auto & Criminal possession stolen property

sentence: 11 months + 11 months consecutive

Record

11/6/43 House breaking

12/1/50 Unlawful entry—suspended sentence & probation

2/25/51 PL & possession drugs—SS revoked—sentenced to New Hampton Ref (indef)

5/16/52 VOP—returned to New Hampton

5/10/55 criminal. receiving stolen property—dism.

12/31/55 G.L. auto & burglary (store)—sentenced 1½-2½ Sing Sing

Discharged by expiration 7/1/58 from Greenhaven

9/19/58 Burglary—sent. 60 days workhouse

2/14/59 Sale of heroin & possession—sentenced to 1 year & 3 months (consec)

6/1/60 disorderly person—10 days—suspended sentence

6/7/60 burglary—1-3½ years Sing Sing

Paroled 4/25/63

Violated parole 10/7/63

Discharged 4/14/64

6/8/64 Burglary—1 year

11/15/65 G.L. auto—1 year

10/22/66 G.L. & forgery

11/25/66 possession burg tools—1 year

10/21/67 G.L. auto—1 year

9/18/68 burglary—9 months

8/7/69 burglary 0-6 months

7/24/70 burglary, G.L. Auto & criminal possession stolen property—11 months + 11 months consec.

ROBERT

Age: 26

Conviction: Criminal Possession Dangerous Drugs 6th degree (220.05)

Sentence: 1 year

Highest grade completed: ninth

Number previous arrests: 15

Number previous incarcerations: 4

Previous work experience: Worked briefly as a laborer and for approximately one year as a shipping clerk at \$65.00 per week

Record

2/14/61 Delinquent child—gang fight—placed on probation. Discharged from supervision 3/21/62.

- 2/ 5/63 Conspiracy and coercion—State witness in a fel. asslt. case (shooting).
Suspended sentence and placed on probation. Discharged from supervision 3/9/64.
- 2/22/66 Possession Heroin
- 4/25/66 Sale of heroin to police officer
- 6/10/66 Possession of heroin—six months—suspended sentence
- 7/15/66 Possession Heroin—3 year indefinite sentence—Rikers Island
spent 52 days as trial prisoner
paroled 5/16/67
violated parole 6/25/68—sent to Elmira
maximum expiration 5/13/69
- 7/31/69 Possession dangerous drugs—sentenced to three months
- 11/13/70 Burglary 3—sentenced to 10 months for criminal trespassing—Rikers
discharged 7/23/71
- 11/15/71 Criminal Possession Dangerous Drugs—1 yr.—Rikers Island (Current
sentence.)

HENRY

Age: 29

Conviction: Criminal possession dangerous drug

Sentence: one year

Highest grade: 11th

is a drug addict: (heroin, morphine, Marihuana, cocaine) no detection or re-usage
since he was released.

Employment: minimal—worked as laborer and shipping clerk for brief periods
of time

Record

2/0/65 possession heroin

11/18/66 possession heroin

2/2/67 burglary

3/3/67 possession pot

3/14/67 sale of heroin—sentenced to one year

2/19/70 criminal possession dangerous drug—sentenced to one year

7/22/71 criminal possession dangerous drug—sentenced one year

Senator JAVITS. Next on our list of witnesses is a panel of community
leaders.

First is Robert E. Young, president, and George Carson, executive
director, Vocational Foundation, Inc.

Then, Dr. Sol Chaneles, Brooklyn Businessmen's Committee for
the Employment of Ex-Offenders, former member of President's
Task Force on Prisoners' Rehabilitation; and then Ennis J. Olgiatei,
project director, Manhattan Court Employment Project.

I understand Mr. Young is not here.

Mr. CARSON. Mr. Young is on his way. I will submit my full
statement.

Senator JAVITS. Your statement will appear in the record as if
delivered.

**STATEMENT OF GEORGE CARSON, EXECUTIVE DIRECTOR,
VOCATIONAL FOUNDATION, INC.**

Mr. CARSON. I will just summarize.

Overall, manpower programs in prisons have failed due to a lack
of commitment, lack of funds, and lack of expertise.

Hopefully, this bill, S. 2962, to amend the Manpower Development
and Training Act of 1962 will provide the necessary funds for better
programs and will provide the impetus for the fresh commitment.

I would like to make a few observations on the bill itself.

I would like to commend the designers for the inclusion of the bill's
emphasis on independent and continuing evaluation of the programs

conducted, the compilation of relevant information on employment opportunities, and the participation of the U.S. Civil Service Commission in reporting on its employment of ex-offenders.

I should like to commend the legislation for promoting research on impediments to employment. I especially think this could be expanded with the goal of persuading city and State governments to remove some of their legislative barriers to employment; particularly for the youthful offender.

It is salutary that the legislation addresses itself to programs for intensive training of juvenile delinquents and youthful offenders in model community training centers and employment centers; for providing incentive payments and reimbursement payments to employers; for making provision for bonding assistance; for establishment of programs under which personnel of U.S. Employment Service and other public and private placement agencies are trained to provide technical assistance to the placement of eligible individuals. These activities are further enhanced by the inclusion of independent evaluation programs.

Overall, I think that the financial incentive to private agencies and employers, the development of necessary personnel to promote employment opportunities for offenders upon their release and for job counseling prior to release, and the encouragement of a coordinated effort by the private sector, educational and vocational personnel and qualified correctional personnel in the development of these programs—are quite comprehensive and are to be commended.

I would like, however, to briefly add a few of my own recommendations:

It appears that the youthful offender meets much more resistance in the job market and requires greater help in securing employment. Therefore, a reasonable proportion of the money should be reserved for these doubly handicapped youths.

We recognize the limitations for employment within various levels of government and believe strongly that a great effort should therefore be devoted to developing jobs in the private sector.

However, there must be some provision for allocation of public jobs for those individuals who are not absorbed by the private sector.

I also recommend that some money be allocated to the study of existing statutory limitations on the employment of ex-offenders. The Federal Government itself might act as a model by removing all existing restrictions in Federal hiring.

It seems to me that the administration of the vocational rehabilitation program outlined in the bill should be conducted by a body independent of penal institutions and parole or probation departments. The administrative group should be given sufficient power to act decisively as prisoners' advocates in courts and prisons and later in employment situations.

It is perhaps outside the intent of this legislation but I would like to see more sweeping legislation barring all discrimination on the basis of criminal records and/or expunging of all criminal records.

This latter course might be adjusted to the age of the offender, the nature of the crime, the number of offenses or convictions, or a satisfactory probationary record.

Senator JAVITS. Thank you, Mr. Carson.

(The prepared statement of Mr. Carson follows:)

PREPARED STATEMENT OF GEORGE CARSON, EXECUTIVE DIRECTOR, VOCATIONAL FOUNDATION, INC.

As a vocational counselor at Rikers Island 12 years ago and my subsequent association with Vocational Foundation as a counselor and currently as Executive Director of the agency, I have had some experience working with the incarcerated person as well as the ex offender.

Vocational Foundation works with youths between the ages of 16 through 22, providing vocational guidance with the main object of securing employment or job training opportunities for them. Half of our clients, including young men from state training schools, have had some correctional background. More than 90% of our clients failed to complete high school and are academically deficient. The average reading level of the population served by VFI is grade 5.6 while math level is 4.9. For job placement purposes we believe a sixth grade level is usually sufficient for entry level and training jobs. Among VFI's clients, work experience, occupation information, and skills are generally limited. If there has been some previous vocational training in prison or state training school, the usefulness of that training is usually adversely affected by (1) the client's age and the restrictive laws governing employment of minors (2) the clients lack of interest in the designated occupation (3) insufficient training; and (4) lack of relevancy to the job market which generally has few opportunities in the field in which the young person has been trained.

From my own observations of current institutional training, most correctional vocational programs are unrealistic. They often bear little resemblance to the aspirations and interests of the individual and the training is frequently incidental to providing the manpower needs to support the institution. Most of the vocational programs are naively conceived or administered. I believe this is due to the fact that institutional instructors often do not have direct contact with employers and are unfamiliar with the manpower needs beyond the prison walls.

My observation of institutional shops show substantial investment in equipment that for economic reasons cannot be abandoned. An alternate suggestion might be to rent equipment to reduce capital investment. Vocational programs should be evaluated annually on the basis of graduate employment and realistic business needs.

Overall, manpower programs in prisons have failed due to a lack of commitment, lack of funds, and lack of expertise. Hopefully, this bill, S. 2962, to amend the Manpower Development and Training Act of 1962 will provide the necessary funds for better programs and will provide the impetus for the fresh commitment.

I would like to make a few observations on the bill itself. Specifically, I would like to commend the designers for the inclusion of the following points:

(1) The bill's emphasis on independent (?) and continuing evaluation of the programs conducted; the compilation of relevant information on employment opportunities and the participation of the U.S. Civil Service Commission in reporting on its employment of ex-offenders. (page 14)

(2) I would commend the legislation for promoting research on impediments to employment. I especially think this could be expanded with the goal of persuading city and state governments to remove some of their legislative barriers to employment, particularly for the youthful offender.

(3) It is salutary that the legislation addresses itself to programs for intensive training of juvenile delinquents and youthful offenders in model community training centers and employment centers; for providing incentive payments and reimbursement payments to employers; for making provision for bonding assistance; for establishing programs under which personnel of U.S., Employment Service and other public and private placement agencies are trained to provide technical assistance in the placement of eligible individuals. These activities are further enhanced by the inclusion of independent evaluation programs.

Overall, I think that the financial incentive to private agencies and employers, the development of necessary personnel to promote employment opportunities for offenders upon their release and for job counseling prior to release (p. 16), and the encouragement of a coordinated effort by the private sector, educational and vocational personnel and qualified correctional personnel (pp. 7-8) in the development of these programs—are quite comprehensive and are to be commended.

I would like, however, to briefly add a few of my own recommendations: It appears that the youthful offender meets much more resistance in the job market and requires greater help in securing employment. Therefore, a reasonable propor-

tion of the money should be reserved for these doubly handicapped youths. We recognize the limitations for employment within various levels of government and believe strongly that a great effort should therefore be devoted to developing jobs in the private sector. However, there must be some provision for allocation of public jobs for those individuals who are not absorbed by the private sector.

I also recommend that some money be allocated to the study of existing statutory limitations on the employment of ex-offenders. The federal government itself might act as a model by removing all existing restrictions in federal hiring.

It seems to me that the administration of the vocational program outlined in the bill should be conducted by a body independent of penal institutions and parole or probation departments. The administrative group should be given sufficient power to act decisively as prisoners' advocates in courts and prisons and later, in employment situations.

It is perhaps outside the intent of this legislation but I would like to see more sweeping legislation barring all discrimination on the basis of criminal records and/or expunging of all criminal records. This latter course might be adjusted to the age of the offender, the nature of the crime, the number of offenses or convictions, or a satisfactory probationary record.

Senator JAVITS. How much of a job are you doing, and to what extent is the field being covered in terms of numbers?

Mr. CARSON. We are serving approximately 3,000 youths annually. Approximately 50 percent of those youths have correctional backgrounds. The demand for our services has increased in this fiscal year about 17 percent for appointments.

We received several hundred, perhaps a thousand letters a year from correctional institutions, from inmates in correctional institutions; so I would suggest there is a broad gap in services and in terms of the need for those services.

Senator JAVITS. How much do you estimate that gap to be in percentage; what percentage of needs do you feel is being served?

Mr. CARSON. Perhaps 25 percent are receiving some kind of service. There are court programs, ex-offender self-help groups and associations in addition to voluntary agencies such as VFI who are rendering some post-release assistance. However, this assistance is not planned and is most inadequate in meeting even the most basic needs. A better indication of the situation is outlined in the comprehensive manpower plan for New York City, fiscal year 1973, appendix 2E, prepared by New York City Manpower Area Planning Council which states that over 105,000 men and women are released annually from jails in the city. According to that report, the lack of skill training and jobs for the offender is one of the greatest contributing factors to the 70 to 80 percent recidivism rate for this population. Only .04 percent of the ex-offenders released annually from New York City jails go into job training or job development programs geared specifically for them.

Senator JAVITS. Seventy-five percent of the need is unserved?

Mr. CARSON. I think that would be reasonable as qualified by my previous statement.

Senator JAVITS. What do you think about the suggestion made here by a number of the inmates and alumni, for some kind of organization of mutual support.

Mr. CARSON. I think it is an excellent suggestion, which facilitates a continuation of the training that they get in an institution and transfer to job.

Senator JAVITS. Would you take it up with your board, and I will ask my New York office to explore it with other similar agencies, and others.

Mr. CARSON. Yes.

Senator JAVITS. And perhaps others taking an interest in this field.

Mr. CARSON. I believe Mr. Young had something of that sort in his statement.

Senator JAVITS. Dr. Chaneles.

STATEMENT OF DR. SOL CHANELES, BROOKLYN BUSINESSMEN'S COMMITTEE FOR THE EMPLOYMENT OF EX-OFFENDERS AND FORMER MEMBER OF THE PRESIDENT'S TASK FORCE ON PRISONERS REHABILITATION

Dr. CHANELES. I have given Mr. Scales my prepared statement.

Senator JAVITS. It will be incorporated in the record at the end of your testimony.

Dr. CHANELES. I have a few comments.

There are, as you know, 100 major labor markets in the United States. If each labor market were to absorb and retain 100 men and women coming out of prisons each month, we could in a period of less than 18 months reduce the Nation's prison population by at least 50 percent, and at the same time, reduce the national crime incidence by at least 20 percent.

The question is, how to do that.

In that regard, your bill, if it incorporated the suggestion to which you referred at the outset of these hearings, would be a landmark event in human development with regard to prisons and probably the most important, significant event in the 200-year history of prisons in this country.

With regard to the more general scene, we have 10 million living Americans who have been through the prison system since 1932. Fewer than a tenth of 1 percent of that 10 million total ever get back into trouble with the law, provided they get over the 5- to 10-year recidivism cycle.

Your bill, if properly reconstructed, would compress that period from 5 to 10 years to perhaps 1 to 2 years, making it possible to make major inroads in bringing about the wedding of people interested in working and jobs.

The American system of employment is working and there are nearly 10 million people with prison records to prove that.

The prospect for the immediate future is not so encouraging unless there is such legislation as yours, because we will have another 10 million Americans going through between now and 1980.

Senator JAVITS. Dr. Chaneles, you have certainly given us a lot in a few words; and I greatly appreciate it.

May we have a little idea about yourself?

You are a businessman?

Dr. CHANELES. My role for the past 3 years has been to serve as a catalyst in stimulating private businesses and to making skilled jobs available to people coming out of correctional institutions and to back their concern into prisons by relevant job training and education programs.

The logic ought to be the job commitment and then the training and education.

Senator JAVITS. What business are you in yourself?

Dr. CHANELES. Presently, I am a writer on the subject of prisons.

Senator JAVITS. Terrific.

Now, tell us, if you will—because I am terribly interested—what suggestions you would have that we could adopt to provide the job opportunity for the ex-offender.

Also, you might comment on what you think of this idea of mutually supporting association of these ex-offenders on the local level.

Dr. CHANELES. With regard to your first question, Senator, it seems to me the astronomical sums that are proposed in your bill could be used as a bank of incentives to the executive branch of government in the States to carry out meaningful programs of reform specifically in regard to manpower.

As you know, the production use laws that are binding in all of the States were formulated and put into statute over 50 years ago in almost all cases; and there has been virtually no concern until the events at Attica to update this legislation. Present prison industry has not begun to approach the threshold of 20th century with regard to their maximum use.

Your bill and its proposed funds used as incentives could accelerate the updating of both production use laws and prison industries and other relevant programs that are already on the statutes in the States with regard to education, with regard to vocational rehabilitation, and with regard to a whole range of public services and public legislation presently available.

With regard to mutually supporting services after release, my feeling is that this ought to be the ex-inmate's own concern, what level of social life he seeks, what level of friendship he seeks.

I do not think that the State ought to intervene, ought to engineer, the kind of life that men are to seek on the outside.

Senator JAVITS. Dr. Chaneles, we understand the figures are that about 70 percent of employers would not even interview or hire released offenders.

About the same percentage of private employment agencies will not refer one, and that even about 70 percent of the people generally feel queazy about working alongside an ex-offender.

We also understand that over half the States will not employ a man or woman with a criminal record, and even in the Federal Government there is that barrier to employment.

Do you think that we should consider any nondiscrimination legislation in respect of ex-offenders? And do you think it is desirable or that it could feasibly be drafted?

Dr. CHANELES. I think with a stroke of the pen, civil rights law could be amended so that no one could be denied the right to a job on the basis of previous position of penal servitude. That is not going to help open up the jobs. In that regard, let me say, there is the official position of the employer and the practical, ongoing position of the employer.

My experience is that if employers are approached about creating opportunities for employment, they do that. The proof of that is that there are 10 million people with prison records in this country presently in the economic mainstream of American life.

Senator JAVITS. You would not recommend changing the law—but rather dealing with businessmen's organizations to give them also some mutually supporting way of interesting them in the problem?

Dr. CHANELES. Yes.

Let me elaborate.

When the Task Force on Prisoner Rehabilitation was first proposed to the President, the idea was for a task force to be solely concerned with the employment problems of people in prison, and as they get out of prison.

The task force enlarged the scope. But its main recommendation, which you quote in the supporting documentation for your bill, cited the need for a national effort on the part of employers, on the part of the labor movement, on the part of community leadership to create jobs on scale, meaningful stable jobs on scale for people coming out of correctional institutions.

To do this does not require, it seems to me, legislation; but it requires some standup person like yourself with a commitment to vocational education, with a commitment to the people to whom this has been traditionally denied, to get up and convene a national meeting of national labor leaders and community leaders to get on with the task.

Senator JAVITS. I am going to try in the State a meeting of business, labor, and public employers, to see what we can do to pin down firm commitments for jobs for offenders and a policy on that scale.

Dr. CHANELES. That is excellent.

Senator JAVITS. Thank you, Dr. Chaneles.

(The prepared statement of Dr. Chaneles follows:)

PREPARED STATEMENT OF DR. SOL CHANELES, BROOKLYN BUSINESSMEN'S COMMITTEE FOR THE EMPLOYMENT OF EX-OFFENDERS AND FORMER MEMBER OF THE PRESIDENT'S TASK FORCE ON PRISONERS REHABILITATION

Less than three percent of Americans serving prison sentences are provided opportunities for useful work. This waste of human resources is astronomical and tragic—so are the consequences in terms of unemployment and renewed crime. To conserve this vast pool of untapped manpower we must, to restate Burke's dictum, reform. The most neglected, though most widely known, aspect of prison ineffectiveness is idleness.

There is a healthy burgeoning movement in the judicial and legislative branches of government helping to deliver the prison apparatus to the threshold of the twentieth century, but only within the framework of their powers: the remedy of grievances, the clarification and protection of rights. By contrast, the executive branch continues to regress: in 1885, 75% of all American prisoners were employed during their sentences, by 1932 the figure dropped to 52%, in 1972 it seems to be grinding to a vanishing point. More telling—the average hourly pay for a prisoner in 1932 was 15 cents, it is still 15 cents forty years and ten million prisoners later.

Reform of prison manpower policies and practices requires a fundamental commitment to a national full employment policy. Unless there is such a policy and its reality in terms of jobs, education and vocational training programs in prison will continue to be costly, wasteful and unsuccessful by any standard. Eventually, coalitions of business, labor and community will have to take over and run prisons to carry out national employment policies to deliver the benefits of these policies where, at present, there are none.

Manpower reform in prison requires no additional laws, provided that the present laws relating to prisoner work activity—enacted almost a half century ago, are executed imaginatively and in good faith. Laws regulating what goods and services may be produced in prison and to whom these may be sold are still viable in spite of their age; the laws stipulate only that the fruits of prison work may be consumed only in publicly supported institutions. In an era of insistent demand for expanded and improved public services, it behooves the prison apparatus to provide work and wages for prisoners in ways that will yield maximum immediate and long term benefit for prisoners and for all the citizenry.

Manpower reform in prison requires no additional money. The prison apparatus needs not so much an infusion of resources as it does a fusion of collaborating community forces that will assist and act as a catalyst for prison people to accelerate the reaching out for and use of what is presently available to all Americans.

Senator JAVITS. Our last witness is Mr. Olgiati.

STATEMENT OF ENNIS J. OLGATI, PROJECT DIRECTOR, ADMINISTRATIVE OFFICE OF THE COURT EMPLOYMENT PROJECT, MANHATTAN, N.Y.

Mr. OLGATI. Thank you.

I am Ennis J. Olgiati. We totally support your bill, especially the pretrial intervention segment of the bill.

We believe whenever possible, at all costs, or to better phrase it, at lesser cost, the arrestee should be kept in the community and his entire family should be serviced.

We have been operating now for 5 years. We operate in three counties in New York. We will eventually go citywide.

Next fiscal year, we will take 2,600 arrestees. Twenty-four cities across the country have copied our program. The federal system soon will.

A sample group of our dismissed participants recidivated 79 percent less than a matched control group that went through the traditional response to arrest.

Employmentwise, in a random selection of 100 people, 33 were employed at project entry, 17 months later, we could only track 87.

Of the 87, 70 were employed. From a public assistance point of view, random selection of 100 people, 31 were receiving public assistance; 17 months later, there were three.

I would urge that the center set aside a large sum of money for pretrial intervention. I would urge that the staff that gets into pretrial intervention include many paraprofessionals.

The Senator mentioned that his office will hire one ex-inmate. In a staff of 180 people, we have 90 ex-inmates and ex-addicts doing this work.

Among three borough directors, two are professional psychologists. Twelve years ago one of the directors was doing a term for murder. I would also ask that supportive services be applied to the entire family constellation of the arrestee.

It is ludicrous to service one person in a family constellation that is having trouble.

Senator, I would like to submit to you our progress reports; and thank you very much.

(The reports referred to appear on p. 183.)

Senator JAVITS. Just one word of correction.

I have a staff of seven in New York City, not 180. One in seven would be pretty good.

Mr. OLGATI. I said that I have a staff of 180.

Senator JAVITS. One other matter:

The record will show that you submitted your work, which we appreciate greatly.

Also, would you be kind enough to give us your view of the estimate made by Mr. Carson as to the percentage of the constituency which is being served today by some outside agency respecting the possibility of a job? He estimated 25 percent.

Mr. OLGATI. I would assume about the same.

Senator JAVITS. You think that is about right?

Mr. OLGATI. Right, sir.

Senator JAVITS. I have the pretrial problem dealt with in the bill, as you have already noted, in section 253.

What do you think about the terms of the bill, in terms of helping efforts like your own?

Is there anything else you want to say?

Mr. OLGATI. I think we must provide for a staff of people to do sensitivity training and counseling with employers. The unfortunate thing is that the employers have more hangups than the inmates, and many employers will allow you to go into their firm to challenge them on the hangups and to begin to deal with the problems of hiring an ex-arrestee or ex-offender.

I notice that the hearings were covered by the New York Times' people.

The New York Times has allowed us to go in and do sensitivity training with their department heads, as have about 200 other firms.

Senator JAVITS. I understand too, Mr. Olgati, that you have some figures on all pretrial programs in the country.

Could you help us with that?

Mr. OLGATI. There are approximately 24 right now, sir, throughout the country. The last one to come into the fold was the Virgin Islands.

Senator JAVITS. Could you give us a list of those?

Mr. OLGATI. I could provide you with it.

Senator JAVITS. Thank you very much.

(The information subsequently supplied follows:)

PARTIAL LIST OF PRE-TRIAL INTERVENTION PROJECTS
IN OPERATION OR BEING PLANNED.

The Cleveland C.E.P.
2108 Payne Avenue
Cleveland, Ohio 44114

Mr. Robert Alexander
Director

Boston Court Resource Project
14 Somerset Street
Boston, Massachusetts

Mr. Jack Calhoun

Mr. Mark Berger
Legal Advisor
Department of Police
Service
New Haven, Conn. 06510

Mr. Clancy Cotton
326 Court House
Pittsburgh, P.A. 15219

Mr. Thomas Carmichael
Community Information
and Referral Service, Inc.
353 Springfield Ave.
Newark, New Jersey

Hennepin County
Pre-Trial Diversion
Project
309 Portland Avenue South
Minneapolis, Minnesota

Mr. Bill Henschel

Mr. Steven Cohen
Project Director
Philcourt Pre-trial
Diversion Project
1346 North Broad St.
Philadelphia, P.A. 19107

Project J.O.V.E.
722 Broadway
San Diego, California 92101

Mr. Dan Dixon, Employment
Coordinator

San Francisco Pre-Trial
Project
North Bay Human Development
Corp.
1500 Mirin St.
Vallejo, California 94590

(Baltimore Project)

Mr. Eddie Harrison
2117 Crimea Road
Baltimore, Maryland 21207

(Kansas City Project)

Mr. Kenneth Kern
2517 Truman Rd.
Kansas City, Missouri 64128

-2-

(San Antonio Project)

Mr. Manuel V. Lopez
Project Director
514 Dwyer Street
San Antonio, Texas 78204

Mr. Bruce E. Sucher,
Counselor
NARA
Community Services Bldg.
404 Salem Avenue
Dayton, Ohio 45406

(Pittsburgh Project)

Mr. Jerry Lockwood
University and City
Ministries
4401 Fifth Avenue
Pittsburgh, P.A.

(Seattle, Washington Project)

Mr. Philip G. Sherburne
Director
Law and Justice Planning
Office
City of Seattle
2902 Smith Tower Bldg.
Seattle, Washington 98104

(Fall River, Mass. Project)

Mr. Patrick Lowney
Criminal Justice Planning
Committee
100 Purchase Street
Fall River, Mass.

Project Crossroads
Washington, D.C.

(Syracuse, New York Project)

Rev. R.E. McCollum
Syracuse Criminal Justice Committee
232 E. Anandaga Street
Syracuse, New York

James Davis, Director

(Hartford, Conn. Project)

Mr. Leonard Oshinsky
Criminal and Social Justice
Coordinating Committee
286 Pearl St.
Hartford, Conn.

Mr. Van Jon Diest, M.Ed.
Probation Officer
Government of the Virgin
Islands of the United States
Christiansted, St. Croix

(San Francisco Project)

Mr. Joseph R. Silver
Executive Director
Northern California Service League
693 Mission Street
San Francisco, California 94105

Richard Gerstein, Esq.
State Attorney
Metropolitan Dade County
Justice Building
1351 N.W. 12th St.
Miami, Florida 33125

Senator JAVITS. Mr. Olgiati's testimony completes our hearing. The Chair would like to make the following statements.

One, I wish to express the appreciation of the Senate Committee on Labor and Public Welfare, and Supervising Warden Francis R. Borneau, Warden Morris Osland, of the Adult Remand Center, and to all of the employees of the correctional department, who facilitated our work this morning; and also to the participants in the MDT program this morning who welcomed us with a little homemade newspaper headed "Washington Dignitaries Come to MDT."

Finally, the Chair wishes to announce that there will be a Federal team from the Office of Education which will be visiting Green Haven and Walkill Prisons on June 26 and 27 to meet with State officials on how educational and vocational components in those facilities might be improved.

If there is no other business to come before the hearing, the Chair will direct that the record be kept open for 10 days for such statements as are to be filed by those who could not attend and other pertinent material submitted for the record.

(The material referred to follows:)

U.S. DEPARTMENT OF LABOR
OFFICE OF THE ASSISTANT SECRETARY
WASHINGTON, D.C. 20210



JUL 21 1972

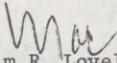
Honorable Jacob K. Javits
United States Senate
Washington, D. C. 20510

Dear Senator Javits:

Enclosed is the Department of Labor statement on S. 2962, the "Comprehensive Correctional Training and Employment Act." As the statement explains in greater detail, we are opposed to enactment of the bill because its approach is inconsistent with the principle of decategorization as embodied in S. 1243, the "Manpower Revenue Sharing Act." The statement also explains current offender rehabilitation efforts of the Department.

Notwithstanding our opposition to S. 2962, our commitment to provide training and employment opportunities for both convicted offenders and persons charged with crimes, reflected in our current activities, remains firm. We appreciate your interest in these matters, and hope that we can continue to work together to increase the effectiveness of the criminal correction process and reduce recidivism.

Sincerely,


Malcolm R. Lovell, Jr.
Assistant Secretary for Manpower

Enclosure

Statement
of the
Department of Labor
on S. 2962,
The Comprehensive Correctional Training and Employment Act

S. 2962, the Comprehensive Correctional Training and Employment Act, would amend the Manpower Development and Training Act of 1962 to authorize the Secretary of Labor, in coordination with the Attorney General and the Secretary of Health, Education and Welfare, to make available training and employment opportunities for offenders and persons charged with crimes. The proposed act would authorize work release and other programs for incarcerated offenders, jobs in the public and private sectors, pretrial intervention and probation programs, and technical assistance and research. The purpose of the bill is to increase the effectiveness of the correction process and to reduce recidivism in the Nation.

We agree with the purpose of the bill and our actions over the past several years testify to this commitment. Nevertheless, we feel that the creation of additional categorical manpower programs is undesirable at this time. The Senate Subcommittee on Employment, Manpower and Poverty and the House Select Labor Subcommittee currently have under consideration comprehensive manpower legislation, including the Administration's proposed Manpower Revenue Sharing Act, S. 1243. The Administration proposal would decentralize, decategorize, and consolidate the funding authority of the Nation's manpower program. Senate and House hearings on

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manpower reform legislation have shown that there is wide agreement on the needs for incorporating these principles in new comprehensive manpower legislation.

Manpower revenue sharing is designed to correct the problems of confusion, duplication, and inefficiency caused by rigid categorical programs. State and local governments would have broad discretion to determine the use of available funds for manpower program purposes under the Manpower Revenue Sharing Act. They would be able to plan and implement the mix of manpower services that best suits their needs. All potential clientele of manpower activities, including offenders, would be served more efficiently and effectively under manpower revenue sharing. In addition to State and local manpower activities, the Secretary of Labor could use his reserve account under MRSA to meet general national manpower needs. Such needs might include the provision of comprehensive manpower services to Federal offenders.

S. 2962 is not consistent with the manpower revenue sharing approach. At a time when basic reform of the Nation's manpower program is needed, S. 2962 authorizes yet another national categorical program serving a special clientele group. It is time to concentrate our efforts on the development of a new and better comprehensive manpower delivery system, within which special needs such as correctional training could be met.

The Department of Labor has taken a number of initiatives aimed at offender rehabilitation, through the provision of manpower services and employment opportunities. The inauguration of these programs was necessary, in part, because States and local governments have been locked into existing categorical programs and they have been unable, on their own initiative, to respond to the growing need for manpower services for offenders. The programs which we have planned and implemented are outlined below. Similar types of activities could be conducted under the Manpower Revenue Sharing Act.

-- The Department of Labor's efforts in the offender field began in 1967, with the training of inmates in correctional institutions. This training, supported by MDTA funds, includes both job skills training as well as remedial education. At the end of 1971, inmate training was being conducted at 60 institutions in 39 States.

-- In order to link training with job development and placement efforts, the Manpower Administration has funded Employment Service offices in five States to provide for additional staff. These personnel are assigned to work with offenders, both at prisons and in the areas to which they are released, to help them obtain training and jobs.

-- In eight States the Department has funded planning staffs so that comprehensive State offender rehabilitation plans can be developed in the Governors' offices. After

plans are developed, contract negotiations will be conducted to fund program operations under those plans.

-- Building upon these pilot efforts, the Departments of Health, Education and Welfare, and Justice joined late in 1971 to invite the Governors of all States to work with these departments in drawing up national guidelines for comprehensive State programs that would make a concerted attack on the problems of persons involved with the criminal justice system.

-- The Department currently funds seven "pre-trial intervention" projects, under which persons charged with crimes can be committed for training and placement assistance for a period of 90 to 180 days prior to adjudication of their cases. These projects will serve as models for those States which wish to include similar projects in their comprehensive plans in the future.

-- The Federal Bonding Program, initiated under MDTA section 105, is now available in all local Employment Service offices. This program provides fidelity bonds to persons who are unable to obtain such bonds commercially because of arrest or conviction records, but who need such bonds in order to take particular jobs.

-- The Department has undertaken or completed evaluation studies on the pre-trial intervention pilots, the bonding program, and MDTA correctional training, and we expect these studies to contribute to further improvements by

State and local officials. In addition, a contract research study on arrest records as impediments to hiring has been completed for the Department of Labor; and there is underway a study of the effectiveness of financial and employment assistance in helping released offenders adjust to life on the outside.

-- Finally, the Department of Labor is a major participant in the work of the Interdepartmental Committee to Coordinate All Federal Juvenile Delinquency Programs, chaired by the Attorney General; and our Regional Manpower Administrators are cooperating with the Youth Development and Delinquency Prevention Administration of the Department of Health, Education and Welfare in developing the youth employment aspects of the Department of Justice's 8-cities, \$160 million demonstration program on the reduction of street crime.

These activities in the area of offender rehabilitation reflect the Department of Labor's commitment and seasoned experience and assure that, under manpower revenue sharing legislation, appropriate attention will be given to services for offenders. This can be accomplished through technical assistance, review and constructive comment on plans, and through the Secretary's discretionary funds. Moreover, under the Manpower Revenue Sharing Act, States and local governments could continue any of the efforts listed above, or they could

develop new designs for services, based on local needs and local experience.

Accordingly, we do not favor enactment of S. 2962.

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STATEMENT OF HENRY S. RUTH, JR., TO U.S. SENATE SUBCOMMITTEE ON EMPLOYMENT, MANPOWER, AND POVERTY, COMMITTEE ON LABOR AND PUBLIC WELFARE, JUNE 9, 1972

I am the director of the New York City Criminal Justice Coordinating Council, an executive order group created as the City's planning body for the distribution of federal funds for improvement of criminal justice under the Omnibus Crime Control and Safe Streets Act of 1968. We also have a coordinating function among the various parts of the criminal justice system and we assist in the development of the City's criminal justice legislative program.

I would like to convey my strong support of S.2962, the proposed Comprehensive Correctional Training and Employment Act. This legislation would provide substantial and badly needed federal participation in efforts to protect the public from crime by providing job opportunities to ex-offenders.

Each year, some 18,000 people leave New York City's correctional institutions after serving sentences of up to one year. An additional 80,000 spend some time in pretrial detention. Most of these people will return again to court and prison, and one of the main reasons they will come back is that illiteracy, lack of job skills, and discrimination make it impossible for them to earn a legitimate living. In many cases, the experience of imprisonment has had no effect but to reinforce the inmates in criminal techniques and values.

Society's inability to recognize the futility of locking a person in a cage for a period, then releasing him onto the streets without funds, a place to live, or any skills other than those he picked up from his fellow-prisoners, is a puzzling form of blindness. If this does not offend our sense of justice, it should certainly offend our sense of logic. We often seem more concerned with showing our outrage at crime than with taking positive steps to prevent it. This attitude has begun to change in recent years, however, and this bill is both evidence of, and encouragement toward, that change.

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The bill's emphasis on programs for pretrial detainees and on programs which will begin in prison and continue after the offender's release is particularly important for New York City, where 80% of the Correction Department's annual population is never in sentenced status and where custody, whether pretrial or on sentence, is for a short period of time. Effective rehabilitation within the walls of this kind of prison system is extremely difficult, but the period of pretrial detention or a short sentence can be used to find appropriate community-based programs which inmates can enter on release, or to begin their participation in such programs which would continue on release. Ideally, a pretrial prisoner's success in a program could lead to the charge against him being dismissed. The availability of funds for this type of pretrial diversion and post-release program is one of the most valuable features of the bill.

Other valuable provisions are for incentive and reimbursement payments to employers who hire ex-offenders, and for priority in funding to programs which can arrange for the subsequent employment of participants. No job training program will have any value unless it leads to genuine employment opportunities, and these provisions of the bill recognize the need to provide those opportunities. Training a person in a job skill for which there is no demand, or which he can't use because of discrimination against him as an ex-offender, is almost as futile as simply imprisoning him with no rehabilitative services.

Unfortunately, the bill does not deal with the enormous problem of discrimination--both in law and in employers' practice--which constitutes one of the most important barriers to ex-offender employment and rehabilitation. Many state and local laws barring people with criminal records from various kinds of jobs and licenses are so broad as to close off large areas of potential employment, and consequently endanger the public by leaving many ex-offenders no alternative to crime. Changing these laws is a local task which should accompany the expansion of training and job opportunities under this bill.

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We badly need the resources this legislation can bring to manpower development in corrections--planning and evaluation, as well as funds. In conjunction with local efforts under the Safe Streets and Juvenile Delinquency Acts, this program can be of great value in reducing crime.

STATEMENT FOR SENATE SUBCOMMITTEEMonday, June 19, 1972

My name is Robert Young and I am a practicing attorney in the New York City firm of Gilbert, Segall and Young. I have been associated with Vocational Foundation since 1954 and I am now its President and a Trustee.

Vocational Foundation has been working for 36 years with young people having correctional backgrounds. It was organized as a private agency in 1936 to provide "vocational guidance and job placement for probationers and parolees from correctional institutions and training schools (age limit 16-21, inclusive)". Its principal mission was, and is, to place young people from correctional institutions in jobs and training programs, although it now also provides services to individuals referred by community groups and other accredited private agencies.

Approximately 50% of the young people coming to Vocational Foundation today have some history of correctional confinement. This figure includes young people placed in state training schools simply because they have been abandoned by their parents; others who have been arrested but not convicted and others still who have served sentences

for crimes ranging from car theft to felonious assault. Over the years we have dealt with thousands of young individuals in this most difficult of job-market situations. Our understanding of the job to be done and our views as to how it should be done grow out of this experience.

Vocational Foundation has operated for a number of years under a contract with the Community Service Bureau of the State of New York to provide vocational guidance and placement to young persons being released from the New York State training schools. We have recently concluded a contract with BYCEP whereby vocational counselling and job placement were provided for youths released from The Adolescent Remand Center at Rikers Island. We find that the young people who come to Vocational Foundation from these institutions are ill-prepared to confront the realities of the work-world. The correctional background is in many cases the least of their liabilities. Typically, reading and mathematics skills are deficient and there is a total lack of job-skill training. Never having had jobs most of the young people we deal with have no understanding of the demands of job life and no basis on which to formulate realistic attitudes and objectives for themselves with respect to employment.

Our approach to this set of problems has been to find entry level jobs as a first step, with the goal of motivating these young people to improve their prospects through further training. All of these initial jobs are in the private business and industry sector, and all are jobs that fill real manpower needs of the employers involved.

Before addressing myself to the particular program under consideration by this committee, I would like to state the personal view that all efforts to reduce crime are like rowing against the tide unless the problem of drug addiction is seen as a social disease rather than as crime. No job will pay sufficient funds to addicts to support their habit or to obtain the help needed to overcome it. No penal statute will deter an addict from using drugs or from committing crimes to provide financial support for his habit. A change in outlook is indicated, whether we approach the problem from the perspective of the addict, the victim or the taxpayer who must pay the costs for police, courts and prisons.

Moving to the question at hand, we wish to express our whole-hearted support for the proposed legislation and to outline the elements which our experience has taught us are essential to the success of any program in this area.

1) Job training and vocational guidance should begin in the correctional institutions. In the case of young people the efforts should be concentrated in the period shortly before release. Training should be related to the job opportunities available in the community to which they are returning. Professionals and para-professionals in vocational counselling should be involved to a larger degree than is the case with BYCEP. In addition to getting young people to aspire, there must be an awareness instilled of the realities of the work-world and of the need and opportunities for education and training in preparation for more important and better-paying jobs. Acceptance of entry level jobs as a first step should be encouraged. Before leaving the institution each young person should be equipped with working papers, Social Security number, and some basic training in grooming and work attitudes.

2) A program of sheltered workshops should be explored for the simple reason that many young people are unable to make the transition from correctional institution to the world of work without this half-way house.

3) Experiments with released time should be undertaken for the specific purpose of job training and vocational guidance and placement prior to discharge from the institutions. Our statistics indicate that large

numbers of these young people do not keep initial appointments made with our agency. This has been particularly the case in the BYCEP program where more than 60% did not keep initial appointments and many failed to report for job interviews or failed to return to jobs after being hired.

4) All areas of government must do much more to prevent recidivism. It is a deplorable fact that many government units discriminate against ex-offenders and those on methadone maintenance in their hiring. In some instances this discrimination is required by law or regulation. Such practices should be immediately abandoned. A high-level example is needed in our efforts to convince the often reluctant and skeptical employer in the private sector. Indeed, the government should be the employer of last resort instead of providing financing through welfare payments or the subsequent incarceration of these individuals.

5) There must be a thorough examination of the labor laws which bar young people from certain areas of work on the basis of age. For example, laws relating to the use of machinery should be framed in terms of training and supervised experience rather than age. Additionally, attempts should be made to remove obstacles to admission to unions for these people where such membership is a pre-requisite to employment.

Finally, I want to make a plea that the experience and special expertise of the private agencies be recognized and utilized.

If it is not hampered by limiting contracts, the private agency often has the opportunity to be flexible and innovative. Vocational Foundation is representative. Our small organization provides guidance and placement service involving psychometric and aptitude testing, professional guidance, placement and post-placement follow-up. We are placing clients in jobs we find in the community. We have cooperated with small employers and groups such as the engineering society in packaging and managing training programs geared to actual jobs. We do not have jobs created or made available to us. Our total costs are presently averaging \$140 per placement. Our experience shows that our clients have good job retention and in many cases where a job is left, the clients return to us for subsequent help. The fact that the proposed legislation makes it possible for private agencies to be direct applicants in the program is a very heartening aspect.

In the business world there is the so-called "make or buy" decision. The heavy involvement of government in vocational training and placement of the hardest-to-place young people is relatively new and we have noted a tendency on the part of government people to want to "make". There are many resources available in our society. A well-founded government program should draw on all of these. It should take a number of organizations -- each having a sharp focus on the thing that it does best, -- and coordinate these several component parts into a working unit to attack the problem on a comprehensive scale.

The private agencies, which have been working with these problems for years, welcome the government commitment and support that this legislation would represent. We look forward to participating in the multi-sectoral attack of the problem which this Bill would make possible.

PREPARED STATEMENT OF HERBERT W. WATKINS, VICE PRESIDENT
OF THE GRAFLEX DIVISION OF THE SINGER COMPANY

Mr. Chairman and members of the committee, as vice president of the Graflex Division of the Singer Company, I appreciate the opportunity to present our views and program efforts towards the matter which brings you to this hearing.

Criminal activity throughout the Nation continues to follow an upward trend. In municipalities all across the country, efforts are being pressed to increase the effectiveness of enforcement. Experienced police and correctional personnel fully realize that after-the-fact police measures cannot by themselves turn the trend to the downswing. Required in conjunction with enforcement are programs which focus on the crime prevention aspects of the problem. One area deserving special attention is the rate of recidivism. It is a discouraging fact that three of four persons convicted of crimes will engage in repeat criminal activity at some future time. It is clear that local and national energies must be directed to altering the behavior patterns of identified offenders to prevent them from remaining within the cycle leading to continuing criminal activity. The question is whether a program can be devised to deal with this problem.

A recently-released study by the National Council on Crime and Delinquency evaluating an experimental program in Rochester, New York, suggests an effective approach is available for application by concerned communities. It developed out of the Monroe County Pilot Probation Program funded by the Justice Department through the New York State Office of Crime Control and Planning. The program was designed to cut the rate of recidivism among probationers by alleviating or correcting underlying causes of illegal behavior through vocational and social skill training. NCCD findings show that the program met with considerable success.

The project effectively reduced the unemployment rate of the target population.

Employees, personnel officers, and line supervisors were in agreement and consistent in their high ratings of the projects job placements.

The preponderance of evidence showed the program to be effective in reducing probationer recidivism.

Attrition rate by failure to complete the program was low, less than two percent.

Estimates indicate that the project probably paid for itself during the first year, and would do better through time.

So impressed were local officials that the project was refunded for a second year and extended to include inmates from the Monroe County Jail.

The probation project began in December, 1970, following the signing of a contract between the City of Rochester and the Graflex Division of the Singer Company. As prime contractor, Singer/Graflex has full operational responsibilities while working in close coordination with the Monroe County Department of Probation, the Council of Social Agencies, New York State Employment Service and local manpower and community service agencies. Through application of the services offered by these agencies and its own specially designed program components, Singer/Graflex works to provide individual assistance to each participating probationer to help him solve his own particular set of problems.

Operating on the assumption that criminal behavior is related to unemployment, the project's aim is to reduce recidivism by a combination of:

Academic upgrading to improve employability.

Vocational assessment of job interests, limitations, tolerances, and innate abilities.

Counseling for positive behavior and self direction.

Job finding to discover available jobs and placement.

Job coaching to assure retention.

Currently, the program is in its second year, and additional money was made available to expand the program to include unsentenced and sentenced inmates of the Monroe County Jail as well as work release inmates and parolees. As of June 2, 1972, 311 probationers, parolees, inmates, and work releasees have been placed into the program which is maintaining a 98.4% completion rate. The project has a job placement rate of 92.6%, and a job retention rate of 84%. Since the beginning of the program only four have been arrested and convicted of a new offense. That translates into a recidivist rate of 1.3 percent, a figure lower than even the most optimistic had hoped.

This program is experimental and was designed to demonstrate what a rehabilitation program could do to reduce recidivism. It is working, and the crime rate is reduced by repeaters not repeating, but returning to useful and self-sustaining positions in the community.

However, this program through its current source of funding is limited to short term demonstration. It has been identified as an effective manpower training and employment program with appropriate supportive services. More widespread use of the program is needed if the employment and training needs of criminal offenders and persons charged with crimes are to be dealt with adequately. Moreover, this type of program must become an integral part of the correctional process for full effectiveness.

I suggest, however; that this program is in evidence of the need for Federal legislation as expressed by the proposed "Comprehensive Correctional Training and Employment Act." Thank you.

Respectfully submitted,

H. W. WATKINS,
Vice President,
Graflex Division of the Singer Company.

[From the Patent Trader, June 24, 1972]

Sen. Jacob Javits held hearings at Riker's Island this week on a bill to help put criminal offenders and persons charged with crime back in the economy as wage-earners. It impresses us as the most substantial action so far proposed to reverse the dismal procession for crime to prison to more crime and back to prison again.

We know a great deal about our penal system, about recidivism rates (sky-high), and about the results of rehabilitation effort. Unfortunately, we do very little with what we know. Most prisons pervert and dehumanize. Most released convicts find the road to employment blocked by state laws proscribing a multitude of jobs. Few authorities provide concrete help for the ex-prisoner who wants to go straight. And too many convicts lack a salable skill.

The Javits bill, co-sponsored by an impressive array of senators, would make a total of \$340 million available over three years for training and employment of prisoners. The effort is aimed particularly at the private sector, at businessmen who can obtain federal funds for training programs in and out of prison, as well as before conviction, and to supplement wages paid to those employed.

The bill may meet opposition, not only from opponents of criminal "coddling," but from those who object, in a period when so many good citizens are unemployed, to creating special job opportunities for the less deserving.

To this legitimate argument, there is an answer. Helping prisoners is not simple altruism—it is good business. We are all paying heavily, in taxes, insurance premiums and property loss, for the activities of criminals outside the system. Keeping people in prison costs a lot of money; so does catching criminals and prosecuting them. The minute an excon becomes a wage-earner, he stops taking money out of the public till and starts putting it in.

There are plenty of humanitarian reasons for instilling hope into our archaic penal system. The economic reason should buttress the case. We urge our readers to support Sen. Javits' bill, S. 2962.



U. S. DEPARTMENT OF LABOR
OFFICE OF EMPLOYMENT, WASHINGTON, D. C. 20460

ADDRESS BY SECRETARY OF LABOR

J. D. HODGSON

AMERICAN BAR ASSOCIATION

COMMISSION ON CORRECTIONAL

FACILITIES AND SERVICES

APRIL 13, 1971

Last June my predecessor, George Shultz, talked with you about the Department of Labor's programs and plans to help rehabilitate criminal offenders.

Since then, George has gone on to other and bigger responsibilities, but I don't think the change in command has caused us to lose any of the thrust behind these efforts. We have been continuing with the work and pursuing the goals he outlined, and I believe we have made encouraging progress. I'd like to review some of that progress with you this morning and describe our additional plans for the future.

I certainly do not consider myself an expert in the field of rehabilitation. However, the Labor Department has accumulated a number of years of experience with various ways of relating employ-

ment and income to the rehabilitation of offenders. I'm acquainted with that experience. I'm impressed with it and even excited about it. I think it can make a real contribution to the problem of rehabilitation and the reduction of crime.

But I'm also aware that while we can help stimulate improvement in our criminal justice system, the improvement itself must largely be brought about by states, municipalities, volunteer organizations, professional groups, and particularly such concerned groups as yours. I am therefore especially pleased to have this chance to talk with you today.

You may remember that last year we reported that we intended to increase our program base by \$10 million for fiscal year 1971. We have done so. As a result, we have been able to expand some of the efforts he described and add new ones. We hope to keep up this head of steam. We are planning to more than double financial support in fiscal year 1972. The Department will continue to provide national guidance, develop models for manpower services, and conduct research.

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One of the important needs we described was a more systematic alignment of our entire manpower network with the criminal justice and corrections systems. This is a large order, and we still have a long way to go. But here too we have been making some progress.

Within the Federal Government we now have an Interagency Council on Corrections with members from every Federal agency with an interest. The Council meets monthly and is developing an agenda that will go a long way to open job doors for ex-offenders. For example, it is now considering a demonstration project to identify and develop specific job opportunities within Federal agencies in the Washington area as well as in local Government. These opportunities would be pre-planned for specific individuals, including many still within institutions.

In addition, we are encouraging joint planning of programs at the state level. Here we are enlisting the cooperation of state employment service agencies and state planning agencies that currently set priorities for bloc grants provided by the Law Enforcement Assistance Administration. The response of Governors and their immediate

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advisers has been striking, and many other state agencies have been pulled into the development of an overall correctional manpower plan. I will touch later on some model programs we are developing at the state level. These models have been very helpful in stimulating this kind of joint planning by state agencies.

But let me bring you up to date on some of our specific activities.

You may recall that we have had two pre-trial intervention projects under way, one in Washington and one in New York. These are projects in which carefully selected arrestees are identified and offered the opportunity for counseling, job training, placement in employment, and other supportive services before judicial review of their cases. Sentence is deferred for 90 days or more to permit this intervention. After the intervention period is over, a recommendation is made to the court, based on behavior and performance in the prescribed program of training or work. The court usually drops charges upon a favorable recommendation.

The Washington project has proved so successful that it has been incorporated into the court system as a continuing element of its practices -- with the enthusiastic endorsement of the U.S. Attorney and the Chief Judge of the Superior Court. Research into

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the effectiveness of this project has been very encouraging. I'm not going to take the time this morning to go into it in detail, but I do want to point out that of 200 participants followed up for 15 months, only 30 percent were rearrested, compared with a rearrest rate of 44 percent for a matched control group. In economic not to mention human terms, this is a pretty good return on an investment.

Once we succeeded in refining procedures for screening out drug addicts, we obtained comparable results on the New York project, conducted by the Vera Institute of Justice. Financing for that project has now been taken over by New York City, and the program has been tripled in size.

We are continuing experiments with pre-trial intervention under varying local conditions. This year we will test programs in Atlanta, Boston, Cleveland, Minneapolis, San Antonio, Baltimore, and the San Francisco Bay area. They will enroll over 4,000 participants.

I'd like to point out that we are particularly enthusiastic about the pre-trial intervention concept because we know how important it is to find ways to reduce court congestion and long delays between arrest and trial. As we continue to test the concept, it would help if local and state bar associations would examine its

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usefulness to each community's criminal justice system. I am sure that if these associations or other professional groups reported their findings to us, it would help us improve performance. I am sure, too, that their interest could lead to a more general acceptance of the idea. Perhaps it would also lead to other ideas on how to divert some offenders from adjudication. Today we can't escape the conclusion that society must find alternatives to expensive and ineffective imprisonment, particularly for youthful offenders.

Now a word about our Pilot Skill Training Program for Inmates. An evaluation of 26 of the first projects indicates that, although they confirmed the feasibility of this kind of training, we had a long way to go in strengthening the links between training and a specific job. A followup study of 1,500 trainees and a comparable group without training is due in a few weeks, and preliminary reports of this study indicate that we are still suffering from this same weakness. This is a weakness that applies to more than prisoner training. In all our manpower training ventures the job placement at the end is essential and critical.

We are working on this aspect of the program. This year we anticipate a total of 55 such projects with about 5,000 inmates

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participating. The weak spot has been the state employment services' difficulties in providing job finding assistance, so we are funding model programs in five states -- Pennsylvania, Georgia, Oklahoma, Arizona, and Massachusetts -- to expand and improve their services. We plan to add five other states by midyear. These model programs provide state employment services with staff, facilities, and services to link inmates and ex-offenders with existing manpower resources. These are the programs I mentioned earlier in connection with developing state and local cooperation.

We also recognize that it is unrealistic to expect state employment services to do the whole job. We need more participation by the private sector. And we are beginning to get it. In Illinois, for example, the Junior Chamber of Commerce is sponsoring a state-wide employment program for ex-offenders --- in fact Jaycees have All-Inmate Chapters in over 100 penal institutions. In North Carolina the State Bar Association is trying to improve the laws structuring the corrections system. And a governor's commission in that state is working on equipping parole, probation, and corrections staffs to provide manpower services. This last represents a particularly promising approach.

Now let's turn to another area -- one we call "post-release" activities. Here I should first report on our Bonding Assistance Program for Ex-offenders. We are now providing this assistance at

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all institutions where we also provide skill training. Our experience has been so good that we are extending it nation-wide through more than 2,200 local employment service offices. I hope I'm not on shaky ground as a layman when I say that if any ex-offender is unable to accept a specific job solely because he can't secure a commercial bond, we will supply that bond. Significantly, the bonding company has reduced its rates to us to a point where they are nearly comparable with customary bonding rates. For over 2,600 bonded prisoners thus far, we have had a default rate of less than 2 percent. One interesting side effect of this experience is the influence it is having on prospective employers who are beginning to realize that some of their fears about employing ex-offenders are exaggerated.

We are also continuing research on various aspects of post-release problems. For example, a new research project will investigate the effect of assisting newly released prisoners with some kind of income to help them over the first critical months when they return to life on the outside. We are also supporting an experimental program at the Draper Correctional Center in Alabama to test methods of changing prison environments and to design in-prison training to make it easier to get a job after release. And we have a research contract with the Georgetown University Law Center to explore the effect of a criminal record on employment by state and local Governments.

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Here is an area of conflicting statutory and regulatory policies, or of no clear policy at all, where the interest of the organized bar could help. Government is one of the fastest growing sections of the American economy. It could provide many job opportunities for qualified ex-offenders. The bar could help clear away some of the legal and administrative underbrush that limits such opportunity.

Our approach to rehabilitation basically means one thing - jobs. Our experience is that employment with income is central to any strategy to rehabilitate offenders. Thus we experiment with programs designed to improve employment and income opportunities at various stages of the criminal justice system -- before trial, during imprisonment, and upon release. In fact this multi-stage attack on the problem may be one of major significance. But it all should result in jobs. We don't say jobs are the only answer, but we believe they are an essential part of the answer, and the part on which we should concentrate in making a contribution.

Perhaps some of you may be wondering what will happen to these programs under the President's plan for revenue sharing when their fate will rest primarily with the states and local communities. The prospect doesn't bother me at all. Quite the contrary. Their inherent worth and the acceptance they have already generated make

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me comfortable about their future. I am perfectly willing to let them compete in the local marketplace of ideas against other manpower and law enforcement programs, because to a great extent they are doing this today. In the long run, of course, they must do it in any case. Their ultimate fate will depend upon the need and the promise -- and both are evident.

This doesn't mean, of course, that we think we've got all the answers. We have a long way to go in proving, refining, and extending these concepts, and in selling them and installing them nation-wide. We in the Labor Department can do only a small part of the job. But we can help. We know that you -- you in the organized bar -- have a very important part of the task, and we are anxious to do all we can to help you. It's a task for joint effort, and we welcome your suggestions for activities we can jointly pursue.

This effort will require a change in public attitudes as well as in institutional practices. This theme comes through strongly in remarks that the Chief Justice has made on a number of occasions. He has said, "if we want prisoners to change, public attitudes toward prisoners and ex-prisoners must change." It seems to me that there is no more critical area where such change must take place than that

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of employment and opportunity for self-sufficiency.

As the Chief Justice has said, "we have some community effort along these lines in this country, but with few exceptions, it is thin and scattered and not well led or organized and few of the participants are trained." On that same occasion he added: "Perhaps the real evil underlying our penal system is not its concept, whether rehabilitation or vengeance or something else, but the lack of any agreed concept, the absence of plan and purpose, and worst of all -- the indifference that underlies the neglect."

We believe that any realistic plan for rehabilitation of offenders will center -- for many, though not all -- on the manpower approach I have discussed with you this morning. While there are clearly limitations, it is equally clear that we have not begun to press against those limits. We have a long way to go.

It seems to us that work and preparation for work can also help in the struggle to achieve court and correctional reform. If we are right, it is another reason to encourage comprehensive planning at the federal and state levels, so that we can identify

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and meet the needs of offenders for training, rehabilitation, and work. At the same time, state-wide planning for reform in the criminal justice system can rest on a broader base. This base must include the kind of community effort of which the Chief Justice spoke, as well as that of all the volunteers now working in corrections.

Last summer, Bernard Segal, then President of the American Bar Association, said, with respect to the work of this important commission: "We have enough research and studies. This is the time for action." We agree.

We believe that the trail we are marking -- in large part, for others to follow -- is one that needs to be pursued. Much of what needs to be done, for example, to remove artificial barriers to employment of ex-offenders, rests on the enlightened interest of the Organized Bar.

I trust we will have your informed support in this work, for I believe that, together, we have something important to offer at this critical time.

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THE NEW YORK TIMES, WEDNESDAY, MAY 24, 1972

Witnesses Differ on Job Barriers to Ex-Convicts

By LES LEDBETTER

The City Commission on Human Rights yesterday heard a series of witnesses contradict statements by city and state Civil Service officials that a criminal conviction did not automatically bar applicants from Civil Service jobs.

The heads of the City and State Civil Service Commissions, testifying during the second of four days of hearings into employment problems of former prisoners asserted that while agencies could use criminal records to disqualify applicants for jobs, this was not the policy of the city or state.

However, the ex-convicts, union officials, lawyers and penal experts who testified said that in practice arrest records as well as convictions effectively barred ex-convicts from being hired by government and private institutions.

Harry I. Bronstein, New York City Civil Service Commission chairman, told members of the Human Rights Commission that city agencies were "mandated" to consider applicants on a "case-by-case analysis of the criminal and social seriousness of the act, the age of the person at the time of the offense, the length of time since the act or acts took place" and "other pertinent factors."

Mrs. Ersa H. Poston, president of the State Civil Service Commission, sent a statement declaring that "disqualification is not our usual practice" when dealing with ex-convicts or any other applicants.

Mrs. Poston also sent her

regrets that she could not appear in person before the commission. She said her purse had been stolen from her New York City hotel room prior to her departure for the hearings at the New York University Law Center.

Both Civil Service chiefs appeared proud of the roles they were taking in getting city and state agencies to hire ex-convicts.

But Mrs. Lillian Roberts, associate director of District Council 37, American Federation of State, County and Municipal Employees, told the rights commission that the records did not show any large employment of ex-offenders.

"They hire so few, it's not funny," Mrs. Roberts said.

Under questioning by the Human Rights Commission chairman, Mrs. Eleanor Holmes Norton, Mr. Bronstein said he had no idea how many former prisoners had applied or been accepted for municipal jobs.

Mrs. Roberts's complaint was echoed by such lawyers as Ira Glasser of the New York Civil Liberties Union who called for the expunging of all criminal records some time after an offender had served his full sentence, and by Stephen Shestakofsky, legal counsel for the Fortune Society, an ex-offenders self-help organization.

Mr. Shestakofsky said the society would bring suit before the United States Equal Employment Opportunities Commission later this week, charging the New York City Civil Service Commission and Department of Personnel with discrimination against ex-convicts.

THE NEW YORK TIMES, THURSDAY, MAY 23

Panel Told of Need for Good Jobs for Ex-Convicts

By LES LEBBETTER

Witnesses testifying before the City Commission on Human Rights agreed yesterday that society must provide former convicts with meaningful, well-paying jobs as soon as they leave prison. But there was no agreement on how this goal should be achieved.

Some of the penal authorities, government officials, and businessmen testifying suggested that counseling, testing, interviewing, current and proposed training and even hiring should be conducted while the offenders were still serving sentences.

The witnesses, numbering about 20, agreed with the commission chairman Eleanor Holmes Norton, that good jobs, supported by training and education and counseling, would help society as much as the ex-convicts by reducing the pressures that force these persons back into criminal behavior.

But during the third of four days of hearings at the New York Law School on the employment problems of ex-convicts, there were sharp differences over whether the jobs should be publicly or privately financed, and how they should be distributed.

Franklin Thomas, president of the Bedford-Stuyvesant Restoration Corporation, said that the Brooklyn anti-poverty corporation had received \$400,000 in Federal and foundation money for a two-year pilot program to aid ex-convicts returning from Rikers Island to that community.

Officials from the North Carolina and South Carolina Departments of Corrections testified that by "selling" the ex-convict as a better-than-average worker because of his greater incentive to succeed, they had been able to place black and white ex-convicts in a wide range of jobs, using Federal funds.

Stephen L. Bogardo, a local stockbroker who is chairman of the National Businessmen's Council, said businessmen should tell their colleagues that "it makes good profit sense to hire the ex-offender" because of his training, the monitoring done by various agencies and the motivation the ex-offender has to succeed.

Mr. Bogardo said that his firm used a messenger service comprised of only ex-convicts, and that he was hiring an ex-convict as a securities analyst.

William J. Vanden Heuvel, chairman of the Board of Corrections, proposed that every ex-convict be guaranteed a job by the city and state after leaving prison. Correction Commissioner Benjamin Malcolm suggested that training programs be established outside Rikers Island where inmates could be taken by bus daily to train for jobs currently available in New York City.

Law Against Police Brutality Urged by Ex-Kennedy Aide

WASHINGTON, May 24 (AP) —Burke Marshall, head of the Justice Department's Civil Rights Division during the Kennedy Administration, urged today that police brutality be made a specific crime under Federal law.

He is now, he told the Senate subcommittee on Criminal Laws and Procedures, Federal prosecutors have to prove intent by one person to deprive another of his constitutional rights.

The proposal by Mr. Marshall, now dean of the Yale Law School, is similar to one advanced by counsel for the National Association for the Advancement of Colored People at the subcommittee's hearing yesterday.

THE NEW YORK TIMES, WEDNESDAY, MAY 24, 1972

Prison Reform Measures Are Signed by Rockefeller

By ALPHONSO A. NARVAEZ

Special to The New York Times

ALBANY, May 23—Governor Rockefeller's office announced today that the Governor had signed a package of prison reform bills designed to meet the "legitimate needs of the inmates and the community."

Included in the package of eight bills was a measure providing \$12-million for reforms and improvements of services for inmates, the reorganization and strengthening of staffs and for improvements in administration of the correctional system. The funds had been sought by the Governor in the aftermath of the rebellion at the Attica Correctional Facility last September.

The legislation signed by the Governor does not provide for the creation of a "maximum-security, maximum-program," facility sought by the Department of Correction. A spokesman established for the continuation of these schools.

"While I personally have no doubt in my mind as to the value of these schools, these are the types of decisions which the City of New York should decide for itself," the Governor added, in a memorandum.

When Jacqueline Wexler, Hunter College president, disclosed last March that the frozen City University budget would force Hunter to divest itself of the two schools, a strenuous effort by parents and city legislators resulted in the City University's committing itself to spending the \$1-million needed to keep them open for at least the coming school year, which ends in June, 1973.

[In New York City yesterday, State Senator Roy M. Goodman, who co-sponsored the vetoed legislation, said that the future of the two schools was uncertain beyond June. He called the po-

tential loss of the schools "a tragedy" when he heard of the Governor's veto.]

The Governor also vetoed a bill that would have permitted nonpublic colleges to purchase supplies and materials through the State University and the city's Board of Higher Education.

In his veto message, the Governor said there would be a risk of nonpayment by the nonpublic colleges, with the public institutions in no position to absorb administrative costs or liability.

The prisoner furlough law permits carefully screened inmates who are within a year of release to leave the prison unescorted for brief periods, to seek employment, attend classes, obtain medical care, visit close relatives during terminal illnesses, attend funerals of close relatives or to attend to important family matters.

A spokesman for the department said that because of legislative opposition to such a facility the department was "looking at alternatives to the kind of operation that we need."

Other bills in the package provided for construction and rehabilitation of prison facilities by the Health and Mental Hygiene Facilities Improvement Corporation with funds provided by the state dormitory authority, for creation of a prisoner furlough program, for expansion of job opportunities for former inmates and for ways to correct inequities in parole eligibility.

In another action, the Governor vetoed a bill prohibiting the city's Board of Higher Education from discontinuing Hunter College's elementary and high schools.

In vetoing the bill, the Governor noted that the city and the people "should be left free to decide for themselves the degree of priority which is to

NEEDED: A SPECIAL EMPLOYMENT CLEARINGHOUSE FOR EX-OFFENDERS

(By William J. Byron, S.J., Associate Professor of Social Ethics, Woodstock College, New York, N.Y.)

"I have brown eyes and a criminal record; I can't change either." The speaker is Charles Perkins, commercial artist, recent parolee. The statement is the beginning of wisdom for the released prisoner looking for employment.

"Whenever an ex-offender decides that he or she wants a job, he's trying to make that step across. He's asking you to hold out your hand and help him over to the other side. I think the least you could do is to say, 'I'm willing to give you a chance'—and that's all!" This is the soft voice of Lois Tyson, a former prisoner employed as a secretary for a welfare organization in a large eastern city.

"What I saw too often in jail was this: People talk about not being able to get a job. The jobs you can get are not worth having. When the guys go out, they say, 'I'm not going to work as a dishwasher all my life.' That's all he knows how to get. This offers a guy no future and he won't stay at it. So he goes out and commits another crime." These are the words of a young man, Robert Stone. He spent 12 years in jail. The first job he ever had was common labor in a pre-stressed concrete plant while still a prisoner; he participated in a work-release program. Mensa Friends, a volunteer group actively interested in offering support and opportunities to prisoners before and after release, helped Robert Stone convert a correspondence-school course into his present job as an electronics technician at one of the Nation's leading universities.

These voices and others were heard in a panel discussion entitled "The Job-Hunt From the Ex-Offender's Point of View." It was part of a 2-day seminar on the employment problems of ex-offenders, held last year at Loyola College in Baltimore. In the audience were employers, personnel directors, other ex-offenders, parole and probation officers, and staff members from a variety of public and private organizations whose purpose it is to work toward the rehabilitation of former prisoners.

The conference was funded under Title I of the Higher Education Act of 1965 and designed as a "planning institute" where information and experience were exchanged and plans initiated to establish in Baltimore a special employment clearinghouse for the ex-offender. In effect, the clearinghouse would provide a continuing brokerage service for the various parties brought together for the conference. "I wouldn't hesitate to hire any one of the six ex-cons who appeared on that 'job-hunt' panel," said an employer in one of the institute's small-group discussions, "but they're not typical. No more than Sidney Poitier is typical of the Negro in the job-market."

THE EMPLOYER'S VIEWPOINT

Most ex-offenders do not view their situation realistically when they come onto the labor market, reported Mrs. Ellen Fales, personnel director of Hess Shoes in Baltimore. She has seen and hired many of them, and presented to the institute a paper on "An Employer's Experience in Hiring Ex-Offenders." This kind of hiring cannot be done without solid support from top management, said Mrs. Fales. "The company's primary role in society is to be a profit-making venture and not a nursing home for the world's ailing. Management must be convinced that ex-offenders can be hired without risk to the company's normal business goals," she said.

The criminal record as such is not the bar to employment, according to Mrs. Fales; but behind the record stands a man who more often than not is deficient in education, skills, personality strength, and other qualities that constitute a dependable and reliable employee.

Hess Shoes, although anxious to hire disadvantaged applicants, is not anxious to have public agency people visit the company premises for the purpose of improving the dependability and reliability of marginal employees. Mrs. Fales suggests that a group of employers might form their own private social service agency. A company belonging to such a group would do their own screening and hiring of the ex-offender and then turn his file over to the group's own social service agency to carry through on any necessary supportive services. The immediate goal of this private effort, of course, would be to keep disadvantaged people on the job after they are hired.

Former narcotics addicts, forgers and embezzlers are particularly poor employment risks, one employer-participant commented in a discussion period. Those who committed crimes of violence are usually good risks, he added, to the

surprise of some businessmen who felt a bit uneasy even talking about hiring former criminals.

SPECIAL PROBLEMS OF THE EX-ADDICT

Special attention was given to the job-market problems of the ex-addict in a session highlighted by a paper by the noted criminologist Dr. Daniel Glaser, associate commissioner and director of research at the New York State Narcotics Addiction Control Commission.¹ Drug addiction is disproportionately a phenomenon among minority group members from the most economically impoverished segments of the community, Dr. Glaser said. He reported that current research is examining the hypothesis that today's drug addicts tend to be minority group members who have been more frustrated than their associates, not because they have been deprived more, but because they aspired to more. Metropolitan slum adolescents turn first to delinquency for self-expression and "prestige." This leads to suspension from school and retardation of the learning process. Add to this a criminal record and the barriers to employment have already risen to a formidable height before the adolescent world has been out-grown. In these circumstances, "the drug world competes most successfully with a drab employment world for such youth," said Dr. Glaser, "because the drug world is a world of achievement opportunity for these youths rather than merely an escape from achievement pressures elsewhere." This analysis does not deny the fact that crime also follows addiction. Dr. Glaser point out that in order to support a narcotic habit the slum youth or unskilled adult must also have a "hustle." He has to have a way of earning \$20 to \$50 a day, on the average, far more than he could earn legitimately. The normal alternative is theft. In this connection, a clue to the pitifully low cure rates for addicts was contained in Dr. Glaser's comment that voluntary commitment to public detoxification centers is often less for cure than for respite from the pressures of the hustle.

JOB AND RECIDIVISM

Neighborhood poverty, according to this expert, is the most consistent correlative of high crime and delinquency rates. The role of employment in reducing poverty, although sometimes overrated, is none the less obvious. Yet many correctional officials belittle the importance of employment in reducing recidivism, Dr. Glaser said.

Their argument is usually on a case basis: they describe ex-prisoners who did not seem to them to ever look for jobs, who were given jobs but seemed to make little effort to hold them, or who held jobs but still committed crimes.

Their argument is always that we have to solve the personality problems of the offenders first, and then they will have neither job nor crime problems.

This, Dr. Glaser commented, is a "chicken-and-egg argument." We cannot say that either personality compatible with work success or a good work record must come first. Each, he insisted, is changed by the other.

Another sociologist, Dr. George A. Pownall of Kent State University, pointed to past studies that show how property crimes by adults increase sharply with unemployment. He then gave an overview of his own recently completed research on the "Employment Problems of Released Federal Prisoners," a study funded by the Labor Department's Manpower Administration. His study shows unemployment rates for ex-offenders over four times as great as the unemployment rates of unemployed males in the civilian labor force. He has no doubt that it is more difficult for the ex-offender to secure employment than the average worker without a record. Not surprisingly, nonwhite released prisoners have higher unemployment rates than white ex-offenders.

Dr. Pownall noted that a parolee with a job *better* than the one he held immediately prior to commitment tends to have a lower rate of parole violation than his fellow parolee who worked sporadically or finds no job at all.

INADEQUATE TRAINING

The Federal Bureau of Prisons offers vocational training to inmates within the walls. These programs have little effect on released prisoners, Dr. Pownall concludes, because he found negligible differences in employment rates between those who did and those who did not have vocational training while still in prison. In the matter of job placement, Dr. Pownall found that "correctional institutions,

¹ Dr. Glaser has since been appointed professor of sociology at the University of Southern California.

the parole offices, and the federal and state employment agencies provided minimal assistance. Upon release, the man is left to find his own job."

Union discrimination, inability to get bonding, and faulty communication between the releasee, the supervision officer and the employer were other special problems which Dr. Pownall found to be impeding the ex-prisoner's path to employment.

NEW MARKET MECHANISMS

In response to these and many other problems that surfaced during the institute, a panel of professionals on the last afternoon of the meeting discussed the topic, "Needed: A Special Employment Clearinghouse for Ex-Offenders in the Baltimore Area." George Leight, executive director of the Prisoner's Aid Association of Baltimore, suggested that all existing agencies first be activated and then coordinated in their efforts for former prisoners. Not to be neglected, he said, is the need for getting employers organized around a collective commitment to participate in a clearinghouse. And not to be overlooked, Mr. Leight added, is the possibility that ex-offenders might well be able to operate a private employment agency just for themselves.

The four other panelists favored a special clearinghouse for ex-offenders without reservation. Mr. Henry Kimmey, employment supervisor for one of Maryland's largest employers, the Baltimore Gas & Electric Company, indicated how both he and the applicant would benefit. Put very briefly, a central clearinghouse would mean fewer calls from fewer agencies and faster placements for more releases.

The Rev. Myer Tobey, S.J., director of Baltimore's Dismas House, a halfway house established to ease the reentry problems for men returning from prison to the community, told the audience of the special needs of the young job-seeking ex-offender. Citing the case of a 20-year-old ex-addict now in residence at Dismas House, Father Tobey related an incident that happened in a recent group session. The young man started crying. He had just quit a job as a truck driver where he was earning \$3.30 an hour. He pointed to his pockets and told the group, "I don't give a damn if I come home at the end of the week with my pockets filled with money; I'm not interested in it. I want to go somewhere and I'm going nowhere." Why did he quit the job? Because all around him he saw only "nowhere men." Hence, the need for meaningful employment for ex-offenders. This, moreover, re-emphasizes the frequently stressed need for better training in prison. "Training is necessary," said Father Tobey, "if we don't want these men to be 'nowhere men.'"

Speakers, from the platform as well as the floor, mentioned the crucial importance of the first few months on the job for the ex-offender. A representative of the Federal Bureau of Prisons put it this way: "For the first 3 weeks you've literally got to hold that guy by the hand." Employers, agency people, and ex-offenders themselves repeatedly voiced the need for supportive services after placement. Mr. Edward Bracken, who represented the Maryland State Employment Service on the "Clearinghouse" panel, wondered aloud "if we could have at the Employment Service a team of two or three counselors who would maintain a continuing relationship with released prisoners after they are hired."

A MODEST PROPOSAL

The passing months indicate that those who heard this prophecy are indeed reluctant to shed "significant positions and impressive titles" if this is the price to be paid for an effective employment clearinghouse. More than a year has passed without any sign of action on a proposal presented in specific terms to state and local officials capable of improving the Baltimore situation, but offered below in a general form applicable to any city:

1. All job-placement activity for ex-offenders should be centered in the State Employment Service (ES); hence the physical location of the employment clearinghouse should be at the local ES office. The U.S. Department of Labor has current plans for the establishment of computerized "job banks" in the ES offices of most major American cities. Wherever possible, the clearinghouse should be located in close proximity to the job bank.

2. Employers who file job orders with ES should be asked if they are willing to hire ex-offenders. If they are, a symbol so indicating should appear on the registration card and on all computer print-out sheets.

3. A similar symbol should be used on job application cards and print-outs to indicate that the applicant is an ex-offender. (The Federal Government already officially recognizes a former prisoner as "handicapped" and thus eligible for special services through public employment offices.)

4. Principal responsibility for contacting ex-offenders would lie with the appropriate governmental department of parole and probation, or in the case of mandatory releasees (those who have served full sentence and thus not subject to parole supervision), with the appropriate private social agency in the community. Before release, inmates would be told about the clearinghouse exclusively for their use. They should be told what kind of jobs are likely to be available, how to fill out the application forms, what pay to expect. They would not have to be told how to get to the clearinghouse because immediately upon release they would be taken to the clearinghouse by an employee of the appropriate supportive agency.

5. The public employment service would provide a team of counselors whose task it would be to meet very frequently, on and off the job, with recently placed ex-offenders. As the federal official mentioned earlier put it, "For the first 3 weeks you've literally got to hold that guy by the hand." Most ex-offenders are sensitive and discouragement prone; the tendency to quit is strong.

6. It is not enough merely to provide desk space at public employment offices for agencies interested in the welfare of former prisoners. The Employment Service should appoint a full-time director of the clearinghouse. His sole responsibility would be the placement of ex-offenders.

His job will be difficult and discouraging. He will have to deal with the dependability and reliability problems that develop in labor markets for low-skilled and poorly educated people, categories into which most ex-offenders fit. He will have to allay the fears of businessmen. In most cases, he will have to battle an archaic correctional system where relevant job training and effective motivation programs are practically nonexistent. Worst of all, some of the ex-offenders are simply going to let him down. Two of the three quoted at the beginning of this article (where fictitious names were used) have had subsequent brushes with the law; one is back in prison.

After the conference, a steering committee comprising about 20 institute participants, drew up a proposal for the formation of a special employment clearinghouse. Following the suggestion of Joseph Smith, an assistant to the Mayor of Baltimore, the committee recommended that the clearinghouse be attached to the computerized "Job Bank" now serving the Baltimore area from the main office of the State Employment Service. All agree that duplication of effort and agencies must be avoided. But all admit that there is some truth in the observation made from the floor toward the end of the institute, by a representative from private industry: "If we do merge and concentrate our efforts, there will be many people who are in this room today who will find themselves without the significant positions and impressive titles they now hold. And this hurts. The presence of multiple agencies means the presence of a power struggle. But if we continue to fragment, meetings such as this will go on and your children will attend them."

MOST LIKELY TO SUCCEED

But there is also a good deal of satisfaction awaiting the man who is willing to make a career of running an employment clearinghouse for released prisoners (assuming the willingness of the public purse to support one). As the time gap between the day of release and the first day on a payroll widens, the probability of recidivism increases. An effective, specialized placement service will shorten that gap, save men, and reduce expenditures for additional prison space. This problem is too important to be left to loosely coordinated efforts of many agencies. And perhaps it is too specialized to be put in the hands of anyone but the man who has personally experienced the whole process of arrest, trial, conviction, incarceration, release and subsequent job hunt—the ex-offender himself.

THE CHRONIC MEXICAN-ALIEN IMMIGRATION OFFENDER

(By Omar G. Rios, *Senior Caseworker, Federal Prison Camp, Safford, Ariz.*¹)

"One can't really blame these aliens for coming over, because all they come over for is to look for work." This is how most persons tend to explain the Mexican alien's motivation for illegal re-entry.

When I first began to work with the Mexican alien in early 1966, I would inquire of every alien what his motive was from crossing the border illegally. Interview after interview every immigration offender would reply: "I came to look for work."

¹ The author wishes to express his appreciation to Dr. Wilford E. Smith of the Department of Sociology at Brigham Young University for his help in the preparation of this article.

The following is the procedure which was followed during most of the interviews and the kinds of questions asked and the typical answers given:

Q.—“So you came to look for work? How long did you work?”

A.—“I did not have a chance to work because I was arrested on the same day I crossed over.”

Q.—“How many times have you been arrested?”

A.—“I do not remember.”

Q.—“Tell me about yourself. Do you have a family?”

A.—“My parents and I are very poor. I come from a large family, and we have little money. I went only to elementary school and had to quit because I had to go to work to help support the family. Now I am married [usually common law] and we have four young children. I could not find any work in Mexico, so I was forced to come over here to look for work.”

Q.—“Do you speak English?”

A.—“No sir, Spanish only.”

Q.—“How do you expect to get around in this country where English is spoken by everyone?”

A.—“There are many other Mexicans.”

Q.—“What kind of work do you do?”

A.—“I am a farm laborer primarily, but I can do just about anything.”

Q.—“What are your plans for the future?”

A.—“To return to Mexico, reunite with my family, and never return to this country illegally again.”

It is easy to conclude that their motives for illegal entry are due to their economic situation. This is an assumption which may be applicable in some cases, but which does not apply to all immigration offenders, chronic violators in particular. Professionals in the correctional field—and laymen as well—tend to describe all members of the Mexican-alien population as persons who are specifically motivated by economic factors, but there is undoubtedly grave error in attributing the economic motive to every alien as the reason for his illegal entry or re-entry.

It has always been my desire to try to understand the Mexican aliens as individuals and as a group. Securing information in the form of abbreviated social histories enabled me to observe a distinct difference between the occasional immigration law violator and the chronic immigration law offender. In this article I shall try to demonstrate the change process which the Mexican alien undergoes from an occasional offender to a chronic immigration law violator. The following subjective observations are made in relation to them as a group and are advanced with the purpose of enabling the reader to weigh them in relation to his own assumptions. These observations also have the purpose of providing new hypotheses and adding information which may help to bridge the gap found in the immigration data presently on record which relates to this specific group.

NEWS FROM THE AMERICAN BAR ASSOCIATION

American Bar Center, 1155 East 60th Street, Chicago, Illinois 60637, Telephone (312) 493-0533  Chris Whittle, Director of Public Relations

Information Contact: Harry Swegle (202/659-1330)

Release: Immediate

AMERICAN BAR ASSOCIATION TO ESTABLISH NATIONAL CLEARINGHOUSE ON OFFENDER EMPLOYMENT RESTRICTIONS

The American Bar Association has been awarded a contract for \$185,440 from the Manpower Administration of the Department of Labor to establish a national clearinghouse and consultation service on the problem of jobs for rehabilitated prisoners.

Work under the contract will focus on unreasonable statutory and regulatory barriers which keep ex-offenders from being hired in jobs for which they are otherwise qualified.

The Department of Labor began a research and development program regarding the delivery of manpower services to offenders in 1964. The program has been expanded over the years and now includes activities related to skill training and supportive manpower services. Effective placement of ex-offenders is the goal of the program and the basic reason behind the ABA contract. Secretary of Labor James D. Hodgson said, "Unless an ex-offender can actually get work, all of our vocational education and training programs are empty exercises."

- more -

NATIONAL CLEARINGHOUSE, Add One

The contract was jointly announced by former Governor Richard J. Hughes of New Jersey, chairman of the ABA's Commission on Correctional Facilities and Services, and Colorado Supreme Court Justice William H. Erickson, chairman of the ABA's Criminal Law Section, the bar association units which will oversee execution of the project.

George Meany, President of the AFL-CIO and a member of the ABA Commission, indicating his support of the project to Labor Secretary Hodgson, advised: "An effort such as this to catalogue and stimulate removal or modification of unreasonable and unnecessary restrictions on public employment, trade licensing and other job-related opportunities for released offenders should have enormous value."

Hughes indicated, "A thicket of restrictive legislation, regulation, and formal policy now keeping ex-offenders from jobs must be cleared. Only a lack of information about this problem seems to be holding back action."

Justice Erickson said, "This will be a public education effort to improve understanding of the problem of offender employment and to provide information as a tool for intelligent state and local action."

The project will collect and catalogue data on existing restrictions, and inform lawyers, bar associations, business and labor groups concerned with more effective correctional programs. Workshops and conferences will be scheduled to disseminate the information and a series of publications are planned.

NATIONAL CLEARINGHOUSE, Add Two

The project will focus on three kinds of barriers: (1) requirements for obtaining business and occupational licenses; (2) restrictions on government employment; (3) civil disabilities imposed on ex-offenders which impair their ability to obtain and hold jobs, such as bars against holding public office, limitations on security clearances, bonding requirements, restrictions on obtaining drivers' licenses, and unreasonable employment application policies and procedures. The clearinghouse will also review restrictions on the use of inmate labor in government contracts and rehabilitative work programs.

Hughes said work in these areas is especially important since government and service jobs are the fastest growing components of the labor market, and it is these areas which the restrictions most directly affect.

Leon Jaworski, President of the ABA, hailed the project as an important addition to the ABA's growing list of programs which seek to improve social conditions. The offender employment restrictions clearinghouse, he said, "will emphasize the commitment of the bar to seeing that justice prevails across the board. The imposition, even unwittingly, of sanctions which linger and unreasonably impede a rehabilitated offender's return to society is contrary to the tenets of modern corrections."

NATIONAL CLEARINGHOUSE, Add Three

Clearinghouse work will be accomplished in three phases. The first phase will be concerned with compiling the existing laws and research on employment restrictions, much already accomplished with Department of Labor support. Only where necessary data is lacking will new research be undertaken.

During the second phase the data will be written up in a series of informational releases dealing with specific sub-topics such as trade licensing or civil service requirements. Data will also be compiled on a state-by-state basis so that appropriate groups in each state can become acquainted with the extent and nature of restrictions which affect them.

A dissemination and consultation phase will occupy most of the 18-month project effort and conclude formal ABA work on the project. During this phase the data will be put in the hands of state and local bar and other groups interested in this area of correctional reform. Conferences and workshops, as well as consultations with personnel of interested groups, will be other methods of making the information available. In addition, the clearinghouse will assist in distribution of general Department of Labor materials and studies on offender rehabilitation problems and suggested solutions.

An advisory committee will guide the project. It will include representatives of the Manpower Administration and the Law Enforcement Assistance Administration, as well as individual experts on manpower, civil service systems, and related subjects. The Commission and the Criminal Law Section will also be represented.

NATIONAL CLEARINGHOUSE, Add Four

The Commission on Correctional Facilities and Services was created by the ABA last year in response to Chief Justice Warren E. Burger's request that the legal profession consider extending help, as a priority public service commitment, in reform of the nation's corrections system. Its 20-members include business and labor leaders as well as lawyers, judges and leading experts in the corrections field. The Commission recently announced receipt of a grant from the Law Enforcement Assistance Administration for its Volunteer in Parole Program (VIPP). This project, a cooperative effort with ABA's Young Lawyers Section, will put some 1,000 volunteer young lawyers to work in about eight states this fall as parole aides, to assist overburdened parole systems. Other Commission action programs now being developed will focus on other current correctional problems.

The ABA Criminal Law Section was founded in 1920. It now numbers more than 6,000 members. Last year, the Section established a Committee on Corrections and Rehabilitation of Offenders to be a focal point for its work in the corrections area of the criminal justice system. A national network of section members interested in correctional activities has been established and will be called to assist in the project effort.

Other cooperating units of the ABA involved in the project are the Young Lawyers Section and the Section on Bar Activities.

The employment restrictions project has been endorsed by the leading correctional organizations - the American Correctional Association and the National Council on Crime and Delinquency - and major

NATIONAL CLEARINGHOUSE, Add Five

public interest groups, including the National Governor's Conference, the National Association of Counties, the U.S. Conference of Mayors and the National Civil Service League.

Both the AFL-CIO and the U.S. Chamber of Commerce have indicated special interest and a desire for full cooperation with the ABA on the project.

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September, 1971

[From Manpower, March 1972]

PRISON JAYCEES: FORGING THE MISSING LINK

TIES TO COMMUNITY HELP OFFENDERS FIND JOBS, REGAIN PLACE IN SOCIETY

Like most Jaycees, James L. Trimble and David Blumenthal are optimistic, hardworking, and devoted to community betterment. But there's one big difference. Unlike most Jaycees, they are both in prison. And it's lucky for their cellmates at the State Prison at Joliet, Ill., that they are.

Trimble is chairman and Blumenthal cochairman of the Ex-Offenders Employment Project, sponsored by the Joliet East Jaycees, a chapter inside the prison and composed entirely of inmates. The project has led to jobs and early release for about 300 Joliet inmates, and has attracted laudatory notices from correctional officials, employers, the U.S. Jaycees, and the U.S. Senate.

The prison Jaycees, of course, lack the mobility of their colleagues on the outside. But with the help of prison authorities, they have overcome this crucial handicap. They do their job-finding through links with Jaycee (formerly called Junior Chamber of Commerce) chapters throughout the State which are composed mostly of young business and professional men who have good contacts with employers. The prison makes this possible by giving Trimble and Blumenthal virtually carte blanche to send and receive mail and to make and receive phone calls.

"The Joliet East Jaycees' program is one of the really important steps taken in our State to involve the community in the responsibility of improving our correctional and rehabilitation program," said Peter Bensinger, director of the Illinois Department of Corrections. "My feeling is that without meaningful employment, the potential for real reintegration into society of ex-offenders is very limited."

Here's the way the project works.

About 6 months before his parole hearing, an inmate routinely receives a program application form from the prison's clinical services department. If he wants the Jaycees' help in finding a job he fills out the two-page application and sends it through the prison mail service to inmate Raymond Larsen, records coordinator for the project. The application asks for all relevant information about the inmate's background that bears on placing him in a suitable job. Specifically excluded are references to race, religion, or the nature of his offense.

But the prisoner is asked about his education and training, including prison training. This last is important because for many prisoners it represents the only vocational preparation or skill they possess. And while even prison officials admit that the training at Joliet could stand improvement, inmates do have access to classes in about 40 occupations, including barbering, food supply, auto mechanics, typewriter repair, drafting, and cement finishing. Volkswagen has established a course in auto repair and Portland Cement in cement finishing.

The application also asks the prisoner about his job preferences, work experience, hopes for the future, salary required, whether he needs help in finding housing, and whether he wants further education.

Jaycee chapters throughout the State have appointed coordinators to work with the project. After making sure the application is filled out properly, Larsen mails it to the coordinator in the area where the convict wants to settle when he is released. Along with the application goes a medical report describing the offender's present physical condition, and, when possible, a vocational evaluation made by the prison's staff employment counselor.

The Jaycee coordinator—a volunteer who has to do the work in his spare time—then begins pounding the pavements, tapping friends and acquaintances among employers for a job for the offender. Information about the man's criminal background is made available to the coordinator on a confidential basis in case a prospective employer asks. But this information is not divulged unless the employer specifically asks for it.

The 6-month lead time gives the Jaycees ample opportunity to place a man and make sure he has housing before his parole hearing comes up. Without these two items, chances for parole are slim.

If the coordinator fails to come through with a job, the case is turned over to another Jaycee in the same area. The Jaycees are aided in their job-finding efforts by a directory listing Illinois employers who have indicated an interest in helping. The list—now about 110 firms—was compiled by the State Chamber of Commerce, which has given the project solid backing. Cooperating employers include such major firms as Caterpillar Tractor, Sears, Precision Castings, and Teletype Corporation.

Sometimes an employer wants to see a man before hiring him. Illinois has a work furlough law permitting a convict to go out on a job interview. But until recently the inmate had to pay all his own expenses plus those of a guard to accompany him, which made it impossible for most inmates to afford the trip. Inmates no longer have to pay these expenses, but he change has not yet been implemented so the Joliet East Jaycees invite the employer to visit the inmate at the prison.

Most employers, fortunately, are content to hire the man sight unseen. "This is due mainly to the 'selling job' performed by the outside coordinator," said Trimble.

The beginnings of the prison program go back almost 10 years, according to Fraser Young of the outside Jaycee chapter in the city of Joliet. Now outside coordinator in Joliet for the prison project, Young was chairman of the Joliet Jaycees' effort to establish a chapter in the prison. "The idea cropped up in 1963," he said. "But we met a stone wall from the prison administrators."

The situation remained unchanged until January 1970 when the new Illinois Department of Corrections was formed, taking over the correctional functions of the Illinois Youth Commission and the Department of Public Safety. The first director was Peter Bensinger, now 35. Bensinger, a member of the task force appointed by the Governor to launch the new correctional setup, was a top executive with the Brunswick Corporation of Chicago and was active in volunteer work with youth.

Bensinger took over with a commitment to improve and liberalize the correctional system of the State. He particularly wanted to strengthen education and training programs for prisoners and to ease their transition back into society.

Young said that in April 1970 Bensinger passed the word to try again. "We received a call from Bensinger's office that a meeting had been set up with the warden."

PILOT CHAPTER LAUNCHED

Young and two other Joliet Jaycee officers met with Frank Pate, then warden, A. M. Monahan, assistant director of corrections, and several other prison officials. They agreed that a Jaycee chapter should be started on a pilot basis in the prison's Reception and Diagnostic Center. Within 30 days officers had been elected and "we were off and running," according to Young.

Normally, Jaycees are 21 to 35 years old. But the Jaycees have a sort of associate member category called "exhausted roosters." This device permits individual chapters to use the talents of men like Trimble, 48, and Blumenthal, 46, who are over the age limit. They do not hold elective office but they are sometimes named chairmen of special projects—particularly in prisons where there are no other civic clubs, such as the Lions and the Kiwanis, for older inmates to join.

The first thing a Jaycee chapter needs is a project for improvement of its community. The community in this case was the prison and the big need was jobs. The inmate chapter, with aid from the Joliet chapter, drew up a plan which won the approval of the Illinois Jaycees' State Board of Directors.

The plan was then presented to the Illinois Law Enforcement Commission along with a request for money. Joliet Warden John J. Twomey gave his blessing. And when Bensinger put his stamp of approval on it, in December 1970, a \$9,000 grant was forthcoming within 15 days.

The climactic event was a 2-day training seminar at a Joliet motel in January 1971. About 165 people attended, including 85 Jaycees representing 50 chapters throughout Illinois and many correctional officials, among them Twomey and Bensinger. Also on hand were six prison inmates representing the Joliet East Jaycees who were allowed outside the prison to attend the meeting—a first for the State of Illinois.

From this promising beginning, the project in the next 9 months compiled the following record:

Of 622 applications placed with coordinators, 287 inmates were paroled to jobs; 111 were conditionally released; 51 were placed on work release, transferred, or discharged; 6 withdrew; and 167 applications were pending.

Young reported that of the 287 paroled to jobs, only six have returned to prison. He noted that out of a similar group of 244 men—"released under normal conditions at the same time and not in our program"—82 have been returned to prison either for parole violations or new offenses.

"While it is still far too early to draw any positive conclusions from this fantastic decline in the recidivism rate . . . we think we know why this is happening here," declared Trimble and Blumenthal in a letter to a North Carolina prison

inmate. "Where else do inmates have someone on the outside—a Jaycee volunteer—who writes to and visits the inmate while he is still confined; who makes an all-out effort to find him a meaningful job opportunity; who keeps in touch with the Parole Board after the inmate's parole hearing; who invites the man to visit his home after his release, enlists the inmate as a member of the local Jaycee chapter; who counsels, encourages, and establishes a solid friendship with the inmate in the free world?"

Bensinger believes the project "changes the odds" for men leaving prison in "two important ways." First, "it involves an important part of the community-at-large, the business or employment community, which was not previously involved." And "it reduces having to rely on temporary low-paying jobs for inmates seeking parole."

This latter is a key point, in Trimble's view. He believes one of the project's main achievements has been to upgrade the types of jobs parolees and others being released can find.

"We get applications from only about half the men going out," he said. "A lot of them are people with no outside ties, no roots, no home. They come to us when they've exhausted every other possibility.

"Frequently a man will take any job just to qualify to get out of here. We're not interested in jobs like that. We're interested in a job with a future, with normal pay raises and some security, so the man won't be coming back."

The Jaycees have found permanent jobs for ex-inmates as barbers, salesmen, cement finishers, meatcutters, construction craftsmen, auto mechanics, truck drivers, and welders. One skilled tool and die maker nailed down a job paying \$5.80 an hour.

Precision Castings Company of Rockford has put more than 20 ex-offenders from Joliet and two other State prisons on the payroll, some of them before the project began. Most of them start on piecework production jobs, earning a minimum of \$2.38 an hour, according to Edward James, Precision Castings personnel manager.

"One I hired recently from Joliet is on piecework, operating a punch press, and he's making \$140 to \$150 a week," he said. "Another fellow is a floor inspector. He's on hourly rate, \$2.98 plus 16 cents cost-of-living. He's been with me 3 months. White or black, we take them."

OLDER WORKERS PREFERRED

Many employers prefer to hire younger men who are presumably more easily trained. Not James. He'll take the more settled man.

"Only three or four I've hired were not worth a damn, and they were younger fellows. I got rid of them. Some of the older fellows work 4 or 5 months, get a better job and go, and that's okay as long as they notify me. I've had really good luck. Only one fellow gave me any real trouble. He got mixed up with a woman and began drinking. I think he's back in the pen now."

James believes it's best not to put ex-inmates together in the factory.

"I spread them around, put them in different departments on different shifts. They're assured that nobody knows their records, not even the foremen. We treat them like anyone else. I tell them, 'As long as you want to work, everything's okay. If you horse around, I have to get rid of you.' They do okay."

Some outside Jaycee coordinators feel that simply finding a parolee a good job is not enough. Thorough-going followup is considered essential by G. Richard Dunkirk, 30, coordinator for the Bloomington chapter and State Jaycee vice president.

Dunkirk, president of a manufacturing and sales firm, had placed four Joliet ex-convicts by the end of 1971. One of these, Bob, 25, a former burglar, was paroled last March after Dunkirk persuaded the business agent of the Iron Workers Union local in a nearby city to give him an apprentice's card. Bob had a good deal of experience in the trade and within 6 months had his journeyman's card. He now earns \$7.35 an hour. Despite this high pay, it quickly became evident that Bob had a proclivity for getting into trouble and several times he came close to technical violations of his parole.

Dunkirk now requires that all offenders he helps spend every evening of their first 3 weeks out of prison at a different Jaycee's home, talking and getting acclimated to freedom. Then they are required to check in with Dunkirk by phone every day after work for the next 3 months and discuss their problems. And they are further required to spend 2 hours every month for an indefinite period talking to a clinical psychologist.

JOLIET CALLED MODEL PROJECT

"What we try to do is turn major problems into little ones," said Dunkirk. "Take Bob, for instance. He has to do some welding on the job and that burns his clothes up. He called me one evening scared because all his clothes were burned and he couldn't buy new ones without his parole officer's permission. I called the officer at his home and got permission so Bob could be at work on time the next day.

"The ex-offender's biggest problem is he can't relate to free society," Dunkirk said. "All they can talk about is what they know—prison. You've got to get them on a fresh track, talking about jobs and other things related to the outside world."

Gary Hill, consultant on crime and corrections for the U.S. Jaycees, regards the Joliet project as a model effort. There are nearly 200 Jaycee chapters in prisons today "and all of them have some kind of employment project or referral to outside job sources," he said. "In my opinion, Joliet and Chino, Calif., are the best. Both of them tie together the efforts of corrections professionals, the outside community, and the inmates."

Trimble noted that some parolees are now themselves acting as coordinators. By December, eight of them were out jobseeking for those still behind bars. Usually—but not always—they join the Jaycee chapter in their home community.

Walter Collins of Peoria is one of these coordinators. His first move after leaving Joliet on parole September 3, following 10 months served on a theft charge, was to get his old job back at S. V. Cain, Inc., a janitorial service. Trimble has sent him three applications. Collins placed one applicant with the Cain firm and is looking for jobs for the other two.

Placing ex-convicts is "an uphill battle," said Collins, who is especially interested in helping fellow blacks coming out of prison. "You have to be a good salesman. Employers give you the fishy eye. They think because a man's been in prison he's killed 40 people. If I ever get a business of my own I will hire nothing but ex-offenders. At least I'll consider them first. I know how important it is for these fellows to have a job."

The Joliet prison project has attracted inquiries from more than 125 Jaycee organizations—including one in Australia—interested in starting similar programs. Particularly satisfying to Trimble was an inquiry he received last September from Senator Charles H. Percy of Illinois.

Percy, who said he had been following the effort "with great interest," asked Trimble what he thought about "the possibility of expanding a project like yours on a nationwide scale." Percy also asked for the views of Trimble and other members of the Joliet East Jaycees on "a program of Federal incentives to businessmen to hire ex-offenders."

In a lengthy reply, Trimble said: "While we have some reservations as to the desirability and viability of providing Federal incentives to private businesses to employ ex-offenders—at least on a vast scale—we know from experience that private-sector involvement is absolutely essential. Thus we feel that every avenue should be explored to attain the fullest possible measure of cooperation and support from this area, up to and including incentives on a limited, experimental basis at the outset."

Before they got into trouble, Trimble and Blumenthal both had positions of some prestige in their communities. Trimble, now serving a 3-to-5 year sentence, was once administrative aide to the Mayor of a large southern city, and in 1949 was named by the Jaycees there as "Outstanding Young Man of the Year." Blumenthal, who is serving a 2-to-6-year sentence, was a sales executive for a luggage manufacturing firm.

TOO BUSY TO NURSE REGRETS

Fortunately, they are too busy to nurse their regrets. Like all Jaycees, they must do their civic work in their spare time. Both have full-time jobs in the Reception and Diagnostic Center at the prison. Trimble is a captain's clerk and Blumenthal is head clerk in the office of the center's superintendent, Wilson Meeks, a strong supporter of the employment project.

Meeks feels that the value of the project goes beyond its job placement activities. He noted that about 20 Jaycee chapters have come to the prison to hold joint meetings with the inmate chapter and last summer there were recreation and social programs between the prisoners and their outside colleagues. All this, he said, makes the inmates feel part of the community, enhances their social contacts, and gives them a feeling of responsibility.

Warden Twomey also believes that efforts to rehabilitate offenders must go beyond prison walls. "To return offenders to society as law-abiding and productive citizens, institutions must have programs for the improvement of values, attitudes, education, and work skills," he said. "Inmates must develop self-motivation and the community must be receptive and provide helpful resources to ex-offenders. It's a three-way effort. The Jaycees have gone that extra mile in providing community support and assistance."

Twomey's attitude and that of other correctional officials has helped, in Trimble's words, to turn the "shattering experience" of being in prison into "the rewarding experience" of helping others.

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NO. 1 DOMESTIC PRIORITY: NEW CAREERS FOR CRIMINALS

*(Most crimes are committed by ex-convicts, and most ex-convicts are easy to find. Thus they offer our best hope for winning the battle against crime. By Dr. Arnold S. Trebach)**

Despite rising public concern and fear, despite pledges and promises to reduce crime and restore "law and order," despite vast increases in funds for crime control, enlarged police forces, tougher laws and court procedures, we are still losing the battle against crime—and we do not have any overall strategy.

The FBI reports that serious crime increased 148 percent between 1960 and 1969; allowing for population growth, the crime rate increased 120 percent. In 1969, there were almost five million reported crimes, an increase of 12 percent over 1968.

It is my profound belief that we can make very significant gains on this, our most serious domestic problem, during the '70s without compromising a single fundamental freedom—if we adopt a national strategy for crime control which clearly recognizes one major priority among the many valid approaches to reduction of crime, which puts together presently scattered, uncoordinated resources, programs, and funds to focus on this priority, and uses quantitative measures to record success or failure.

In proposing a single major priority for effective crime control, I recognize that crime is an enormously complex problem which must be attacked on many fronts. But, unless clear target priorities are set, a simultaneous diversity of approaches seriously hinders an effective control program.

For example, in 1967, the President's Commission on Law Enforcement and Administration of Justice made excellent recommendations covering a broad scope of action throughout the entire justice system—police, courts, corrections, and prevention—and wrote a beautiful encyclopedia. But even in the section entitled "A National Strategy," the commission set no solid priorities. And the majority of its recommendations have yet to be acted upon.

One current approach to crime control is to strengthen the police and their ability to cope with proliferating kinds of crime now afflicting our society—particularly violent crime and civil disorder.

Another approach is to strengthen the management capability and technology of our antiquated, often ineffective, institutions of justice.

Another focuses on the control and prevention of drug addiction, now reaching epidemic proportions in some cities and responsible for a major proportion of crime.

Still another approach concentrates on crime prevention through community action programs such as those started by the President's Committee on Juvenile Delinquency and the Office of Economic Opportunity, which are aimed at social change to discourage the development of criminal behavior.

All of these approaches are important and should be pursued. But I do not believe that any of them should be the *first* priority for winning the battle against crime.

What should be target number one? Consider these incredible statistics:

According to an FBI analysis of a sample of over 100,000 persons arrested in 1967-68, 82 percent had prior arrest records; 70 percent had been convicted previously of one or more crimes; 46 percent had been imprisoned on a prior sentence of 90 days or more.

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An FBI study of 240,322 serious offenders during the 10-year period 1960-69 found that, as a group, these offenders averaged almost four arrests. During this time, 36 percent had two or more convictions and 46 percent served a prison term of a year or more. After their initial arrest in the early 1960s, these offenders were rearrested, primarily on local and state charges, a total of 693,000 times.

The recidivism rate among offenders released from some youth institutions has reached a scandalous 75 percent! And young offenders constitute our single worst crime problem.

Any respectable business executive who presided over an enterprise with a record comparable to this would do the decent thing and quietly commit hari-kari on his desk set.

Betting men could get good odds, especially on a young offender, on the following triple-horse parlay: 1) the correctional process he goes through will not rehabilitate him, and indeed, may do him more harm than good; 2) he will commit another crime within several years of release, and 3) the next crime will be more serious, perhaps more violent, than the preceding one.

"Repeated offenders," the Presidential Crime Commission concluded, "constitute the hard core of the crime problem." There are, today, between 1.5 and two million identified criminal offenders now under some form of correctional control—approximately 500,000 behind bars, with the remainder out on probation or parole.

It seems overpoweringly clear that our number one priority in the war on crime should be the rehabilitation of these people now under correctional control. Every dollar spent on rehabilitating a convicted person has the potential for being more cost-effective, in terms of reducing crime, than a dollar spent in any other area of national endeavor.

We do not have to send out search parties to find out who will be committing crimes this year or next year or the next. We already have many of their names and addresses. Here is a highly identifiable target, and we are allowing an incredibly ineffective, underfinanced, antiquated, undermanned, and underequipped correctional system to throw away a supreme opportunity for making our streets safe and our homes secure.

Today, the half million or so persons behind bars are caged and counted, denied normal relationships, sometimes brutally treated by staff who usually have no training or interest in rehabilitation, and then put out on the streets and expected to behave normally—whereupon the hapless policeman must go about catching a large percentage of them again to put them through the same meaningless justice process. Much the same thing occurs, though more humanely, with many offenders under probation or parole supervision. Probation and parole officers are underpaid, undertrained, and generally have huge caseloads (a hundred or more) and few facilities for treatment or other training to prepare offenders for rejoining society. Correctional officials, for the most part, deserve as much sympathy as blame, and it is a credit to them that the recidivism rate is not higher.

If offender-rehabilitation becomes the first priority of our national crime-control strategy, the nearly two million people under correctional control would be the main focus for money and technical efforts. The identification of a person as an offender would trigger a massive social response to try to prevent him from committing another antisocial act.

But what about the offender *not* now under correctional control, *not* now in an institution, or *not* now on probation or parole? Some estimates place the number of Americans with some form of a criminal record (including one day in jail) at a staggering 20 million. And what about those offenders too smart to get caught? Would not this national crime-control strategy miss huge chunks of the criminal universe?

Yes, quite probably. But this is a conscious choice, made in full realization of the risks. Moreover, this strategy, like others, sets priorities, but it does not eliminate other courses of action; it merely sets them lower down the list.

As a first step in an offender-centered crime-control strategy, the tools to measure success or failure—profit and loss—must be improved. At present, there is an unbelievable lack of information on the most basic fundamentals. While I have cited statistics, neither I nor anyone else actually knows how many arrested or convicted offenders there are in the country, or their rearrest records. We don't even know how many correctional institutions there are. Some jails don't know how many inmates they have on a given day.

As the FBI stated in its 10-year study of recidivism:

"The key to the effectiveness of the system is in knowing what happened to the people who were handled or treated by the criminal justice process, specifically, whether they were deterred from further criminal acts and/or rehabilitated." (Emphasis mine.)

Here, then, is the way to keep score, not only of correctional agencies, but of the entire criminal justice system. One of the elements in the new offender-centered justice strategy must be a simple, unified set of numbers that would count heads (of identified offenders), compile criminal histories, and keep track, as the FBI suggested, of the recidivism rate. Fortunately, the Law Enforcement Assistance Administration (LEAA) of the Justice Department is now funding several programs aimed at producing a reliable system of national criminal statistics.

But this is only a first step, a measuring tool. There are a number of other basic, practical steps that should be taken by national, state, and city governments and private organizations to develop a winning crime-control strategy. The momentum for these efforts can come from one place only—the White House.

I would urge the President and his key criminal justice advisers to visit a typical county jail and a state prison. There's nothing like starting with a sense of reality. Mr. President, such a visit would effectively publicize your interest in corrections. If the institution is indeed typical, you will find hundreds or thousands of people locked up; that's all, locked up, and often subjected to treatment which at best is inhuman, and at worst breeds increased hostility to all forms of legitimate social authority.

Speak to the prisoners, Mr. President. It should strike you forcibly that these caged human beings will one day be let out—98 per cent are eventually released—and they will act as if they have been caged for years, once they hit the streets. No surprise.

Of course, we don't know how much is spent in this country each year on corrections, nor what part of that goes for rehabilitation—but the figures are probably around \$1 billion for all corrections, with perhaps 5 to 10 per cent, \$50 to \$100 million, for rehabilitation.

Mr. President, you must "put it all together," at the national level. I say this in the most positive way, and urge my liberal, intellectual brethren to do the same, much as we might cheer on the coach of a bunch of football stars who keep fumbling the ball. Virtually all the ingredients for a winning strategy are present in Washington, but the resources are scattered and unfocused, and thus ineffective.

On November 13, 1969, Mr. President, in a speech and memorandum to the Attorney General, you laid it on the line: "The American system for correcting and rehabilitating criminals presents a convincing case of failure." And you directed Mr. Mitchell to implement a specific 13-point program for massive overhaul and reform of the entire correctional system through "bold, imaginative programs" with emphasis on prisoner rehabilitation. The Attorney General was directed to report back in six months with a progress report.

I am persuaded that the Department of Justice has made a good college try at implementing your directive. There are many talented people in that department, and in Labor, HUD, HEW, OEO, and other agencies, who dedicate long workdays in a devoted effort to reduce crime. But the mandated six-month progress report has not been made public nor, to my knowledge, has any major action been taken that reflects the urgency and scope of your message.

Moreover, and most distressing, there does not exist an articulated national strategy on offender rehabilitation that logically coordinates the millions spent by the federal government every year on corrections, nor that directs the powerhouse of talent in the federal bureaucracy toward agreed-upon goals. There is no overall crime-control strategy, applicable to other parts of the system.

Democrats, don't crow. Things were no different under Mr. Johnson or Ramsey Clark. In fact, this crew is doing a mite better.

We all know where the buck must stop. Mr. Nixon, allow me to urge you to make a declaration of national policy placing offender rehabilitation as the top priority. Some of the most important elements of that strategy are to be found in the April, 1970, report of your own President's Task Force on Prisoner Rehabilitation.

A successful offender-centered crime control program can also be a very positive force to bring many of us "together again." Most of the people of this country, whatever their party, color or viewpoint, are very deeply concerned about crime, and will certainly support an intelligent program to rehabilitate offenders. Richard Harris noted in his recent book, "Justice," that the overwhelming importance of prisoner rehabilitation was one of the few matters on which Ramsey Clark and John Mitchell clearly agreed.

The key elements of a new crime-control strategy can be stated simply.

1. *The new strategy must provide offenders with what they need to stop being offenders, especially jobs and job training.*—I agree completely with the President's Task Force on Prisoner Rehabilitation which clearly emphasized that "Satisfying

work experiences for institutionalized offenders . . . and the assurance of decent jobs for released offenders should be at the heart of the correctional process."

Currently, the unemployment rate of men released from prison runs three to four times higher than that of the general population. Many offenders are poorly educated, come from unstable family backgrounds, and have numerous personal, mental, and physical problems which may make them unemployable or unlikely to remain in a job. While we cannot expect to remake or deal with all the problems of all of the several million offenders under correctional control, we can concentrate education, training, and treatment efforts toward motivating and preparing offenders for worthwhile jobs, helping them to find such jobs, and working with personal problems which prevent successful employment.

The quantifiable test of success or failure here would be the number of jobs secured for offenders, the salaries, the length of time they stay on the jobs, their promotions and raises, or their dropouts and terminations.

Of course, this priority on jobs is not the only solution. Criminal offenders may need psychiatric, medical, and dental treatment, legal services, personal and family counseling. Many offenders are too old, too young, or too sick to work.

An increasingly serious problem, which needs special handling, is the rising number of offenders who are drug addicts. Drug addiction is not only a tragic human problem; it may impel the addict to commit criminal acts. The rise in crimes related to hard drug addiction is reaching epidemic proportions in some cities today. In the District of Columbia, for example, 43 per cent of those arrested for crimes in recent months were heroin addicts. And many of these addicts are constantly bringing new recruits into drug dependency.

The narcotics problem is so serious that the priority clearly must be to identify and get control of addict-offenders and give them medical treatment. To date, only a few programs seem to have had any significant success in breaking addiction. For example, programs which use methadone or similar chemical treatment as a substitute have had a high degree of success in dealing with heroin addiction. More of these programs are badly needed, and more money and effort should be spent on seeking alternative treatment. But along with medical treatment, the goal should still be to get the addict a stable job.

The selection of jobs as a top priority relegates other approaches to correctional rehabilitation to a subordinate status. Thus, the primary aim is not to make offenders happy, God-fearing, patriotic, nor to eradicate all their neuroses or near-psychoses, sexual perversions, or other distressing behavior patterns. In this program of priorities, neither does it matter if offenders, individually or as a group, practice voodoo. If we get them into a paying, hopefully meaningful, job, they can get to it every day and function effectively while there, if they don't stick up a gas station between home and work, then the crime-offender balance sheet should show a whopping profit, which is what this business is all about.

Truly, I wish I had come up with something more startling, like a new computer system, or violet-scented Mace, or a new theory on the causes of crime. But when I look back over 15 years of work in the criminal justice field, I keep coming up with the primacy of jobs for offenders. Numerous studies show that steady employment and adequate income are directly related to low repeater rates for ex-offenders.

Moreover, steady employment and adequate income for ex-offenders are directly related to the extent to which correctional programs have provided education, job training, job development and placement, counseling, and follow-up services to deal with personal and family crises that arise after the offender takes the job. In other words, while the primacy of jobs may be a simple notion, it is not a simple matter to get an offender into a job and keep him there. But there have been a number of successful demonstration programs which show that it can be done.

One of the first programs sponsored by the Labor Department under a new section of the Manpower Development and Training Act providing vocational training for prisoners has resulted in a 25-percent drop in recidivism for those in the program as compared to a control group of other prisoners released from Rikers Island prison in New York.

A concentrated rehabilitation program geared to job placement has had very encouraging results at Draper Correctional Center in Alabama. Of 290 graduates, 276 were placed in jobs, and 218 had not returned to jail or prison within one to three years after their release. This is a very good record for a group of young inmates, 70 per cent already repeated offenders, and all school dropouts without previous vocational skills. The Draper program included programmed instruction for basic education and vocational training, incentives and rewards for achievement, personal coaching and counseling, social services to cope with family

problems, active job development and placement, and follow-up services to graduates after their release to help them adjust to job and society. Inmates were trained for jobs which were currently available in the surrounding area, such as bricklaying, electrical repairs, and sign painting.

A different, and very significant, approach to job training was carried out in Vacaville, Calif., with a group of 18 inmates who, by Corrections Department evaluation, were highly likely to recidivate within a year of release. By means of group dynamics and similar experimental techniques, they were trained to work on social problems related to their own lives. Almost all went on to become job trainers, researchers, and job-program developers in antipoverty programs and similar social projects. Several now have high positions in government and private organizations. Only two returned to prison. In contrast, almost all members of a "control" group with similar backgrounds and records, who received no training, landed back in prison.

The Vacaville project suggests another important aspect of a job-oriented rehabilitation strategy. For many offenders, the best—or only—chance of rehabilitation lies in jobs which provide an opportunity for career development in fields where they can feel socially useful and gain some sense of personal dignity.

The use of offenders and ex-offenders in correctional work itself is increasingly recognized as a very positive aid, not only in their own rehabilitation, but in more effective rehabilitation of other offenders. Correctional officials have testified that ex-offender can often break down otherwise insuperable barriers between prisoners or juvenile delinquents and the professional, largely middle-class staff who are trying to treat them.

The New York State Division for Youth has had a hundred offenders and ex-offenders in jobs working with youthful offenders over the past several years. The Los Angeles County Probation Office currently has an expanding community treatment program for seriously delinquent youth employing community workers who are ex-offenders. The program director has reported superior results:

"Each juvenile participant in this project represented a dollar savings of \$1,300 to the county . . . when compared to costs of his residence in a camp."

2. *To weave a nationwide fabric of job opportunities and placements for offenders, the manpower systems at every level must be tied into the justice and correctional systems.*—The Department of Labor, therefore, must be placed in a position of leadership in the fight against crime, perhaps in as lofty a perch as that held by the Department of Justice. Here again, the President himself may have to create this marriage—by shotgun if necessary.

The Department of Labor has done some of the most significant work in the country on developing manpower training and placement for offenders. This has operated mainly under Section 251 of the Manpower Development and Training Act (MDTA). Skill training programs for imprisoned offenders have enrolled approximately 5,000 inmates in 47 institutions and 28 states, with the cost reaching \$6 million. An intensive evaluation of these programs is now under way, but even preliminary reports indicate a highly significant, favorable impact on recidivism.

Labor will increase funding for such programs in this fiscal year (1971) to \$14 million and there are plans to increase the total Labor Department offender-manpower commitment to \$50 million in fiscal 1972. But this will still be highly inadequate to deal with the needs of hundreds of thousands of offenders.

Several manpower programs now have direct links to offender rehabilitation—JOBS, which focuses on employment in private industry; the Job Corps and Neighborhood Youth Corps, offering opportunities for youth; and the vast federal-state employment service machinery throughout the country, to name a few. But these programs have never become fully effective, since their links to the correctional system are far too weak.

Moreover, practical experience convinces me that while the President must order the marriage between the two systems as a necessary first step, the impact of that order won't be felt unless vigorous steps are taken at the local level.

Local "establishment" leaders must start building enormous pressure for effective offender rehabilitation and they must make demands for the manpower-correction union in their cities, counties, and states.

Let me make some specific suggestions to state and local leaders, to the heads of local urban coalitions, city criminal justice coordinating councils where they exist, Junior Chambers of Commerce, mayors, and state officials.

Start working on identified offenders. Go into the jails and prisons, talk to probation and parole officials, find out how many offenders there are, what facilities and programs there are for education, job training, job placement, and treatment.

In your city and county jails you will find large numbers of offenders either being detained or awaiting trial and disposition, or serving relatively short sentences, under one year. Except in rare instances, you will find absolutely no programs to get them into jobs or to encourage their rehabilitation. You don't have to look at your neighbors or the bad guys in the next county. You can start right at home.

Find out at what point offenders, under the best possible circumstances, might be put into job training, while in these institutions, or better yet, put on probation or parole work-release so that they can start working and living, at least part-time, in the community. Work with correctional and judicial officials to get as many of those men out of jails and into community-based treatment programs, halfway houses, and jobs, as soon as possible.

I would urge, plead, even pray, that you do everything possible to get offenders out of the traditional court-jail processes. As a general proposition, courts and jails cannot handle and really don't know what to do with offenders. And offenders, for their part, seem to be generally worse off for the association.

Be prepared for accusations that you are letting hoods and murderers loose on the innocent people of your community. But that is just what is now done, every day.

Moreover, when your son, or nephew, or the boy next door gets busted, skillful lawyers and psychiatrists usually get him out of jail, into probation and a carefully designed program of treatment and supervision. Generally, the middle class and rich are horrified at the prospect of putting their children into the infectious garbage heap of the present correctional system; the same horror should prevent such treatment for children of the poor.

Of course, it will be much more difficult to secure probation and early release for repeated, hardened, serious offenders. But even for them, the quicker we can get them out of the traditional criminal justice process and institutions and into community treatment programs, especially jobs and job training, the better off they and society will be.

Every court, judge, police lock-up, county jail, probation department, and state prison should be tied into community manpower programs. Some programs should be available shortly after arrest, even before the "offender" has been formally "identified" by a court conviction.

Two such "early diversion projects" which, incidentally, employ ex-offenders as subprofessional aides, now operate in New York City and Washington, D.C., supported primarily by MDTA funds. The Manhattan Court Employment Project, a three-year experiment conducted by the Vera Institute of Justice, intervenes just after arrest and offers the arrestee counseling, referral to appropriate social service and job-training agencies, and job placement. (Suspects facing serious charges, such as homicide and armed robbery, as well as alcoholics and drug addicts, are not eligible.)

If the person performs well for 90 days, the project staff goes into court and recommends dismissal of the charges. If not, he is returned to court. While a final evaluation of the effect on recidivism has not yet been made, the project seems to have had a very favorable impact.

Favorable experience has also been reported by Project Crossroads, a similar program conducted by the National Committee for Children and Youth with juvenile and adult offenders in Washington, D.C.

Labor will expand its early diversion programs to at least six other cities by early 1971, and LEAA sources report scores of such projects are now turning up in grant applications. There is interest and money at the national level for early diversion projects. The more local pressure for such projects, the better the chances to increase federal funds for them.

Community leaders also must put pressure on all the agencies of the local manpower system—the U.S. Department of Labor office, the State Employment Service, and other job programs—to work with the correctional institutions on training and placement for offenders.

You should also contact appropriate local officials of the Law Enforcement Assistance Administration, who probably will have more money than any other federal agency in your area. LEAA appropriations are expected to triple during the next few years, up to \$1.5 billion. Most of this money will be available through your state planning agency, which is formally responsible to the governor but is composed of local and regional representatives. It may take some pushing and hauling to get enough money put into the correctional process—for although LEAA is the top fund-granting agency in the crime field, it tends to put most of its money into police projects. However, the percentage of its funds devoted to

corrections went up from 10 to 27 this year as compared to last—a total of at least \$50 million for corrections (and perhaps as much as \$75 million). Much of this seems destined for rehabilitation.

And, if the top people in communities all over the country come up with intelligent, carefully planned and focused programs for effective offender-rehabilitation, there is no doubt that the money will be forthcoming.

In many communities, you will find that the really hard-core offenders are sent away to prisons operated by state authorities, often removed from the local community. But the same approach must be taken with them. The felons in the state prisons today are the misdemeanants of the county jails of yesterday. Their basic needs are not terribly different from those of the less hardened in city or county jails.

You will probably find large numbers of juvenile offenders under correctional control in your communities. And these young people represent the greatest challenge and perhaps the greatest opportunity to really do something about crime. Look at them in their cells. See how pitiful and terribly young they look, and at the same time realize that they commit some of the worst crimes in your community—armed robberies, senseless killings and shootings, rapes, and many burglaries and larcenies.

Educational authorities should be heavily involved in all job training programs, but effective educational programs are particularly needed by youthful offenders. Many have not finished high school, and even if they have, check their reading levels. You may be amazed to find how many literally cannot read a newspaper or even a comic book. So young offenders may need intensive basic education as well as vocational training and placement.

Of course, it will do no good to tie the correctional system into the manpower system unless concurrent efforts are made to eliminate the many barriers that bar ex-offenders from jobs. Pressure must be put on both government and business to change restrictive policies so that ex-offenders gain entry into the economic opportunity system of this country.

3. *Much more money and effort must be spent on improving manpower development, education, training, and staff salaries.*—In 1969, the prestigious Joint Commission on Correctional Manpower and Training brought it all down front when it declared:

“The public and their legislators must understand that there can be no solution to the problem of recidivism * * * as long as there is a predominance of low-paid, dead-end jobs in corrections * * *.”

Again, I urge local community leaders to look at the staff of local jails and prisons. You will probably find, unless you are in an exceptional community, that there is not enough staff, that it is qualitatively poor and badly utilized.

For example, the last county jail I visited was in Dade County, Fla. The warden was an enlightened man who was most concerned that he had virtually no rehabilitation facilities for the approximately 40,000 people who will pass through his institutions this year. One of his major problems has been simply getting enough manpower so that he could put at least two correctional officers on each floor to prevent inmate assaults on one another.

The National Crime Commission estimated that the number of correctional employees should be doubled and treatment staff tripled to meet 1965 needs. By 1975, the commission saw need for more than 300,000 employees, with treatment staff needs increasing fivefold.

Correctional manpower structures and policies must also reflect the new priorities. Today, the vast majority of correctional manpower provides mere custodial care. Relatively few staff members know how to develop or operate a rehabilitative, job-centered program. There is a tremendous need to recruit and train academic and vocational teachers, job counselors and developers, group and individual counselors, social service, health, and legal advisers, and others actively working for rehabilitation, job training, and placement. Many more correctional workers must be located in the community, to provide links to jobs and other community institutions.

There is also great need for more members of minority groups working in corrections at all levels. Many offenders are members of minority groups; but, as the Joint Commission on Correctional Manpower and Training has recently documented, a very small number of corrections staff come from these groups. In supervisory positions, less than 3 per cent are from minority groups.

Minority correctional workers—like the ex-offenders whom I mentioned previously—have special ability to relate to and work with minority offenders. Many new minority members could first be recruited into newly created subprofessional

positions—which are already recognized as essential to relieve severe professional manpower shortages—and then provided further training and opportunity to move up into professional careers.

All relevant agencies must help improve correctional manpower programs. Justice and Labor are starting to do so. One must wonder, in this connection, what HEW is doing to implement the report of the Joint Commission, which it funded.

4. *A parallel, allied, private correctional and offender-rehabilitation system should be created.*—Government cannot do it alone. I simply do not see enough change taking place, however large the sums made available, solely within governmental structures.

A partnership with private resources must be created to work on crime control and offender rehabilitation just as it has been in other fields. By this I mean that government must provide larger and yet larger sums of money for treatment, education, and training contracts with private industries, and businessmen must start making venture capital and corporate resources available to handle government contracts in this field. Some private firms already operate treatment centers and halfway houses.

Businessmen should use the ingenuity for which American enterprise is famous and come up with new ideas that can help cut the crime rate through rehabilitation of offenders. It is a healthy situation when a contribution to the public weal can be combined with private profit.

Frankly, I am surprised at the enthusiasm with which some private businessmen view involvement in offender rehabilitation. Not only are many firms hiring ex-offenders, but some have plans to carve out a major role in improving the entire correctional field. Last March, for example, Howard C. Wiechman, national administrator of technical and vocational education for the Portland Cement Association (PCA) stated: "Growth within our industry is being stifled by labor shortages. Just as most inmates need jobs and job skills, we need trained people to place and finish concrete and plaster."

The PCA has applied for federal funds for several projects that will provide prison inmates with vocational and basic remedial education, work experience, and job placement in relatively well-paying jobs.

PCA has already received \$200,000 from LEAA for a program working with prisoners who have been released. The program—Operation DARE—has set up a central coordinating unit to work with penal authorities, state and local parole and pardon boards, and public and private community agencies to provide ex-inmates with needed job training, placement, and supportive personal services.

Other businesses have trained and hired offenders in jobs running the gamut of American industry, from computer operators to mechanics to administrative work.

It is encouraging to see that the greatly expanded and enriched 1970 LEAA corrections program emphasizes involvement of the private sector. While still in its beginning stages, the effort, labeled Private Sector Community Based Programs (which funded PCA), is a positive, imaginative step in the implementation of one of the 13 points Mr. Nixon set forth last November. Headed by a former Labor Department official, Don Swicord, the program incorporates many good manpower and career development concepts into the Justice-private sector mix. The program merits vastly expanded LEAA funds, more than the few millions in the next two years now apparently destined for it.

The National Alliance of Businessmen and local urban coalitions, moreover, would seem to have natural roles in promoting and coordinating business involvement.

One great difficulty will be in finding qualified personnel to run projects operated by private industry. Temporarily, this could create an even greater manpower shortage in public correctional agencies, for private industry is certain to pay better salaries and to attract many of the best correctional staff. In a short time, there should be benefits to both the governmental correctional system and the allied, private operation. The manpower situation, especially salaries, should improve greatly because of this competition. Moreover, these private industries are likely to be eager to hire ex-offenders for some of the many good jobs they will have available. This is one line of work in which offenders' experience is relevant and their credentials impeccable.

Finally—but, actually, in the beginning—there is love. It has been said that it is far easier to hate the crime than the criminal. Confront the criminal, capture him, look him in the face—he is us, our children, our brothers, our sisters. We created him. I have written about cold statistics, quantifiable tests, and strategies. But human compassion for other humans is still the most important equation, and should move us to do what is not only necessary, but also humane, to help offenders rejoin society as constructive human beings.

[From Case & Comment, January-February, 1972]

JOBS FOR THE EX-OFFENDER

(By Joseph F. Cunningham)

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One of the most critical issues facing government and private agencies concerned with reintegrating ex-offenders into our communities focuses on the problem of, and the most effective means for, marrying manpower services to the needs of the public offender.

VOCATIONAL TRAINING PROGRAMS

Since the passage of the Manpower Development Training Act (MDTA) of 1962, the U.S. Department of Labor has assumed the responsibility for funding programs that provide vocational training for public offenders. In 1966, Congress added Section 251 to the MDTA, calling for an expansion of job training programs for prisoners. Recently, articles have been published by the Department of Labor on the accomplishments of some of these programs, and the prospects for future efforts. Other agencies such as the Office of Economic Opportunity and the Department of Health, Education and Welfare have also taken some interest in Correctional manpower programs.

The Labor Department with a multibillion manpower budget under the Act has reportedly spent in the neighborhood of an annual three to four million dollars on various institutional training programs in prisons, as well as experimental and demonstration projects. Yet, as Ramsey Clark in a recent article, "*When Punishment Is a Crime*," points out, "When Congress reviewed the Manpower Development Training Act for budget savings in 1968, the first cut . . . was for prisoner training."

The Department, however, continued to maintain an interest in inmate training, funding a national pilot skill training program in 1968 that then Secretary George Shultz told the American Bar Association last year had enrolled roughly 4,700 inmates in 47 Federal, State and local institutions in 28 states at a cost of over 5.7 million dollars. He went on to indicate that while experience indicated, ". . . the feasibility of training under institutional constraints, a high degree of interest by inmates, and increasing acceptance by correctional staff and parole authorities," this experience also indicated, "supportive services, job-finding assistance, and linkages to the private and voluntary sectors require considerable strengthening, however, if we are to fully benefit from our investment in training." *Remarks by the Secretary of Labor before the Commission on Correctional Facilities and Services, ABA, June 10, 1970.*

This need was generally reflected in the comments of the *President's Commission on Law Enforcement and Administration of Justice* when it reported that: ". . . 'The task of corrections, therefore, includes building or rebuilding solid ties between the offender and the community, integrating or reintegrating the offender into community life . . . ' This requires not only efforts directed toward changing the individual offender, which has been almost the exclusive focus of rehabilitation, but also mobilization and change of the community and its institutions."

EMPLOYMENT PROBLEMS

Professor George Pownall in his study of *Employment Problems of Released Prisoners* found that ex-offenders had a dismal employment history; with 20% in the labor pool working only part time and 17% unemployed. His research also indicated that the majority of releasees had no jobs to return to; that returning prisoners found unstable employment (the longest job held being 8 months); prison training was inadequate or ineffectual; jobs were not readily available; union discrimination and bonding requirements presented obstacles; and, most importantly, unemployment was a major factor contributing to new violations of the law by former prisoners.

A fuller understanding of this cause and effect relationship emerges when consideration is given to the myriad problems newly released inmates encounter

in the area of employment in the community. Aside from the fact that offenders generally possess poor backgrounds and attitudes toward work, the period of incarceration apparently does little to modify beliefs or correct deficiencies once they return to their homes. The majority of offenders enter institutions with vague work experiences, generally at menial or unskilled jobs. While opportunities exist to develop job skills in penal institutions, apparently many find small satisfaction in this and even plan to return to the same menial and unskilled employment situations. A Study completed in 1962 by the U.S. Bureau of Prisons reported the following conclusions on the post-release employment prospects of their inmates:

"A pattern seems to be present, i.e., that the distribution of occupational levels and type of work of inmates prior to admission is similar to the distribution of the types of work and occupational levels of inmates on release: those who were salesmen before commitment return to sales jobs when released; those who were agricultural workers return to agricultural work or unskilled labor; those who were skilled workers return to their trades or occupations but with a fairly sizable proportion who take jobs at lower occupational levels; and those who come in as unskilled workers return to unskilled jobs. All of this suggests the hypothesis that, whatever the underlying factors may be, the intervention of institutional work experience or vocational training has a negligible impact on the level or type of work inmates go to upon release."

INSTABILITY OF EMPLOYMENT

The passing years do not seem to have changed this finding. The State of Michigan completed a study a few years ago (December 1969), on *The Use of Correctional Trade Training* and found that even those men who learned job skills while serving time had employment difficulties with only 31% of these reported as being steadily employed after release. With this same group, pre-prison work records showed the average length of the longest job ever held was six months, and fewer than one man in ten had ever held a job as long as twenty months. There is no reason to suppose that the same statistic is not valid in the majority of our states.

HANDICAPS

A recent article in the U.S. Department of Labor's *Manpower* magazine (January 1971) additionally pointed out that:

"The ex-offender also is handicapped in searching for work because referrals from family and friends are a major source of job-getting in our economy. But the family and friends of ex-offenders are not likely to be a very helpful resource. For the most part, they also come from marginal, impoverished, and culturally deprived sectors of our communities, and are struggling with many of the same problems and handicaps as the offender.

"Delinquent and criminal populations often are accused of not being motivated to work. It is often suggested that willing men always find some kind of work and that ex-offenders should use it as a steppingstone to better jobs. Such stereotyping ignores the fact that many of the low-paid, mediocre jobs that always seem to be available are deadends rather than steppingstones to better employment. Further, unless an individual has sufficient resources or social support to take the risks involved in attempting to move up, he can become dependent on a mediocre job and permanently fixed in its limitations."

Indications remain that inmates have had and will probably continue to have serious employment problems for a large variety of reasons. Even if they become parolees they must face competition in the community. The rise in prison populations during economic downturns is evidence enough that these are the people who lose out in competitive labor markets and are most in need of specialized and concentrated help. For those raised in hit and miss employment of the most menial type, re-entry into the labor market, with slight prospects of obtaining more desirable jobs, offers little basis to improve attitudes. Contrariwise, employment and training geared to the individual, offering hope for meaningful, worthwhile and satisfying activity will contribute a great deal toward an adequate adjustment.

EFFECTIVENESS OF CORRECTIONS STAFFS

The question then arises as to whether or not existing corrections staff, or state agencies such as the Employment Service, are sufficiently trained to handle these work problems of the ex-offender. Aside from the fact that job procurement for the general population is a heavy time consuming task, the education level

and background of existing corrections staff can give the answer: no time is devoted to the practical aspects of finding suitable employment or employment counseling. The trained outside social workers, job developers and counselors, psychologists and behavioral specialists now devote their time to other problems of social behavior or employment of the general disadvantaged population.

Yet there must be specialists to help in this important area; people trained to deal with industry or from industry itself, who can help solve the knotty problem of providing manpower services to the ex-offender. Development of an attitude that a good days work is an outstanding achievement is clearly a Corrections role. But channeling the employment resources of the business community and other private and public sector agencies is too big a task for any one state or local correction agency. With this in mind, the Department of Justice, Law Enforcement Assistance Administration attempted last year to initiate programs placing special emphasis on rehabilitation through application of manpower services in the community.

CURATIVE PROGRAMS

A small number of projects were initiated in selected states around the nation that evidenced a sufficient sophistication in the treatment of public offenders to offer a base for more innovative linkages with the private sector. The ultimate goal was "quality" jobs for those hard-to-place inmates that heretofore comprised the profile of the recidivistic unemployed. LEAA and members of many state and private sector projects hoped to see the following summary of major aims accomplished:

The commitment of "quality jobs", involving a better than average starting wage; training (hopefully funded under MDLA) and job progression or upgrading potential.

The actual development of "quality" jobs in the community and the placement of ex-offenders in these jobs once they leave the institution.

The provision of pre-release or pre-placement counseling at the institution or in community centers.

Follow-up job coaching and counseling once the ex-offender is placed on the job.

Total business community support for the concept of "Jobs for Ex-Offenders".

Utilization of community resources including agencies such as the National Alliance of Businessmen, trade and professional groups, the CEP program, Model Cities, etc.

Training of Corrections, Parole and Probation staffs in manpower skills to serve as Job Advisors to inmates and clients.

Use of para-professionals, some of whom are ex-offenders, on project staff for training and counseling.

Assistance in finding housing, transportation to the job, and other social services.

Assistance to the employer in developing job training programs and supervisory-sensitivity courses.

In North Carolina, where the first state-wide work release program (including felons) was initiated some years ago under the capable leadership of Department of Correction head, V. Lee Bounds, the new LEAA community based program scored a marked success. The progressive Governor of the State, Robert Scott, endorsed the concept as a major part of his Administration's overall effort to fight crime, and the State Bar Association recently commended the program and urged its expansion. In Utah, an Intensive Probation program secured good jobs; conducted job surveys; employed well qualified staff ex-offenders; and worked profitably with city and state agencies. In Missouri, Project Chance is utilizing the State Employment Service JOB BANK to find new job vacancies for its clients and is developing a JOBS/70 training consortium through the St. Louis Chamber of Commerce. Other states have had similar good results.

In almost every instance, business leaders who were contacted to employ the ex-offender, responded affirmatively. In one instance, the local National Alliance of Businessmen metro provided office space and secretarial assistance to the LEAA project team assigned to its area. In another, the local office of the Employment Service agreed to begin job testing inmates about to be released on a regular basis, leading to their employment. Chambers of Commerce in a number of localities have evinced willingness to undertake broad programs to enlist their number's support for hiring the ex-offender. Similar assistance has come from some union organizations, manufacturer's associations, real estate boards, and church groups. The National Association of Homebuilders has funded a carpenter training program that provides five weeks of pre-vocational training prior to inmate release, and then places the trainee as an apprentice carpenter immediately after release.

The record is replete with other evidence of constructive involvement of the private sector.

With this good beginning, much more remains to be done. LEAA's innovative efforts are of necessity restricted by budgetary considerations. Not every state corrections agency is willing or able to attempt the experiment under-way in but a few. Not all businessmen are convinced of the reasons for hiring an ex-offender. Many agencies of government believe the ex-offender is one small sector of the total disadvantaged population, with no special claim to manpower services.

FEDERAL AID

A major step that might be taken in bolstering the positive efforts already undertaken by LEAA and the Department of Labor, would be for Congress to endorse through legislation, the proposal put forward by *The President's Task Force on Prison Rehabilitation* to: ". . . establish a national agency whose function would be to stimulate, in the states and localities particularly, the adoption of, programs for the employment and training of criminal offenders."

This federal approach would encompass a national and state-by-state effort, operating both out of Washington and the respective Governors' offices, coordinating work training programs with all state correctional agencies as well as local and county criminal justice units. Coordinating and program development would be its major though not exclusive task. The business community, both through a national board of directors, and through satellite advisory boards in all the states, would advise responsible officials on the best means of channeling jobs and training to the client population. While the flavor of the agency would be private, LEAA and the Department of Labor might make available training and other resources through the agency; possibly along lines similar to the JOBS/70 funding now available and utilized by the National Alliance of Businessmen. And there are many other activities appropriate to this organization that Congress could initiate by giving the Presidential Task Force's recommendation in this area serious legislative attention.

CONCLUSION

In summary, it is necessary to add that the initial and limited steps already undertaken by LEAA and the Labor Department ought to be commended and expanded. Although none exist presently in either LEAA or Labor, at the very least, a national program office in one or both agencies should be established and charged with the responsibility for expanding the private sector's role in finding decent employment for the ex-offender. We should be building upon the good foundations already established through the pilot programs outlined above. This will not be done by devolution of responsibility for innovating programs to regional offices that are neither properly staffed, nor sufficiently attuned to Corrections manpower problems. Regional offices and state planning agencies should have dollar responsibility and authority to approve good programs. But since all of the efforts at job finding and work training for ex-offenders have come from the national offices of the two agencies involved, one would hesitate to tamper with the source of these positive contributions. Indeed, it behooves us to take the opposite course and attempt to enlarge on auspicious beginnings.

Without doubt, the solutions proposed will ultimately generate their own problems. Yet the beginnings have been made and the possibilities for reform are appealing. The target of insuring decent employment for every ex-offender willing to work has been proven to be an accomplishable task. We should look forward to the coming decade as a time when Correction, Parole and Probation officials will be able to take pride in the assimilation of most offenders into the world of work and thus, the community. Therein, lies the most satisfactory and promising means of accomplishing thoroughgoing rehabilitation.

BARRIERS TO THE EMPLOYMENT OF RELEASED MALE OFFENDERS



Experimental Manpower Laboratory for Corrections
Draper Correctional Center
Elmore, Alabama

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BARRIERS TO THE EMPLOYMENT OF RELEASED MALE OFFENDERS

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Rehabilitation Research Foundation
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March, 1970

Preface

The EMLC is operated by the Rehabilitation Research Foundation (RRF) at Draper Correctional Center, Elmore, Alabama. It evolved from and continues to operate around a Manpower Development and Training (MDT) experimental-demonstration model.

During its first phase—from September 1, 1968 to March 1, 1970—the EMLC conducted studies which were primarily exploratory in such areas as employment for ex-offenders, factors within the prison influencing the functioning and acceptance of manpower training, transitional problems of MDT trainees released from prison and placed in jobs, and numerous related areas.

The project reported on herein—Barriers to the Employment of Released Male Offenders—was conducted as Objective 1 of the EMLC's first phase operation.

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*Pages 1 - 8 are a narrative report of the background, objective, implementation, and results of the EMLC study. Pages 11 - 25 contain a technical description of the study and related tables.

Abstract

The employment of ex-offenders is generally considered to be a major factor in their postrelease adjustment. A survey of the literature as well as job placement and follow-up experience with graduates of the Manpower Development and Training (MDT) and Experimental and Demonstration (E&D) projects at Draper Correctional Center, Elmore, Alabama, have revealed a number of employment barriers encountered by released male offenders. These employment barriers were studied by the Experimental Manpower Laboratory for Corrections (EMLC) to validate and determine their degree of significance.

An interview guide incorporating questions relevant to these barriers was developed. A total of 99 employers from a rural county (Butler, with Greenville as its principal city), an urban county (Madison, with Huntsville as its principal city), and a metropolitan county (Jefferson, with Birmingham as its principal city) were interviewed face-to-face in their locales. The data for the study consisted of views and opinions as stated by the employers.

An analysis of variance indicated that there were insignificant differences among the barriers related to the five hypothesized variables (size of county by population, size of business or industry, location of ownership of business or industry, type of ownership of business or industry, and classification of business or industry). There was also an insignificant difference between those employers with experience in hiring ex-offenders and those without experience.

Barriers of significantly high frequency and statistically separated one from another are listed in rank order from highest to lowest frequency:

1. Lack of involvement in training or rehabilitative programs by the ex-offender.
2. Repeated offenses. (Employers prefer first offenders to recidivists.)
3. Employer advancement of money for tools, licenses, etc.
4. Basic education deficiencies.
5. Advanced age.
6. Long-term imprisonment.
7. Diverse* types of offenses such as armed robbery and violation of narcotic laws.
8. Absence of face-to-face interviews with prospective ex-offender employees who must have jobs arranged prior to release in order to meet requirements of the parole board.
9. Manifestation of inappropriate attitudes toward work.

*Glaser (1964) categorizes felony offenses into three broad rankings of recidivism: economic crimes not involving violence (larceny, burglary, auto theft and forgery); diverse crimes (narcotics offenses, robbery, and kidnapping); and situational crimes (murder, rape, and embezzlement).

On the basis of these findings, the following recommendations are made:

The administrators who plan, organize, and implement training and rehabilitation programs inside prisons should take into consideration the kind of ex-offender the employers are willing to hire and include as "behaviors to be shaped" those considered desirable by the employers as indicated in the survey.

Cooperative planning and frequent communication between employers, Employment Service, and training programs is essential to the postrelease success of the ex-offender.

The correctional system, paroling authority, and Employment Service should give due consideration to the barriers posed by the requirements for pre-arranged jobs and personal interviews and develop a feasible plan to overcome them.

Effective communication between parole supervisors and employers concerning work habits as well as off-the-job habits which affect the ex-offender's chances of keeping and advancing on the job (e.g., being unexcusably late or absent from work, getting along with other employees, etc.) should result in a program providing the necessary support for the ex-offender's postrelease success.

The development of a "how-to" manual to deal with the total pre- and postrelease treatment of the offender should be the concentrated effort of Employment Service, the correctional system, paroling authority, Vocational Rehabilitation Services, Vocational Education, training and rehabilitation programs, and the employers.

The stated views and opinions of prospective employers should be ultimately validated against the criterion of their actual employment practices.

INTRODUCTION

The male ex-offender who seeks employment in the labor market after his confinement encounters barriers to obtaining meaningful employment. The findings of Draper's MDT and E&D projects, findings of other similar projects, and a survey of the literature support the existence of these employment barriers. While unemployment has long been cited as one of the basic explanations for criminal activity and recidivism, very little research has been conducted to determine what factors contribute to employment barriers for male ex-offenders. The EMLC explored these questions: (1) Do employment barriers differ according to size of county by population, size of business or industry, location of ownership of business or industry, type of ownership of business or industry, and classification of business or industry? (2) Are there differences in hiring policies and practices pertinent to employment barriers for ex-offenders between employers with experience in hiring ex-offenders and those with no experience?

Sellin (1937) contended that there were no positive and valid generalizations which could be made from studies conducted up to that time on the relationship between unemployment, crime, and recidivism. However, Gleuck (1930) had indicated that a very strong relationship between post-parole success or failure and unemployment rates did exist; and more recently, Glaser and Rice (1959), Fleisher (1963), Glaser (1964), Evans (1968), and Pownall (1969) have indicated that crime varies directly with unemployment, and that a positive relationship exists between arrest rates and unemployment. Glaser indicated that "recidivism of adult male offenders varies inversely with their postrelease employment (p. 359)," and both Evans and Pownall determined that steady employment was a major factor in reducing recidivism.

The RYT experiment at Rikers Island, New York, and the Social and Surgical Rehabilitation of Offenders study also conducted at Rikers Island demonstrated that the most effective method known for rehabilitating offenders is the assurance of employment and the availability of vocational training related to an assured job. In the RYT project, subjects who received job placement returned to prison two to three times less than subjects who received no such assistance (Sullivan, 1966).

From the literature, therefore, it might be concluded that steady employment and opportunities for upward mobility appear to be major factors in preventing crime and recidivism. But before any major attack on the problem of employment for male ex-offenders can be inaugurated, the specific employment barriers which face male ex-offenders must be identified and explored.

The most extensive study of employment problems of released offenders conducted to date was that of Pownall (1969) who investigated ex-offenders released from Federal prisons. By analyzing the unemployment and employment records of released ex-offenders he was able to discover correlations between unemployment and age, race, marital status, job skills, time since release from prison, and job placement. These factors appear to be considered by potential employers when they screen ex-offenders for possible employment.

Employment, Pownall maintains, is a major factor in enhancing the possibility of ex-offenders' making a successful life adjustment in all aspects of life—particularly economic and social. Failure to obtain or maintain employment might significantly increase the ex-offender's probabilities of returning to crime. Pownall summarizes training and employment of the Federal prisoner:

...it would appear that not enough assistance is provided for placing inmates prior to release from institutions. The institution spends considerable funds providing training and work experience and then is not following through by providing adequate job placement. The probation offices and the U.S. Employment Service apparently are not providing adequate assistance in this area. Left to his own job search efforts, the inmate, prior to release, is dependent upon his family, friends, and former employer. The result is that many will not have jobs at the time of release or will have jobs that are often promised only to facilitate release. Furthermore, for those who obtain prearranged jobs, they are more likely to be low paying, unskilled or semi-skilled jobs, which do not utilize institutional training or experience (pp. 146-147).

The purpose of this study was to determine whether or not a stratified sample of employers' hiring practices and working policies posed barriers to the employment of the ex-offender. The results of this study could be used by those who plan rehabilitation programs for the offender, job placement personnel who are charged with helping the offender obtain suitable employment, the offender who needs to know what is expected of him by employers, and the employers themselves who ultimately hire the ex-offender.

EMLC STUDY

The Objective

The objective of the EMLC study was to investigate some specific barriers to the employment of released male offenders. To achieve this objective, the study sought answers to the following questions:

1. Do employment barriers differ according to the following variables?
 - a. Size of county by population
 - b. Size of business or industry
 - c. Location of ownership of business or industry (local vs. nonlocal)
 - d. Type of ownership of business or industry (proprietorship, partnership, or corporation)
 - e. Classification of business or industry
2. Are there differences in hiring policies and practices pertinent to employment barriers for ex-offenders between employers with experience in hiring ex-offenders and those with no experience?

Subjects

Experimental subjects (Ss) were a total of 99 employers from one rural, one urban, and one metropolitan county in Alabama. Ss were from large, medium and small industries, from firms with both local and non-local control or ownership, from businesses run by proprietors, partners and corporations, and from agricultural, construction, manufacturing, transportation, trade, service and governmental classifications of business and industry. It was anticipated that these Ss would represent an adequate cross-section sample for the state at large.

Materials

An interview guide was designed to include items pertinent to the study. The interview guide incorporated branching techniques whereby a response to one question might branch to certain related questions after skipping over unrelated questions. (A copy of the interview guide may be found in Appendix C and the diagram for its use on page 18.)

Procedure

Face-to-face interviews were conducted in the Ss' locales. The empirically-advanced barriers listed on the interview guide were examined against the five hypothesized variables. The data were analyzed by using an analysis of variance and the post-hoc comparisons tests. These tests of significance were also used to determine differences in hiring policies and practices between Ss who had hired ex-offenders and Ss who had not.

Summary of Results

Many of the employment problems which arose during job placement and follow-up of Draper's MDT graduates were found to be barriers to the employment of the ex-offender. The barriers that were found to be of significantly high frequency and statistically separated one from another are listed in rank order from highest to lowest frequency:

1. Lack of involvement in training or rehabilitative programs by the ex-offender.
2. Repeated offenses. (Employers prefer first offenders to recidivists.)
3. Employer advancement of money for tools, licenses, etc.
4. Basic education deficiencies.
5. Advanced age.
6. Long-term imprisonment.
7. Diverse types of offenses such as armed robbery and violation of narcotic laws.
8. Absence of face-to-face interviews with prospective ex-offender employees who must have jobs arranged prior to release in order to meet requirements of the parole board.
9. Manifestation of inappropriate attitudes towards work.

There were insignificant differences in the practices and policies of the Ss as correlated with the five hypothesized variables; neither were there significant differences between Ss with experience in hiring ex-offenders and those without experience.

Discussion and Conclusions

Although it was not a primary objective of the study on employment barriers, the direct face-to-face contact with employers serves as an initial public relations program and more importantly as a job development and placement program. During these contacts, interviewers found the employers eager to find out more about the training programs in existence at Draper, and some of the employers have since hired graduates of Draper's MDT (251) project. As an outgrowth of these interviews, RRF staff have given several programs to some of the employers' civic organizations.

At the beginning of the study, it was presumed that these employment barriers would include such factors as the stigma of being an "ex-con," race, age, company hiring policies, size of company, and size of the county in which the company was located. While all of the employment problems studied are barriers to some extent, some—particularly some of those which had been presumed—did not prove to be statistically significant.

The presumption, for instance, that employers are unwilling to hire ex-offenders in general and particularly Negro ex-offenders was not supported by the statements of practically all of the Ss. An insignificant percentage of employers indicated unwillingness in both cases. Age, however, did prove to pose some hesitation to employers considering

ex-offenders as potential employees. Better than half of the sampled employers indicated a hiring preference for young first offenders rather than older offenders who had served long terms in prison.

An analysis of variance indicated that there was an insignificant difference in the barriers as related to the five hypothesized variables (size of county by population, size of business or industry, location of ownership of business or industry, type of ownership of business or industry, and classification of business or industry). Also, there was an insignificant difference between those employers who had had experience in hiring ex-offenders and those who had not. The rank order of the barriers changed slightly but not significantly so.

Two very crucial factors influencing employers' willingness to hire the ex-offender were (1) his involvement in some type of rehabilitation program while incarcerated, and (2) his possession of adequate basic education skills. Employers felt that involvement in a rehabilitation program greatly increases an ex-offender's chances for post-release success. This preference was a barrier significantly different from the others and tends to be more so in light of the small percentage (approximately 10%) of Alabama's prisoners who actually have the opportunity to enroll in such programs.

Limited rehabilitation programs also retard opportunities for any large number of ex-offenders' acquiring basic education skills. A large percentage (85%) of Alabama's prisoners have less than an eighth-grade achievement level and a fairly sizable proportion of them could be classified as functional illiterates. Since most of them were dropouts from public schools, the correction of these deficiencies depends upon the existence of education programs inside the prisons and continuing education programs after release and employment. The chances of an ex-offender's securing a job can be quite slim if he does not possess the basic education skills required for the job he seeks even though he may possess the other requisite skills.

The general pattern of employers' hiring procedures presents still further barriers to the employment of offenders who may or may not be confined at the time they need to locate jobs. A considerable percentage of the sampled employers require personal interviews and some require personal recommendations. They glean from these two instruments the applicant's attitude toward work and authority, job proficiency, ability to get along with others, personality, personal appearance, and general background. The confined offender is unable to go for a personal interview and often unable to obtain favorable personal recommendations unless he is involved in a rehabilitation program. Unfamiliar formal situations, such as personal interviews and the obtaining of personal recommendations, can be traumatic experiences for the ex-offender who may or may not have had training in how to sell himself in the interview. Those who have had training may never have been presented with the opportunity to employ such skills even if they had learned them.

A small percentage of the employers required some type of employment tests—occupational skill aptitude and intelligence tests. While the percentage was low, where tests are used they may in themselves constitute an employment barrier to the ex-offender.

Still another concern stated by employers dealt with the type of crime committed. A substantial percentage of the sampled employers preferred to exclude ex-offenders who

had committed "diverse crimes" such as armed robbery and violation of narcotics laws. A majority preferred ex-offenders who had committed "economic crimes" or "situational crimes."

The EMLC study was intended to initiate a broad investigation of the problems which the ex-offender encounters in seeking employment after his release from prison. The study was limited in that the sample did not include as broad a classification of business and industry as had been proposed, and the barriers uncovered are the untested views and opinions of the sample. Also, some of the employers' policies and practices with regard to hiring the ex-offender could very well apply to the non-offender as well. For example, age, bad general background, poor personal appearance, poor aptitude test results, poor personality traits, inability to get along with others, lack of job proficiency, poor attitude toward work and authority, and lack of basic education skills may be barriers to both the non-offender and the ex-offender. The interview guide did not allow for differentiation between these two groups.

While the study revealed a general willingness to hire the ex-offender, employers were discriminative as to the type of ex-offender they were willing to hire—youth, first offender, etc. Less than half had actually had experience in hiring and working with the ex-offender and only a small percentage expressed having had bad experiences. Certainly, those employers contacted—some of whom have never given much thought to the rehabilitation of prisoners—will begin thinking of possible contributions they can make, individually and collectively, to the employability of these disadvantaged persons.

Recommendations

Since one of the primary facets of postrelease success centers around gainful employment, *the administrators who plan, organize, and implement training and rehabilitation programs inside prisons should take into consideration the kind of ex-offender the employers are willing to hire and include as "behaviors to be shaped" those considered desirable by the employers as indicated in the survey.* This has particular relevance for counseling, basic education, occupational training, and job preparation components of training programs and for job development and placement personnel. Employers have furnished and can furnish more specific feedback needed by those who plan rehabilitation programs, develop for and place the ex-offender in jobs, and supervise his postrelease behavior. Specific behaviors which need shaping can be indicated by the employers and incorporated in the total rehabilitative effort of other offenders who seek jobs in the labor market.

Employers who have expressed willingness to hire the ex-offender are key people through whom an effective public relations program could be executed to reach employers' and businessmen's organizations for the purpose of increasing the number of employers who will be willing to hire the ex-offender. These organizations can use resource people (RRF staff, Employment Service, Pardons and Paroles, and Vocational Rehabilitation) to implement their programs for promoting understanding, hiring, and upgrading the ex-offender. To further assist employers who are willing to hire ex-offenders, the National Alliance of Businessmen and the National Association of Manufacturers have been encouraged by the President under the provisions of the NABS program to provide training and employment for the "disadvantaged." The Government will reimburse the employer-trainer for the simultaneous services of training and employment. This means that the Federal Government is willing to share the risk of employment of the "disadvantaged" and the ex-offender is classified as "disadvantaged."

Cooperative planning and frequent communication between employers, Employment Service, and training programs is essential to the postrelease success of the ex-offender. From past experiences of the RRF which were found to be significant in this study, it is obvious that training programs should work hand-in-hand with the State Employment Service in job development and placement. The original selection of employer subjects for this study was to come from those listing job openings with their local Employment Service extension offices. A sufficient number of employers was not available under this plan, yet a sufficient number could be located by other means.

Communication between Employment Service and employers should be such that Employment Service is fully aware of specific job openings and sources available for job development and placement. Employment Service's awareness of employers' attitudes, requirements, and preferences should feed directly into the training process which grooms the offender for employability.

For potential parolees, the pre-arranged job requirement of the paroling authority and the formal aspects of employers' hiring procedures—particularly the personal interview—greatly retard his chances for meaningful job placement and delay his parole. The dilemma in which the confined offender finds himself when he cannot go to the employer for a personal interview can be alleviated by prison authorities' providing means of getting him to the interview or by the employer's coming to him. *It seems then that the correctional system, paroling authority, and Employment Service should give due consideration to the barriers posed by the requirements for pre-arranged jobs and personal interviews and develop a feasible plan to overcome them.*

Even after job development and placement, the parole supervisor and the employer share responsibility for the ex-offender and a concern for his work success. Therefore, *effective communication between parole supervisors and employers concerning work habits as well as off-the-job habits which affect the ex-offender's chances of keeping and advancing on the job (e.g., being unexcusably late or absent from work, getting along with other employees, etc.) should result in a program providing the necessary support for the ex-offender's postrelease success.*

The development of a how to manual to deal with the total pre- and postrelease treatment of the offender should be the concentrated effort of Employment Service, the correctional system, paroling authority, Vocational Education, training and rehabilitation programs, and the employers. If all of these forces are brought to bear in training as well as in postrelease treatment, the employment barriers uncovered in this study can be minimized to provide the opportunity for the ex-offender to succeed in the world of work. Success for him is the transition from a noncontributing to a contributing member of society. The RRF, working with appropriate agencies, should develop the "how to" manual recommended above. This manual should be written and designed so that it will have applicability to groups and agencies involved in similar programs in other parts of the nation.

The stated views and opinions of prospective employers should be ultimately validated against the criterion of their actual employment practices.

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APPENDIX A

METHOD

Subjects

Originally, Ss were to be chosen from a population of employers (or personnel managers) who had, within a 30-day period preceding the interview, listed job openings with their respective state Employment Service extension offices. As the initial stages of the survey progressed, however, this selection procedure was not feasible since only a small number of employers had registered job openings with Employment Service.

A list of all industries in the state was then obtained from the Alabama State Chamber of Commerce. From this compilation, 99 prospective Ss were selected using the five hypothesized variables as guidelines. A complete description of the number of Ss surveyed in each sub-division of the five variables may be found in Table 1.

1. *Size of county by population.* Three Alabama counties were selected according to the following criteria:

Population of County

- a. Rural (10,000-30,000)
- b. Urban (30,000-200,000)
- c. Metropolitan (200,000 and above)

Population of Largest City

- a. Rural (less than 10,000)
- b. Urban (10,000-150,000)
- c. Metropolitan (150,000 and above)

These criteria were established to give as wide a non-contiguous sampling range of population areas as possible. The three Alabama counties selected were: (1) Jefferson—a metropolitan area in central Alabama with Birmingham as the major city (2) Madison—an urban area in north Alabama with Huntsville as the major city and (3) Butler—a rural area in south Alabama with Greenville as the major city. All three counties are separate congressional districts, and all have separate Employment Service extension offices.

2. *Size of business or industry.* The criteria for differentiating sizes of business or industry (based on the number of employees) were as follows:

- a. Large (500 or over)
- b. Medium (50-499)
- c. Small (10-49)
- d. Very small (1-9)

3. *Location of ownership of business or industry.* This criterion was established to insure that both locally and non-locally owned businesses or industries would be sampled in order to determine whether the two types had any differential employment practices.

4. *Type of ownership of business or industry.* The three types of ownerships used in this study were proprietorship, partnership, and corporation. As the study progressed, however, an "other" category was added to include government organizations.

5. *Classification of business or industry.* In classifying the types of businesses or industries to be surveyed, the U.S. Department of Labor Industrial Classification (1967) was used. The classifications were:

- a. agriculture
- b. construction
- c. manufacturing
- d. transportation, communication, and utilities
- e. wholesale and retail trade
- f. services
- g. government

Materials

The interview guide was designed in three sections as follows:

Section 1 - basic data. The first five questions were employed to place Ss in the categories determined by the five hypothesized variables.

Section 2 - hiring factors. This section was designed to measure Ss' attitudes toward and policies in hiring ex-offenders.

There were three blocks of questions. Each of the blocks of questions was designed to elicit different types of information relating to employment barriers. Block A contained questions to determine what had led to S's decision not to hire ex-offenders, a decision based on policies and rules other than S's personal preferences. Block B contained questions to determine what factors had led to S's decision not to hire ex-offenders, based upon the personal judgement of S. Block C contained questions to determine what factors might qualify the willingness of Ss to hire ex-offenders.

The block of questions which S answered depended upon his responses to questions 9 and 10:

9. Would you hire an ex-offender?
10. If no, is your decision not to hire an ex-offender based on your personal preference?

If *S* answered "No" to question 9 and "No" to question 10, Block A was to be completed and then the interviewer moved to Section 3. If *S* answered "No" to question 9 and "Yes" to question 10, the interviewer went to Block B and then continued to Section 3. If the employer answered "Yes" to question 9, the interviewer went to Block C and then to Section 3.

Section 3 - general. This section contained general questions applicable to all *Ss* whether they were willing to hire ex-offenders or not.

Figure 1 indicates schematically the design of the survey instrument. A copy of the interview guide may be found in Appendix C.

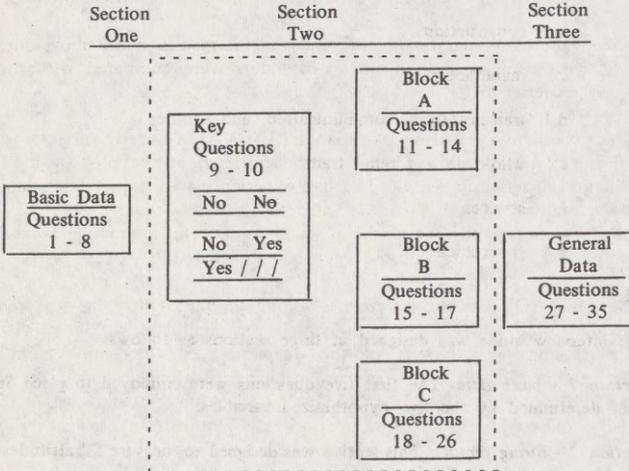


Fig. 1. - Design of interview guide

Procedure

Interviewers were briefed on the nature of the study, the design of the survey instrument, and methods of contacting and interviewing potential *Ss*. Lists of *Ss* to be interviewed were given to the interviewer who had the sole responsibility for arranging contacts and interviews with *Ss*. If the interviewer was unable to contact the designated *S*, he selected a comparable *S* for the interview.

The interviewer was appraised for the importance of proper contact methods—clearly identifying himself, explaining the operations of the RRF and the purposes of the EMLC study. If necessary, he was to allay suspicions that the interview, in any way, related to Federal inspection of civil rights or labor practices. It was recommended that appointments be made whenever possible.

APPENDIX B

RESULTS

Data from the interview guides were analyzed along three dimensions:

- (1) Were there any significant differences in the extensiveness of the barriers among the five variables used in selecting Ss (size of county by population, size of business or industry, location of ownership of business or industry, type of ownership of business, and classification of business or industry)?
- (2) Were there any significant differences among the barriers studied?
- (3) Were there any significant differences in the results of the above questions when Ss with experience in hiring ex-offenders were compared with those without any experience?

Results of a one-way analysis of variance (ANOVA) of the five variables (see Table 1) yielded an $F(19,480) = .043$ which is not significant at the $p < .05$ level. When the data was dichotomized into Ss who had had experience with ex-offenders and those who had not, the one-way ANOVA of the same five variables yielded an $F(39,860) = .13$ which again was not significant at the $p < .05$ level. (The interactive two-way ANOVA was not applied to the data because each cell contained $N = 1$.)

A one-way ANOVA in the differences among all employment barriers to ex-offenders studied yielded an $F(24,475) = 11.60$ which was significant at the $p < .01$ level (see Table 4). The one-way ANOVA of the differences in the employment barriers to ex-offenders among Ss who had experience in hiring ex-offenders and those who had not, yielded a significant ($p < .01$) $F(44,855) = 52.10$. Although there was a suggestion of heterogeneity of variances, these results are so significant as to negate any adverse consequences of the heterogeneity of variances.

To discern where the significant differences in the employment barriers studied were, two post-hoc comparisons tests were performed following the two significant one-way ANOVAs. Results of both comparisons tests (Tables 2 and 3) showed that there were nine employment barriers to ex-offenders which were of significantly high frequency and statistically separated from the rest. However, no significant differences were found in the rank order of all barriers between:

- (1) Those who had employed offenders and those who had no experience in employing ex-offenders (Spearman "rho" = .94, $n = 22$, $p < .01$).
- (2) Those who had employed offenders and the ranking of barriers "overall" (Spearman "rho" = .93, $n = 22$, $p < .01$).
- (3) Those who had not employed offenders and the ranking of barriers "overall" (Spearman "rho" = .96, $n = 22$, $p < .01$).

Therefore, the specific rank order of employment barriers which will be used is the rank order display by the "overall" data, and the barriers of significantly high frequency and statistically separated one from another are as follows (from highest to lowest frequency):

1. Lack of involvement in training or rehabilitative programs by the ex-offender.
2. Repeated offenses. (Employers prefer first offenders to recidivists.)
3. Employer advancement of money for tools, licenses, etc.
4. Basic education deficiencies.
5. Advanced age.
6. Long-term imprisonment.
7. Diverse types of offenses such as armed robbery and violation of narcotic laws.
8. Absence of face-to-face interviews with prospective ex-prisoner employees who must have jobs arranged prior to release in order to meet requirements of the parole board.
9. Manifestation of inappropriate attitudes towards work.

Table 4 presents the rank order by percent of all employment barriers to ex-offenders included in this study.

Seven of the Ss interviewed stated that they would not hire ex-offenders. The number of Ss and the reasons they gave are as follows:

- 2 Ss - because of personal preference based on unsuccessful experience
- 5 Ss - because of company policies based on the following:
 - 2 Ss - must pass background security checks which ex-offenders obviously cannot do
 - 1 S - all employees must be bonded by the company's bonding agent who refuses to bond ex-offenders
 - 1 S - Federal law
 - 1 S - unknown factors

None of the five Ss governed by company policy have ever knowingly hired ex-offenders. When it became known (as it did with three of the Ss interviewed) that an ex-offender was on the payroll, he was immediately fired.

TABLE 3

Post-hoc Comparisons of Employment Barriers
Following a One-way Analysis of Variance
of Overall Data, Across Barriers

Critical difference = 38.4

p <.05

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25
a																									
b	0.6	5.1	5.4	7.0	7.9	10.0	10.9	11.4	14.9	16.0	18.0	20.2	20.2	25.9	26.8	37.2	43.4	44.2	53.0	56.5	54.6	65.1	65.5	74.5	76.5
		4.5	4.8	6.4	7.3	9.4	10.3	10.8	14.3	15.4	17.4	19.6	19.6	25.3	26.2	36.6	42.8	43.6	52.4	53.9	54.0	64.5	64.9	73.9	75.9
1	0.6		0.3	1.9	2.8	4.9	5.8	6.3	9.8	10.9	12.9	15.1	15.1	20.8	21.7	32.1	38.3	39.1	47.9	48.8	48.9	59.4	59.8	68.8	70.8
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3	5.4																								
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22	65.1																								
23	65.5																								
24	74.5																								
25	76.5																								

a The barriers are numbered 1 - 25. For definition of barriers, refer to Table 4.

b The mean percent for each barrier is listed horizontally and vertically from lowest to highest.

TABLE 4

Percentage of Interviewees Affirming the Existence
of Each Employment Barrier Studied

<u>Barrier Number</u>	<u>Definition of Barrier</u>	<u>Percent</u>
1	Bad general background	0.6
2	Employers would not hire ex-offenders	5.1
3	Employers prefer not to hire Negro ex-offenders	5.4
4	Employers prefer not to hire ex-offenders who have committed "economic crimes" (stealing property)	7.0
5	Lack of good personal appearance	7.9
6	Lack of good employment testing results (in hiring)	10.0
7	Lack of good personality	10.8
8	Bad experience in hiring ex-offenders in the past	11.4
9	Lack of ability to get along well with others	14.9
10	Employers prefer not to hire ex-offenders who have committed "situational crimes" (manslaughter, embezzlement)	16.0
11	Employers require expense for tools, licenses, etc.	18.0
12	Lack of job proficiency	20.2
13	Lack of personal recommendation	20.2
14	Being born or raised out of state	25.9
15	Lack of bonding	26.8
16	No previous experience in hiring ex-offenders	37.2
*17	Lack of good attitude toward work and authority	43.4
*18	Employers require personal interview	44.2
*19	Employers prefer not to hire ex-offenders who have committed "diverse crimes" (armed robbery, narcotics)	53.0
*20	Long sentences served in prison	54.5
*21	Employers prefer not to hire older ex-offenders	54.6
*22	Lack of basic educational skills	65.1
*23	Employers will not advance money for tools, licenses, etc.	65.5
*24	Employers prefer not to hire recidivists (repeaters)	74.5
*25	Employers prefer not to hire ex-offenders who have not been involved in some type of rehabilitation program	76.5

*The barriers of significantly high frequency and statistically separated one from another, #17 being of lowest frequency and #25 of highest.

APPENDIX C INTERVIEW GUIDE

REHABILITATION RESEARCH FOUNDATION

Draper Correctional Center
Experimental Manpower Laboratory

OBJECTIVE I

(September 1, 1968 - February 28, 1970)

Interview Guide

DATE: _____

NAME OF BUSINESS: _____

INDIVIDUAL INTERVIEWED: _____

POSITION: _____

CITY AND COUNTY: _____

Section One - Basic Data

1. Size of Community.
 - a. Metropolitan.
 - b. Urban.
 - c. Rural.
2. Size of Industry.
 - a. Large.
 - b. Medium.
 - c. Small.
 - d. Very Small.
3. Location of firms.
 - a. Local.
 - b. National.
 - c. International.
4. Type of Ownership.
 - a. Proprietorship.
 - b. Partnership.
 - c. Corporation.
 - d. Other
5. Type of Industry.
 - a. Agriculture, Forestry, Fishery.
 - b. Mining.
 - c. Construction
 - d. Manufacturing.
 - e. Transportation, Communication, Utilization.

7. Union Status.
- Union
 - Non-union
8. Educational Status of Person interviewed
- 1 - 6
 - 7 - 12
 - More than 12 (No advanced degree)
 - Bachelor degree or higher

Section Two - Hiring Factors

9. Would you hire an ex-offender?
- No
 - Yes
10. If no, is your decision not to hire an ex-offender based on your personal preference?
- No
 - Yes

IF YOU ANSWERED "No" TO QUESTION 9, AND "No" TO QUESTION 10, FILL OUT BLOCK A, THEN SKIP TO SECTION THREE.

IF YOU ANSWERED "No" TO QUESTION 9, BUT "Yes" TO QUESTION 10, SKIP TO BLOCK B, THEN SKIP TO SECTION THREE.

IF YOU ANSWERED "Yes" TO QUESTION 9, SKIP TO BLOCK C, then CONTINUE TO SECTION THREE.

 BLOCK A

11. Are there any Federal or State legal restrictions which prevent you from hiring ex-offenders?
- No
 - Yes (Specify: _____)

12. Are there any company policies which prevent you from hiring ex-offenders?

a. No

b. Yes (Specify: _____
_____)

13. Are there any Union rules which would prohibit the employment of an ex-offender.

a. No

b. Yes (Specify: _____
_____)

14. Is any other factor the major barrier to hiring ex-offenders?

a. No

b. Yes (Specify: _____)

BLOCK B

15. Why do you feel that you cannot employ ex-offenders? _____

16. Do you feel that ex-offenders are all the same or do you feel that some are better than others?

a. All the same

b. Some are different

c. Don't know

17. What do you feel are the major characteristics of an ex-offender? _____

BLOCK C

-
18. Which of the following types of offenses would most influence you not to hire an ex-offender?
- a. Economic crimes not involving violence auto theft, breaking and entering, etc.
 - b. Diverse Types (armed robbery, narcotics, etc.)
 - c. Crimes of Special Situations (Manslaughter, embezzlement, etc.)
- Why? _____
-
19. Would you hire an ex-offender who was convicted of only one offense more readily than an ex-offender with more than one conviction?
- a. Yes
 - b. No
20. Would the length of an ex-offenders sentence be a factor in your consideration to hire him?
- a. Yes.
 - b. No.
21. Would the age of a prisoner be a factor in his being hired or not hired?
- a. Yes
 - b. No
22. Would you hire Negro ex-offenders?
- a. Yes
 - b. No
23. Which of the following ex-offenders would you prefer to hire:
- a. Someone born or raised in your community?
 - b. Someone born or raised in Alabama?
 - c. This is not important.

24. Would the educational background of an ex-offender be an influence on your decision to hire him?
- No
 - Yes (Specify: _____
_____)
25. Are there any required financial expenses which might be prohibitive to an ex-offender seeking employment with you?
- Bonding (Amount: _____)
 - Dues (Specify: _____)
 - Tool costs (Amount: _____)
 - Insurance
 - Licensing (Specify: _____)
 - Other (Specify: _____
_____)
26. Ex-offenders often leave the prison with only a small amount of cash. Do you think there would be any circumstances under which you could advance pay in order to help an ex-offender get started?
- Yes.
 - No
- Comment: _____

Section Three - General

27. Would you be more inclined to hire an ex-offender if he were bonded, whether or not you usually require bonding?
- Yes
 - No
28. Would you be more inclined to hire an ex-offender who had had rehabilitation or vocational training?
- Yes
 - No

29. What is the primary source from which employees are recruited for your business?
- a. Private Employment Service
 - b. State Employment Agency
 - c. Civil Service Listings
 - d. Direct Applicants
 - e. Classified Ads
 - f. Vocational Schools
 - g. High Schools or Colleges
 - h. Professional or trade papers or journals
 - i. Other (Specify: _____
_____)
30. Which of the following carries the most weight in your decision to hire someone?
- a. Job Proficiency
 - b. Personal Recommendation
 - c. Personal Interview
 - d. Testing (Specify types of tests: _____
_____)
31. Which of the following do you emphasize in rating a personal interview?
- a. Personal appearance (grooming, dress, etc.)
 - b. Personality (eagerness, sincerity, etc.)
 - c. Attitudes towards work and authority
 - d. Ability to get along well with others
 - e. Other (Specify: _____
_____)

32. Have you ever hired ex-offenders?

a. Yes

b. No

33. If so, were they successful in their work?

a. Yes

b. No

34. What factors do you attribute to their success or lack of success?

SUCCESS

LACK OF SUCCESS

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

35. If an ex-offender came to you for a job possessing the required skills, can you think of any reason you would not hire him other than those already mentioned?

PRE-TRIAL INTERVENTION
THE MANHATTAN COURT EMPLOYMENT PROJECT
of the Vera Institute of Justice

Final Report

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This report was produced under Contract # 82-34-68-09 between the Vera Institute of Justice and the Manpower Administration, U.S. Department of Labor, under the authority of the Manpower Development and Training Act. Points of view or opinions stated in these pages do not necessarily represent the official position or policy of the Department of Labor.

Submitted to Seymour Brandwein, Associate Director, Office of Research and Development, and to William Throckmorton, Project Officer, by Ennis J. Olgiati, Director, Court Employment Project, 261 Broadway, New York, New York 10007.

THE
MANHATTAN
COURT
EMPLOYMENT
PROJECT
of the Vera Institute of Justice

Final Report

November 1, 1967 -- December 31, 1970

Project Staff

At any given time during the demonstration phase, Project staff numbered about thirty. However, the list below was compiled at the close of the demonstration phase and therefore includes the names of additional personnel who had already been hired for expansion into the other boroughs.

Unfortunately, it is impossible to list the names of all the people who ever worked for the Project and still convey somewhat accurately the basic composition of the MCEP staff. To them, and especially to Henry M. Aronson, thank you.

Henry M. Aronson	Project Director, November 1, 1967 - October 15, 1970
Ennis J. Olgiati	Project Director
Daniel H. Friedman	Associate Director for Administration
Carolyn Huggins	Coordinator of Career Development
Eloise Hirsh	Assistant to the Project Director
Madeleine Crohn	Assistant to the Associate Director for Administration
Robert Krulwich	Screening Supervisors
Brett Gorkin	
Peter Paden	
Timothy Knowles	
Priscilla Orr	
Lydia Martinez	
Stephen O'Rourke	Screeners
Gary Kornblith	
Kathleen Dockery	
Mary Rothchild	
Skaidrite Piciotto	
Claire Spector	
Allen Geller	
David Feazell	Trainers
Paul Herzich	
Joseph Pelletteri	
Leonard Melford	Intake Coordinators
Edward Barnett	
Robert McGowan	
Nathaniel Caldwell	Counseling Supervisors
Thomas Turner	

Garland Alston
 Howard Bailey
 Ramon Diaz
 Ludwig Elstak
 Robert Lara
 Lillian Mateo
 Michael McLaughlin
 Roy Schwartz
 Jake Tanksley
 Santiago Torres
 Thomas Cecilio
 Raymond Davila
 Ronald Lewis
 Leroy Nelson

Representatives

George Amerson
 Roger Caban
 Bernard Krauss
 Ann Woods
 Gene Alberico
 Anne Albrink
 Ernest Torczyner

Career Developers

Lynette Jackson
 Celeste Miller
 Marilyn Wilson
 Anne Hayes

Assistants to the Supervisors

Carol Bossdorf
 Marta Reyes
 Patricia Decker
 Carol Latham
 Cynthia Choice
 Maria Carrion

Secretaries

Receptionist

Nancy Hechinger

Researcher

Wendal Rolle

Accountant

Emmanuel Burke

Social Services Supervisor

Glenn Bell

Maintenance

PROJECT OFFICES*

Manhattan Court Employment Project
 100 Centre Street
 Room 1330
 New York, New York 10013
 Tel. 212-732-0076

Vera Institute of Justice
 30 East 39th Street
 New York, New York 10016

MCEP Clubhouse
 44 Lipsenard Street
 New York, New York 10013
 Tel. 212-732-0075 Ext. 39

* As of this printing, the Project has expanded its operations into the New York City boroughs of Brooklyn and the Bronx, and has relocated the original Manhattan Court Employment Project to new offices. Current Project addresses are listed below:

Central Office
 261 Broadway
 New York, New York 10007
 Tel. 212-571-1210-3

Ennis J. Olgiati
 Project Director

Manhattan Court Employment Project
 346 Broadway
 New York, New York 10013
 Tel. 212-732-0076

Nathaniel Caldwell
 Borough Director

Brooklyn Court Employment Project
 186 Renssen Street
 Brooklyn, New York 11201
 Tel. 212-834-9339

David Feazell
 Borough Director

Bronx Court Employment Project
 501 East 161st Street
 Bronx, New York 10451
 Tel. 212-585-6800

Emmanuel Burke
 Borough Director

Counseling sessions are no longer held in the clubhouse but in the individual borough offices.

CONTENTS

PREFACE

PROJECT SUMMARY

- Fact Sheet
- Introduction
- Overview of Operations and Findings

HISTORY OF OPERATIONS

- Setting Up the Project
- Screening
- Counseling
- Career Development
- Social Services
- Research and Evaluation
- Special Problems
- Conclusion
- Epilogue

PREFACE

MANHATTAN COURT EMPLOYMENT PROJECT

SUMMARY FACT SHEET

OPERATING AGENCY: THE VERA INSTITUTE OF JUSTICE

FUNDING AGENCY: MANPOWER ADMINISTRATION, U.S.
DEPARTMENT OF LABOR, OFFICE OF
RESEARCH AND DEVELOPMENT

CONTRACT PERIOD: NOVEMBER 1, 1967 -- OCTOBER 31, 1970

PROJECT DESCRIPTION: AN EXPERIMENTAL PRE-TRIAL
INTERVENTION PROGRAM OF INTENSIVE
MANPOWER SERVICES FOR SELECT
DEPENDANTS

AREA OF OPERATION: BOROUGH OF MANHATTAN, NEW YORK CITY

STATISTICAL DATA:	NO.	<u>PERCENT</u>
TOTAL NO. PARTICIPANTS ACCEPTED	1300	
-- Dismissed	626	48.2%
-- Terminated	674	51.8%
PARTICIPANT CHARACTERISTICS		
-- Age (median)	19	
-- Grade Level Attained (average)	10.2	
-- Marital Status		
-single	972	74.8%
-married	286	22.0%
-separated, widowed, divorced	42	3.2%
-- Ethnicity		
-Black	653	50.2%
-Puerto Rican	397	30.5%
-Other Spanish-speaking	42	3.2%
-White	184	14.2%
-Other	24	1.9%
-- Distribution of Charges Against Participants		
-Misdemeanors	841	64.7%
-Felonies	387	29.8%
-Violations	72	5.5%

EMPLOYMENT DATA

-- Total No. Referrals to Job, Training, School	1367
-- Total No. Placements in Job, Training, School	624

12 MONTH RECIDIVISM RATES FOR SAMPLE GROUPS

-- Dismissed	15.8%
-- Terminated	30.8%
-- Control	30.1%

GENERAL FINDINGS

The Manhattan Court Employment Project demonstrated that:

1. a pre-trial intervention program of counseling and career development could be introduced into an existing administration of justice and receive the cooperation of the court and the District Attorney;
2. a pre-trial intervention program of counseling and career development could affect positive changes in the life-styles of select defendants within a three-month period; and, that these positive changes result in a lower incidence of post-Project rearrest among those who complete the program successfully than among those who do not complete the program and those who are not given an opportunity to participate in the program;
3. non-professionals (ex-convicts and ex-addicts) could be recruited and trained to perform effectively as staff counselors;

GENERAL RECOMMENDATIONS

The Manhattan Court Employment Project represented a pioneer effort that succeeded well beyond the expectations of its original proponents. The viability of its design has been tested and demonstrated successfully and it is the recommendation of those engaged in this effort and its evaluation that the U.S. Department of Labor further support and develop the concept and practice of pre-trial intervention in order to improve the administration of justice and criminal rehabilitation in this country.

The Manhattan Court Employment ProjectIntroduction

Over one hundred thousand persons come into the Manhattan Criminal Court each year. Most are young, uneducated, unskilled, unemployed members of a minority group from one of the city's ghettos. Statistics vary, but at least one expert has concluded that "the average man who is arrested once will be arrested seven times", (James Q. Wilson, New York Times Magazine, May 11, 1969). It is likely that the only "successful" people most of these defendants have ever known are people beating the system: gamblers, numbers-runners, narcotics dealers, and pimps. Ghetto people who make lawful successes of themselves do not remain in the ghetto as examples for the young.

Federal, state, city and private programs have been developed in an attempt to counteract some of the disabilities faced by the young ghetto resident: welfare assistance, remedial education,

addiction treatment, employment guidance, job training, health programs and legal services are available. But few reach a person when he may need them most -- at the time of arrest -- and even fewer focus specifically on people accused of a crime.

The Manhattan Court Employment Project (MCEP) was designed as an experimental, alternative disposition available to the court for select defendants. The Project intervenes in the usual court process just after a defendant's arrest, offers him counseling and vocational opportunities for a period of 90 days and, if he cooperates and shows promise of permanent change, recommends that the prosecutor (District Attorney) and the judge dismiss the charges against him without ever deciding whether or not he is guilty.

The Project's ability to convert a defendant's arrest from a losing to a winning experience benefits the defendant, the courts and the community: successful participants have their

charges dismissed and leave the Project employed or in vocational or academic training; the overburdened criminal justice system is freed to attend to more serious cases since Project participants do not spend time in the overcrowded detention facilities, and successful participants make fewer court appearances and are less likely to be rearrested than the average defendant; and the community gains because individuals who may have been developing a lifelong pattern of criminal behavior are now on their way to becoming productive, tax-paying members of society.

The MCEP was developed in 1967 by the Vera Institute of Justice and sponsored by the Mayor of the City of New York, John V. Lindsay and his Criminal Justice Coordinating Council. With the aid of the late Senator Robert F. Kennedy, the Vera Institute received funding from the Manpower Administration of the U.S. Department of Labor for a ~~three-year~~ experimental and demonstration project.

The primary purposes of the grant were to test whether:

1. a pre-trial intervention program of intensive manpower services could be introduced into an existing administration of justice and receive the cooperation of the court and the District Attorney;
2. a pre-trial intervention program of intensive manpower services could affect positive changes in the life-styles of select defendants within a three-month period;
3. non-professionals (ex-convicts and ex-addicts) could be recruited and trained to perform effectively as staff counselors;

During the three-year experimental phase, the MCEP demonstrated the viability of pre-trial intervention, of intensive manpower services for select defendants, and of employing non-professional counselors. The following overview highlights the operations and statistical findings of the Project's experimental phase.

OVERVIEW OF OPERATIONS AND FINDINGS

Selection of Participants

Eligibility

Eligibility standards for Project admission were established jointly by Project administrators and members of the District Attorney's office. Criteria were designed from the start to eliminate from consideration those defendants least likely to benefit from a program of employment and intensive, short-term counseling--alcoholics, addicts and people who make large sums of money illegally--and, those charged with serious felonies and having numerous prior arrests. The original standards have undergone considerable revision as the Project developed expertise and gained the confidence of the court (see Chapter 2). Current eligibility criteria are:

1. male and female defendants between the ages of 16 and 45.
2. unemployed, or if employed, not earning more than \$125 per week.

3. New York City residents, excepting Queens and Staten Island
4. not charged with a violation*, homicide, rape, kidnapping or arson
5. not an alcoholic or an identifiable drug addict (although those charged with possession of marijuana or hashish may be considered)
6. those having pending cases are eligible as are those on probation, providing the Probation Officer agrees
7. defendants must not have spent more than one continuous year in a penal institution.

Terms of Participation

Terms of participation were also established jointly by Project administrators and members of the District Attorney's Office. All requests for participation must be approved by the prosecutor and the presiding judge. If a request is approved, the court agrees to adjourn a defendant's case for a period of 90 days so that he may participate in the

*Violators were originally accepted. However, penalties for violations (a small fine or a maximum of 15 days in jail) are to inconsequential to most violators to warrant their cooperation with the Project. Therefore they are no longer routinely considered for admission although this rule is waived on occasion.

Project. At the end of the 90 days, the defendant returns to court with a progress report from the Project, recommending one of three actions by the court:

1. dismissal of the defendant's charges based on his favorable progress; or
2. further adjournment of one, two, or three months to permit additional counseling; or
3. termination of the defendant's participation in the Project and the resumption of the prosecution of his case.

In order to be recommended for a dismissal of charges, the Project requires that defendants not be rearrested nor use narcotics; that they behave responsibly, keeping all appointments with Project staff, agencies and prospective employers; that they attend and become involved in all counseling sessions; and, that they make satisfactory vocational adjustments.

Termination is recommended when the Project has been unable to work successfully with a defendant. The District Attorney has agreed that a recommendation of termination will not be used to a defendant's disadvantage in the continued prosecution of his case.

Operations

Shortly after each arrested person is brought to the Manhattan Criminal Court for arraignment (appearance before a judge, setting of bail and assignment of counsel), Project Screeners, stationed in the Chief Clerk's Office next to the arraignment court, review his papers, check his prior record and interview him to see whether he is eligible and willing to take part in the Project.

If he is eligible and he, his lawyer and the complainant (if any) agree to his participation, a Screener asks the prosecutor to request the judge to adjourn his case for 90 days and release him on his own recognizance, that is, without bail. The court grants about 90 per cent of the Screeners' requests for adjournment.

A new participant is escorted by a Screener to the Project offices in the court building and formally admitted into the Project.

Project Screeners review the court papers of all persons arraigned in the Manhattan Criminal Court during weekday court. They examine over one thousand cases, the majority of which are either ineligible or disposed of at the time of arraignment.

Under the Project's original, more restrictive criteria, about 10 defendants were accepted into the Project each week. Current criteria enable the Project to accept an average of 20 defendants per week, or about 2 per cent of the yearly arraigned population. Altogether, Project eligibility criteria permitted a total of 1300 participants to be accepted during the three-year experimental phase.

The Participants

Participants accepted into the Manhattan Court Employment Project have the following characteristics:

	Total 1300	
Age (median)	19	
Grade Level Attained (average)	10.2	
Marital Status	<u>No.</u>	<u>Per Cent</u>
- single	972	74.8%
- married	286	22.0%
- separated, widowed, divorced	42	3.2%
Ethnicity		
- Black	653	50.2%
- Puerto Rican	397	30.5%
- Other Spanish-speaking	42	3.2%
- White	184	14.2%
- Other	24	1.9%

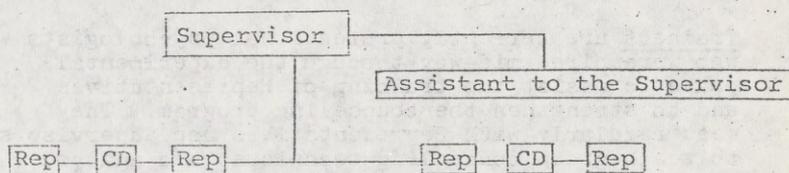
The charges against Project participants fall into three general categories: misdemeanors, which are punishable by up to one year in prison and \$1,000 fines; felonies, which are punishable by up to life; and violations, which are punishable by up to 15 days in prison and \$250 fines. The distribution of charges against the total participant population is as follows:

<u>Total No. of Subjects</u>	<u>Misdemeanors</u>		<u>Felonies</u>		<u>Violations</u>	
	<u>No.</u>	<u>Per Cent</u>	<u>No.</u>	<u>Per Cent</u>	<u>No.</u>	<u>Per Cent</u>
450	266	59.1%	141	31.3%	43	9.6%
450	311	69.1%	113	25.1%	26	5.8%
450	264	66.0%	133	33.2%	3	0.8%
1300	841	64.7%	387	29.8%	72	5.5%

Pedigree information and arrest information are recorded on all participants the day they enter the Project.

Project Services

The Project offers two basic services: individual and group counseling with Representatives (Reps); and job, training or academic placement with the help of Career Developers (CDs). These services are rendered jointly to participants and administered through the basic operational unit of the Project which consists of the following:



Each Representative services a caseload of 15 to 25 participants, assigned to him on the basis of their home neighborhoods.

Each Career Developer services the caseloads of both Reps on his team.

The Supervisor oversees all unit activities.

The Assistant to the Supervisor provides clerical support for the entire unit.

There are two such operational units in the Project.

Counseling

• Staff

Representatives are ex-convicts and/or ex-addicts who are recruited and trained by Project administrators (more recently by professional Trainers) to serve as counselors and role models for participants. As non-professionals with backgrounds similar to those of participants, they provide the credibility essential for effective counseling. There are eight Representatives on staff.

Supervisors are Representatives who have been promoted to administer the basic operational units. They oversee all unit activities. There are two Supervisors on staff.

Trainers are currently professional psychologists who were hired mid-way through the experimental phase to assist the training of Representatives and to strengthen the counseling program. They meet regularly with Representatives and Supervisors to teach group counseling techniques and analyze tapes of the group counseling sessions. There are two Trainers on staff. Provisions have been made for internal promotion to the position of Trainer so that a Representative who becomes a Supervisor may later become a Trainer.

Operations

A new participant is assigned to a Rep the day he enters the Project. Since Representatives make home visits to participants, their caseloads consist of participants who live in the same geographical area.

During his first week in the Project, a new participant attends Orientation - his first group counseling session. A Representative who acts as the group leader explains to the new participants what will be expected of them during their time in the Project and prepares them to enter on-going group sessions. Orientation for new participants usually involves only one session.

After completing Orientation, a participant joins a regular group led by his Rep. Representatives use a variety of counseling techniques from verbal confrontation to video-taping. Their primary aim is to help participants to articulate their feelings, to understand their behavior, to act responsibly and to reorient themselves towards a constructive goal.

Group counseling sessions are conducted once a week in the evenings at the Project's clubhouse a few blocks from the courts. Representatives meet individually with their participants at the Project offices and visit participants and their families in their homes.

In order to remain in the Project and obtain a recommendation for a dismissal of charges, a participant must not be rearrested, nor use narcotics, and must keep all appointments with Project staff, attend and become involved in all counseling sessions and make a satisfactory vocational adjustment.

Representatives observe and record a participant's progress throughout his three months in the Project. After 90 days, a Representative composes a written summary of a participant's performance and recommends him for either a dismissal of charges, termination, or an additional one month adjournment. Once the Supervisor approves the Rep's recommendation, the participant is returned to court, accompanied by a Screener, with the written summary and a letter stating whichever recommendation was made.

Impact

It is difficult to measure precisely the impact of the Project's counseling program on participants. However, internal monitoring of certain trends during the experimental phase has shown the following:

1. during the first 22 months of operation, the rate of participant attendance at group counseling was 45%;
during the last 9 months, the attendance rate rose to 67%;
2. during the first 22 months of operation, the rate of rearrest among participants while in the Project was 12%;
during the last 9 months, the rate of rearrest among active participants was 2.9%;
3. during the first year of operation, dismissal of charges was recommended and accepted for 38.9% of the Project's participants;

during the second year, the rate of dismissal rose to 45.6%;

during the third year, the dismissal rate reached 61.4%;

The distribution of terminations and dismissals for the entire participant population is as follows:

<u>Year of Project</u>	<u>Total No.</u>	<u>Terminated</u>		<u>Dismissed</u>	
		<u>No.</u>	<u>Per Cent</u>	<u>No.</u>	<u>Per Cent</u>
First	450	275	61.1%	175	38.9%
Second	450	245	54.4%	205	45.6%
Third	400	154	38.5%	246	61.5%
Total	1300	674	51.8%	626	48.2%

These findings testify to the Project's growing expertise, much of which is attributable to the development of a strong, comprehensive counseling program (see Chapter 3).

Career Development

Staff

Career Developers generally have academic backgrounds or have had relevant work experience, although not necessarily as job developers. Their primary responsibility is to help place participants in a job, training or academic setting. However, their capacity to respond to participants' fears, needs and interests as they relate to vocational planning is equally important.

There are four Career Developers and one Senior Career Developer who oversee all activities pertaining to CD operations.

Operations

A CD works in a team with two Reps, servicing both their case-loads. A new participant is introduced to and interviewed by the CD working with the Rep to whom he has been assigned the day he enters the Project. His previous work background, interests and abilities are discussed. Subsequent interviews with his CD are aimed at formulating clear-cut vocational objectives and taking the appropriate steps to achieve them. This means following up CD referrals to places of employment, training or schooling.

Project Career Developers have established accounts with over 400 companies, firms and agencies. Many of these employers hire Project participants regularly. Some have special programs for the hard-core unemployed subsidized either privately or by the government under Manpower Administration contracts.

CDs work to place participants in a job, training or academic setting by relying upon accounts already developed or by developing new accounts through their own initiative. To increase the pool of available jobs, CDs visit at least one potential employer each week.

CDs observe and record a participant's vocational progress during his three months in the Project. The number and type of referrals and placements made are noted and serve as a basis of evaluating the participant's performance. CDs work closely with participants' Reps in an effort to better understand their participants' problems and vocational needs.

Impact

Not every participant is in need of or ready for employment: some are satisfactorily employed at entry; some find employment through their own efforts; some are students; and some have personal problems which impair their ability to accept the responsibility of full-time employment.

Nevertheless, Career Developers have been able to provide employment for a significant number of Project participants. An overview of the extent of their efforts can be seen from the following table:

<u>Year of Project</u>	<u>Total No. of Participants</u>	<u>Total Referrals</u>	<u>Placements</u>	<u>% Placements per referral</u>
First	450	626	270	43.1%
Second	450	477	219	45.9%
Third	400	264	135	51.1%
Total	1300	1367	624	45.7%

As the table indicates, not every referral results in a placement. The extent to which CDs have been able to refer participants, however, is, in part, indicative of the large resources of career opportunities which they have developed.

The decline in the number of referrals during the third year is due largely to the tightness of the job market. There were far fewer job openings during 1969-70 than in the two previous years. Nevertheless more placements resulted from CD referrals during the third year than in the previous years.

A participant's first placement is not always his last. Thirty-four per cent of Project participants are placed more than once.

The most favorable view of the Project's impact on employment can be seen in terms of its dismissed participants:

EMPLOYMENT STATUS OF DISMISSED PARTICIPANTS
AT INTAKE (BEFORE) AND AT DISMISSAL (AFTER)

EMPLOYMENT STATUS	FIRST YEAR				SECOND YEAR				THIRD YEAR			
	BEFORE		AFTER		BEFORE		AFTER		BEFORE		AFTER	
	NO.	Per Cent	NO.	Per Cent	NO.	Per Cent	NO.	Per Cent	NO.	Per Cent	NO.	Per Cent
UNEMPLOYED	111	79.3	2	1.4	107	54.9	0	0	109	49.1	0	0
EMPLOYED	20	14.3	128	91.4	84	43.1	186	95.4	68	30.6	176	79.3
STUDENTS	9	6.4	10	7.2	4	2.0	9	4.6	45	20.3	46	20.7
TOTAL*	140		140		195		195		222		222	

* Total number of dismissed participants was 626; however, employment data was complete for only 557.

Invariably, the employment status of dismissed participants was favorably changed during the course of their time in the Project. Although satisfactory vocational adjustment is, in most instances, a prerequisite for a recommendation of dismissal of charges, the findings are nonetheless significant especially when viewed in conjunction with the Project's impact on participants' salary levels:

SUMMARY OF SALARY LEVELS OF DISMISSED PARTICIPANTS
AT INTAKE (BEFORE) AND AT DISMISSAL (AFTER)

SALARY	FIRST YEAR		SECOND YEAR		THIRD YEAR	
	BEFORE	AFTER	BEFORE	AFTER	BEFORE	AFTER
\$1111-above	10.6%	17.2%	9.3%	14.7%	18.3%	21.8%
\$ 81 - 110	21.1%	57.8%	29.3%	47.3%	55.9%	50.4%
\$ 80 - less	63.8%	25.8%	61.4%	38.0%	25.8%	27.8%
% employed	14.3%	91.4%	43.1%	95.4%	30.6%	79.3%
% students	6.4%	7.2%	2.0%	4.6%	20.3%	20.7%

The Project was most able to elevate the economic status of participants who entered the Project at the poverty level.

The figures for the third year are not as impressive as those for the other years because a change in the minimum wage law in July 1970 resulted in fewer persons earning \$80 or less per week, and because the participant population contained more students than in the previous years.

No appreciable impact was made on the skill-level of participants. Project CDs were simply able to place participants in higher paying jobs.

The Project's long-term impact on the employment status of its participants has not yet been fully determined. An early effort to check the employment status of a random sample of 100 dismissed participants who had been out of the Project for 14 months yielded the following results:

EMPLOYMENT FOLLOW-UP OF 100 DISMISSED PARTICIPANTS OVER 14 MONTHS:

100 dismissed participants: 30 employed
at entry

14 months later:

- 87 located
- 70 still employed

Further employment follow-up has not been conducted because the Project lacks the manpower to track former participants and interview them personally to see if in fact they are employed or have been employed for any length of time after leaving the Project.

Hopefully, it will become possible in the near future to obtain reliable, employment follow-up information through an independent agency.

For a more thorough discussion of the Project's employment services, see Chapter 4.

Social Services

The Project's Social Service Unit in co-operation with New York City Department of Social Services (formerly the Department of Social Welfare) was designed to respond to the immediate and temporary financial, medical and housing needs of participants.

Staff

A Supervisor and two case-aides were assigned to the Project by the Department of Social Services. This arrangement allows the Project to extend rather than duplicate existing welfare resources and has enabled the Department of Social Services to contribute to a program designed to make welfare recipients self-sustaining and to reduce the crime rate.

Operations

If a new participant needs money or immediate services of some kind, he is sent to the Social Services Unit the day he enters the Project.

As an out-station of the Department of Social Services, the unit is able to:

1. insure the continuance of public assistance that participants might already be receiving;
2. secure aid for those eligible but not yet receiving public assistance; and
3. use Project resources to meet participants' immediate needs (up to \$30) regardless of whether they are receiving or will be receiving public assistance.

Impact

Of the first 100 participants accepted into the Project, 33% received assistance from the Social Services Unit.

At present, 20% receive such assistance, 9% of whom continue to receive aid through their neighborhood welfare centers after leaving the Project. The others do not appear on the welfare rolls again, most because of successful employment, some because they have lost contact with the Project and the Unit.

Research and Evaluation

Research

The Project has a functional data-collection and reporting system for internal monitoring and external evaluation. The system is revised and refined to accommodate operational changes.

The entire Project staff -- Screeners, Representatives and Career Developers -- collect data and maintain records on their respective operations and on participants. In all, over 100 variables are recorded on each participant. The exchange of data among Screeners, Representatives and Career Developers facilitates coordination of their work. Weekly reports, maintained by Supervisors and clerical personnel allow the administrators to gauge the efficiency of operations. Research studies are conducted by Project administrators and staff which frequently result in operational changes. An index of all completed studies is kept up-to-date, providing outlines for subsequent investigations.

Evaluation

The Project's day-to-day operational success is evaluated by Project administrators on a continual basis: the rate and composition of intake, the rates of dismissal and termination, the percentage of participants employed, in training or in school at any given time, the rate of attendance at group counseling sessions are examples of indices used to evaluate day-to-day operations.

A comprehensive evaluation of the Project's impact on recidivism* and related cost-benefits to the courts and the community was conducted by Project staff with the generous assistance of an outside evaluator.

Recidivism

A study of the rearrest rates of sample groups of dismissed and terminated Project participants and a control group of Manhattan day court defendants selected from a three-month period prior to the beginning of the Project yielded the following results:

*defined as rearrest for the purposes of evaluation

12 MONTH RECIDIVISM RATES FOR CONTROL GROUP
AND DISMISSED AND TERMINATED PARTICIPANTS

DATE OF PROJECT ENTRY	GROUP	TOTAL NO. SUBJECTS	INDIVIDUALS REARRESTED	
			NO.	PER CENT
INITIAL 23 MONTHS	CONTROL	91	29	30.1%
	DISMISSED	152	24	15.8%
	TERMINATED	62	19	30.8%
-- INITIAL 13 MONTHS	DISMISSED	76	19	25.0%
	TERMINATED	30	11	36.7%
-- 14-23 MONTHS	DISMISSED	76	5	6.6%
	TERMINATED	32	8	25.0%

The Manhattan Court Employment Project effectively reduced the incidence of re-arrest among dismissed participants. Terminated participants -- whose general patterns of behavior reflect needs for rehabilitative responses other than those offered by the Project -- were, in effect, a group of defendants merely diverted from the normal court processes for a few months. The fact that they recidivated at about the same rate as control group members (30.8% for Terminated, 30.1% for Control) strongly suggests that diversion

from prosecution alone does not affect the likelihood of rearrest but, as evidenced by the dismissed group, the type and extent of supportive and rehabilitative services offered can significantly alter the incidence of repeated criminal activity.

Cost-Benefits

The Manhattan Court Employment Project received \$950,823 from the U.S. Department of Labor to cover the operating costs of its three-year demonstration phase. A total of 1300 defendants participated in the Project at a per participant cost of \$731. Six hundred twenty-six participants completed the program successfully and received dismissals of their charges. The cost of the Project per dismissed participant was \$1518. The earnings of dismissed participants constitute the major economic contribution of the Project. The total estimated earnings benefit, based on the annual salaries of dismissed participants and allowing for a 50% loss in employment following their dismissal

from the Project, is \$1,281,966. - which exceeds the Department of Labor funding grant by \$331,143.

Other cost-benefits of the Project include:

1. savings to the courts and the community by reduced recidivism among the Project's dismissed participants;
2. employment of ex-addicts and ex-convicts as non-professional counselors, most of whom might not have become productive members of society without the opportunity to lend their experiential knowledge to the Project; and
3. the Project's assistance to the families and friends of participants.

Although these additional cost-benefits cannot be calculated with precision without a more detailed cost-benefit study, they constitute a substantial economic and social benefit which can only become more impressive as the Project continues to grow in expertise and to expand its operations.

A thorough discussion of the Project's research efforts and recidivism and cost-benefit analyses appears in Chapter 6.

HISTORY OF OPERATIONS

CHAPTER I

SETTING UP THE PROJECT

The Project was planned as part of an existing administration of justice, and the active support of judicial administrators was essential to establishing and administering the project. Both the judiciary and the District Attorney helped design the Project. The Administrative Judges of the Criminal Court, on behalf of the sitting judges, agreed in principle to the Project's outlines; and, two months after the Project began admitting participants, Judge Edward R. Dudley, Administrative Judge of the Criminal Court, sent individual judges a memo describing the Project and noting the essential admission criteria. In conferring with representatives from the District Attorney's Office, Project administrators came to an agreement on the general criteria for selecting participants and on the terms of participation: that successful participants would not be prosecuted, and that failure to recommend other

participants for dismissal of charges would not adversely affect them in the later prosecution of their cases.

The Chief of the Criminal Court approved the Project's request for access to court papers and introduced Project staff to the clerks in the individual court parts. The mechanics of screening potential participants was left to the Project's own invention.

The Legal Aid Society, which represents over 80% of the defendants in the Manhattan Criminal Court, served as consultants in formulating acceptance criteria and in devising the mechanics of screening. Legal Aid administrators encouraged their individual staff attorneys to allow Project staff to interview and work with their clients. As the Project became better known in the court, Legal Aid attorneys began advocating the assignment of defendants to the Project.

The New York City Office of Probation permitted the Project access to background information contained in their standard bail

recommendation form which is attached to the court papers of most defendants. This meant that Screeners would immediately know the address, employment status and educational background of defendants and could eliminate some on the basis of their court papers alone, without having to spend time interviewing them to obtain the same information. The department also agreed to consider allowing the Project to work with defendants who were already under their supervision following a previous conviction.

The City of New York, through the Office of the Mayor (and in cooperation with the administrative judges of the court), gave the Project office space in the court building and had it renovated to suit the Project's needs. The Office of the Mayor helped to establish the Project in other ways. The Criminal Justice Coordinating Council (CJCC) and its Manhattan Court Employment Project Committee, both created by Mayor John V. Lindsay, provided useful support in dealing

with major agencies involved in the criminal justice system. The CJCC combines city agencies and representatives of private business in coordinated efforts to reduce crime and deal with problems related to crime in New York City.

By and large, the Project has had good relations with the various court agencies. The Project has been aware of court administrators' need for information about its operations and has taken care to avoid infringing on their prerogatives, particularly in its relations with the administrators of the Criminal Court Bureau of the District Attorney's Office.* In the first few months of operation, the head of the bureau was informed about every case in which either the facts or the defendant's eligibility was in question, before misunderstandings could arise. The head of the bureau eventually named one of his assistants as liaison to the Project

*The District Attorney's office comprises a number of bureaus, including rackets, homicide, supreme court, the criminal court, etc. All new arraignments first go through the Criminal Court Bureau and the majority remain there for prosecution. This bureau is key in the operation of the Manhattan Criminal Court, and most of our dealings have been with the Assistant District Attorney in charge of it.

and this assistant now reviews all final recommendations and surveys the screening process. Project staff members have talked to new assistants at scheduled training sessions, and numerous District Attorneys have visited Project offices.

The Project avoids identification with either the prosecution or the defense. It established itself as an alternative disposition available to the court, the District Attorney and the defense. Although administrators in the various court agencies endorsed the Project, it was a far slower process gaining the acceptance of the working staff in those agencies. It is a deeply held belief in our society at large that punishment should be the reward for crime. Although most people who work in the court know that less than one-fifth of those arraigned will spend any time in prison on a particular charge, some exhibit a consistent emotional resistance to giving a defendant a "break" -- and in the minds of some court personnel, the Manhattan Court Employment Project is a break.

This attitude varies in its effect on Project operations, but it is a constant factor to consider. The experimental nature of the Project and the fact that it exists by the good grace of the court and its agencies, have made the Project sensitive to its relations with court staff at all levels and to unwritten traditions observed in the court building.

For most people in the court, information about the Project comes from their contact with Project Screeners. There is no doubt that the diplomacy of the Project's screening staff has contributed to the rapport the Project has been able to develop and sustain with court personnel. And there is no question that sponsorship by the Vera Institute of Justice and the Department of Labor were factors in gaining entry to the court and related agencies. Confidence in Vera and the Department of Labor inspired them to give the Project the benefit of the doubt and a trial period in which to prove itself.

SCREENING

CHAPTER 2

SCREENING

Since the Project hoped to work eventually with a large number of participants in New York and to have its efforts duplicated in other cities, a screening format was developed that could handle the relatively small number of defendants accepted during the experimental phase and that could be adopted easily by other jurisdictions. The procedures for selecting defendants are: 1) based on readily available, objective information rather than on long interviews or investigations; 2) delineating of classes of people who seem likely or unlikely to benefit from the Project rather than evaluative of each individual's likelihood of success; and are 3) clear-cut, and as far as the Project can manage, uniformly adhered to by everyone in the court and the Project.

Determining Eligibility

The criteria for selecting participants were designed to eliminate from consideration those people least likely to benefit from a program of employment and intensive, short-term counseling. Consequently, alcoholics, addicts, and people who make large sums of money illegally -- bookies, loansharks, numbers-runners, prostitutes and pimps -- were excluded from the beginning. Alcoholics and addicts inadvertently admitted into the Project have been serviced to the best of the Project's ability, but with little success.

Primary consideration was given to defendants who were unemployed or underemployed, although subsequent criteria changes permitted intake of high school students experiencing both in and out of school problems.

Inevitably, the criteria were also shaped by the political realities of the court. While Project staff felt that they could work with defendants charged with serious

felonies and having numerous prior arrests, it was clear that the court would be reluctant to allow such defendants to participate.

To ease Project operations into the existing court procedures, screening began in the Youth Part.* The eligibility criteria during that transitional period were:

1. male defendants
2. ages 16 to 19
3. New York City residents
4. unemployed
5. charged with a violation or misdemeanor
6. free of drug involvement, alcoholism and psychopathology
7. no pending cases
8. not previously have served more than one year in prison
9. not be charged with offenses such as gambling which yield a substantial income
10. not be a student
11. not be on probation

In early 1968, the Project moved into the arraignment part and established its first official criteria:

1. male defendants
2. ages 17 to 45
3. New York City residents with a verifiable address
4. not an identifiable drug addict or alcoholic
5. unemployed, or if employed, not earning more than \$70 per week plus \$5 for each dependent.

*All defendants make their first appearance in one court part called the arraignment part. Each case is then adjourned, i.e. assigned a date for further hearings, in one of a number of courtrooms, generally referred to as adjourned parts. 16-19 year olds are adjourned to the Youth Part.

6. not charged with armed robbery, homicide, serious assault, first degree burglary, rape, kidnapping or arson
7. not be a full-time student
8. not previously have served more than six months in prison
9. if on probation, must have the consent of the probation officer
10. not have more than one pending case, or if charged with a felony, not have another felony charge pending.

These criteria were quite restrictive. Under them, out of every 1000 cases examined, only about 10 qualified. But until the Project gained the confidence of the court, expanded its staff, and learned for itself the kinds of people to whom it could adequately respond, the restrictions were justifiable. The present, more lenient criteria testify to the acceptance and support of the Project by court personnel, and to the Project's ability to grow and extend its services to a larger percentage of the court's defendant population. Current eligibility criteria are:

1. male and female defendants
2. ages 16 to 45
3. unemployed, or if employed, not earning more than \$125 per week

4. New York City residents with a verifiable address, excepting Queens and Staten Island
5. not charged with a violation
6. not charged with homicide, rape, kidnapping or arson
7. not an identifiable drug addict or alcoholic (although those charged with possession of marijuana or hashish may be considered)
8. those having pending cases are eligible as are those on probation, providing the probation officer agrees
9. not have spent more than one continuous year in a penal institution.

Out of every 1000 cases examined, 20 now qualify in terms of the above criteria -- 10 more than previous criteria permitted. The reasoning behind the present criteria is as follows:

1. Male and female defendants: Most women are arrested on drug or prostitution charges. Since the Project was not equipped to deal effectively with drug problems nor offer employment to those charged with prostitution that could compete financially with their accustomed income, women were initially eliminated from consideration. After careful research of the female defendant population, however, it was discovered that there were about five or six females arrested each week on charges other than drugs or prostitution to whom the Project could provide meaningful alternatives. In September 1970, the Project began accepting female participants.

2. Ages 16 to 45: When the Project ceased operating out of Youth Court, sixteen year-olds were excluded. Most had been drop-outs to whom the Project's vocational services were not geared. And most of them were too immature to meet the demands of the counseling program. However, both the vocational and counseling approaches have been expanded to respond to the special needs of these younger defendants and they are once again being accepted into the Project.

Persons over forty-five are excluded because they present placement problems and usually have long criminal records and chronic personal problems which the Project is not equipped to deal with at the present time. The upper age limit is flexible, however, and waived on occasion.

3. Unemployed, or if employed, not earning more than \$125 per week: An employment project obviously can be of most use to those who do not have jobs. Nevertheless, some people who are already working can benefit from the Project's services by seeking better jobs or entering training programs. Although the Project's limit on weekly earnings was originally \$70 per week plus \$5 for each dependent, a change in the minimum wage law in July 1970 necessitated that the limit be raised to \$125 per week.
4. New York City residents with a verifiable address, excepting Queens and Staten Island: Participants living in the Bronx, Brooklyn, and Manhattan must have a verifiable address since those without a permanent residence are more likely than others to disappear. If they do disappear, finding them is impossible.

Persons living in Queens and Staten Island have difficulty attending group counseling and keeping office appointments. They are also more difficult to visit and to locate if they do not appear for scheduled appointments. For these reasons persons living in Queens or Staten Island are excluded from consideration.

5. Not charged with a violation: Convictions on violation charges result in either a small fine or a short-term sentence (a maximum of 15 days) both of which are so inconsequential to most persons charged with violations that their cooperation with the Project has been minimal. In the past, violators admitted into the Project received dismissals at a much lower rate than the overall participant dismissal rate. Therefore, they are now excluded from consideration.
6. Not charged with homicide, rape, kidnapping or arson: The nature of the charge against a defendant is a key determinant in how seriously his case is regarded by the court. Bail is consistently set higher for defendants charged with serious crimes, and if they are convicted, sentences are stiffer. It would be extremely unrealistic to expect the court and the District Attorney to release such defendants. Therefore, persons charged with homicide, rape, kidnapping and arson are automatically excluded.
7. Not an identifiable drug addict or alcoholic: Both drug addicts and alcoholics are beyond the Project's capacity to treat, although those inadvertently admitted into the Project are serviced to the best of the staff's ability.

8. Those having pending cases are eligible as are those on probation, providing the probation officer agrees: A defendant who is arrested while he is on probation is liable to imprisonment on that basis alone. Although technically the Project could take a participant in this situation and work with him for three months, it does not do this if it knows in advance that the probation officer plans to prosecute for the probation violation after the participant has completed his time with the Project. In practice, the great majority of probation officers are glad to cooperate and waive prosecution for the violation. Probation officers are kept informed of the progress of participants who are their responsibility. If the progress is marked, it may be a deciding factor in ending the participant's probationary period.

9. Not have spent more than one continuous year in a penal institution: Like the seriousness of the charge, a defendant's prior record is key to how the court regards his case. After consultation with prosecutors and administrative judges, Project staff decided that time spent in prison would be a deciding factor in considering a person's potential to benefit from the Project. Although at one time the limit set for the length of time spent in prison was six months, it was too restrictive and prevented acceptance of some with whom the Project could work equally well. Consequently the limit was extended to one year and exceptions are made when necessary.

Ultimately, the Project ought to be able to work with many defendants currently excluded by its criteria:

1. Certain criteria are no longer as applicable as they were originally. On

several occasions the court has asked the Project to waive its upper age limit (45) and the length of prior time served (1 year). When the Project did so, it found that it could respond adequately to these participants. As a result, these criteria may be eliminated.

2. While present criteria are geared to admit defendants to whom the Project can now respond, the staff feels a continuing responsibility to develop new responses for defendants currently excluded. Research, investigation and planning are underway to develop responses for both non-habituated hard drug users and addicts.
3. As the court gains confidence in the Project, consideration and acceptance of more serious cases has been permitted. Only 17 of the first 100 participants were accused of felonies at the time of arrest; fifty of the last 100 were so accused.

Operations: Finding Defendants Who Meet
the Criteria

Throughout the three-year demonstration phase, the role of the Manhattan Court Employment Project Screening Unit has been:

1. to screen the arrestee population to determine those defendants who are eligible and willing to participate; and
2. to request the court's permission to stay prosecution for a period of three months so that those eligible and willing may participate in the Project.

When a person is arrested in Manhattan, he is taken by the arresting officer to a precinct house and booked. A small number of arrestees booked for minor offenses and having deeply rooted ties to their communities are released immediately following the booking and given a summons to appear in court at a future date. For the vast majority, however, the booking is the beginning of a tedious and oppressive journey that will take them before a judge in arraignment court some twelve hours later.

If the arrestee is charged with a felony or certain misdemeanors he is fingerprinted and photographed.* The officer is then required to pick up a copy of the defendant's prior criminal record (referred to as a Yellow Sheet), if any, from the Police Department's Bureau of Criminal Identification. He takes this to court.

*As of September 1971, all arrestees, regardless of their charge, will be fingerprinted and photographed. This will greatly facilitate future follow-up studies on the rearrest rates of former participants.

All arrestees, regardless of whether they are fingerprinted and photographed, are taken by the arresting officer from the cells in the precinct house to the detention area of the Criminal Court Building. Upon entering, they are interviewed by an officer of the Department of Probation who asks questions concerning their place of residence, family, employment and schooling. He records this information on a standard form known as an R.O.R. Sheet (Release on Own Recognizance). The information on the R.O.R. Sheet helps the arraignment court judge decide upon bail or parole for the defendant.

Meanwhile, the arresting officer goes to the Complaint Room of the Criminal Court where the complainant (if any) and an Assistant District Attorney draw up an affidavit formally stating the charges and details of the alleged crime. In addition, if the arresting officer has reason to believe that the arrestee is

a narcotics addict, he will check off those symptoms he has observed on a CR-1 form which is a checklist of possible addiction symptoms.

All of these forms -- the Yellow Sheet, the R.O.R. Sheet, the affidavit and the CR-1 form -- are brought together in a packet by the arresting officer to the clerk of the arraignment court. The clerk then hands the papers to a Screener manning a desk in the arraignment court clerk's office. In retrospect, it is clear that positioning the Screening Unit at this point in the legal process was key to the Project's ability to function efficiently. At first, Screeners lacked desk space of their own. They had to intercept the court papers of defendants who appeared to be eligible as the court clerk handed them to the defense attorney. Now, however, Screeners are automatically handed each court paper as soon as it is turned over to the court clerk by the arresting officer. Thus they have sufficient time to evaluate thoroughly the eligibility of each defendant.

The job of the Screener stationed at the desk in the arraignment court clerk's office is to check the information in the defendant's court papers against the Project's official criteria. It was hoped that this simple, clerical operation would be sufficient to determine a defendant's eligibility. This hope, however, proved unrealistic. Court papers often lack vital information and at times contain inaccuracies. Arresting officers sometimes fail to inspect defendants closely for signs of narcotic addiction and even when they observe such signs, they often fail to fill out a CR-1 form. No prior record sheet is attached in most misdemeanor cases. No information pertaining to alcoholism or psychopathology is noted. And most importantly, a review of court papers does not reveal whether a defendant would like to participate in the program. Clearly, Screeners need to interview defendants.

X To facilitate this interview, a Screener stationed at the desk transfers all useful information from the court papers of potentially eligible defendants to an interview form. A second Screener uses this form to conduct the interview. He first makes sure that the case will not be called in court until he has determined the defendant's eligibility. He then enters the detention pens to speak with the defendant. Talking through the bars in the crowded and noisy pens (the Project has been unable to provide for a more desirable interviewing situation due to the court's time, space and security considerations), the Screener outlines the program and ascertains whether the arrestee is interested. All but about 10% of those interviewed respond positively. The Screener proceeds with his questioning, seeking information on place and length of residency, employment, prior record, drug use and the circumstances of the arrest.

The Screeners then verify the information they have obtained. Family, friends, or neighbors are contacted to validate the defendant's address. When no Yellow Sheet is attached to the court papers, the Bureau of Criminal Identification is called. A defendant's past or present employer may also be called.

Finally, the Screener finds the arresting officer and the complainant (if any) in the court room and interviews them. This interview allows the Screener to :

1. secure information regarding the defendant's life-style since the arresting officer may be familiar with the defendant; and
2. explain the program and its rationale to the arresting officer and the complainant.

It is not necessary for the arresting officer and the complainant to consent to the defendant's admission into the Project. However, it is much easier to convince the court to grant the defendant's release to the Project if they do consent.

At this point, a Screener's investigation is complete. He must now decide either:

1. that the defendant is eligible; or
2. that the defendant does not meet the eligibility requirements and should be rejected; or
3. that a decision cannot be made until the defendant's next court appearance and that the defendant should be "futuresd."

A Screener may have to future a case because a defendant's address has not yet been verified, or because the defendant may be on probation and his probation officer has not yet been contacted. At present, approximately 5 per cent of the total number of cases that appear eligible on the basis of court papers are futuresd. Of the total number of defendants accepted into the Project each week (20), 25 per cent come from cases which had been futuresd.

During the Project's first two and one half years of operation, a defendant found eligible by a Screener would then

be interviewed by a Project Representative. The Reps, because of their superior knowledge of street life, were able to identify drug use and misrepresentation on the part of a defendant that Screeners may have overlooked. With improved training by Reps, however, Screeners learned to employ the Reps' interviewing techniques. The second interview was therefore eliminated. The percentage of addicts inadvertently admitted into the Project (which had been decreasing steadily when the Reps were involved in screening) continued to decrease after the elimination of the Rep interview. Previously, one out of every four accepted participants was later found to have a "drug problem." Currently, only one out of every twelve is later found to have a drug problem.

When a Screener finds a defendant eligible, he must consult with the District Attorney's Office. When the Project began, Screeners had to secure the approval of the Assistant

District Attorney who happened to be prosecuting the case. In January 1970, the chief District Attorney of the Criminal Court Bureau appointed one Assistant District Attorney to act as a liaison and review all cases found eligible by Screeners. At first, this new arrangement was awkward. There were times when the Assistant D.A. was absent, unavailable or difficult to locate. The arrangement tended to allow the Assistant D.A.'s prejudices to prevail with more authority than they would have had he been only one of several Assistant D.A.s consulted regularly by Screeners. These difficulties, however, have been overcome. The liaison now has assistants who can act in his capacity when he is unavailable. Furthermore, Screeners have been able to establish a relationship of mutual respect and trust with the liaison which they were unable to consistently maintain when they had to work with several Assistant D.A.s.

When the A.D.A.'s approval is obtained, a Screener then returns to court, requests that the case be called, and asks the judge to parole the defendant for a period of three months so that he may participate in the Project. The judge grants about 90 per cent of these requests. The A.D.A. liaison has frequently helped Screeners convince the judge of the appropriateness of the Project for a particular defendant.

In an average week, Project Screeners review the court papers of about 1000 cases. On the basis of papers alone, 900 are eliminated from consideration. The Screeners' personal interviews with defendants, officers, complainants and friends and families of the defendants usually reduce the number of potential participants to about 22 per week. Of those that remain, the A.D.A. liaison and the court reject about 1.2 per week. On the average, application of current eligibility criteria by Screeners yields about 20 new participants each week.

Screeners are also responsible for taking new participants to the Project's offices and maintaining complete statistics on each week's intake.

At the end of the three month period, a participant returns to court accompanied by a Screener who submits a progress report from the Project, recommending one of three actions by the court:

1. dismissal of the defendant's charges based on his favorable progress;
2. further adjournment of one, two, or three months to permit additional counseling; or
3. termination of the defendant's participation in the Project and the resumption of the prosecution of his case without prejudice.

As stated previously, a dismissal is recommended when a defendant has not been rearrested nor used narcotics; when he has behaved responsibly, keeping all appointments with Project staff, agencies and prospective employers; when he has attended and became involved in all counseling sessions; and, when he has made a satisfactory vocational adjustment.

If a participant has shown some progress but needs more time, another adjournment is requested. If the Project has been unable to work successfully with a participant, he is terminated.

Screeners have refined their data-collecting system. They now record more precise information on accepted and rejected defendants so that Project administrators know who is getting into the Project and why. There are currently 10 Screeners in the unit. Three are Antioch students who receive academic credit for their work. Two are VISTA volunteers; one is a conscientious objector; and the rest are young people who have either finished their undergraduate education or have taken time off from their studies and are seeking a meaningful work experience. Altogether, they have brought and continue to bring commitment, perseverance, and vital enthusiasm to the difficult task of screening. Their attitude and capacity to respond has been so professional that they have been given full responsibility for all normal interactions between the court and the Project.

COUNSELING

CHAPTER 3

COUNSELING

Staff

During the planning stages, Project administrators learned that academically trained counselors were in great demand and expensive to hire, and they suspected that non-professionals, whose backgrounds and sensitivities were similar to potential participants, could be trained to perform as well, or better than "pros."

Project administrators decided to use "non-pros" in the counseling positions and immediately became more comfortable with the plan as they examined the tangential benefits. Beyond the obvious plusses of having a staff that could be believed by participants, a staff that could easily be expanded -- and duplicated in other cities -- since it was a relatively untapped labor source -- the Project itself, if it functioned well, would become a dramatic commercial to all employers who would eventually be contacted to employ Project participants.

To find non-professionals, Project administrators sent notices to every agency in the City that trained, helped or found jobs for ghetto residents. They asked specifically for applicants with personal warmth, no more than a high school diploma (college graduates were not considered) and knowledge of New York City. Within three days there were 91 applicants, who generally represented the various agencies' difficult-to-place clients. Almost all were black and had prison records. Project administrators were reluctant to have the job tagged as either a black or ex-offender job, both for the morale of the staff and the opinion of outsiders. But the staff discussed it among themselves and with the applicants and all agreed that it did not make sense to leave the positions deliberately unfilled in order to locate qualified whites and non-offenders.

The first 91 applicants were interviewed individually; 55 were asked back for interviews in small groups. Fifteen of these

came back for a second interview. Nine were hired. All had prison records ranging from two months to eight years on charges including armed robbery, burglary and car theft. With their permission, Project administrators reviewed their criminal and employment records. One of the nine was eliminated when they found that he had not been candid about his past. The remainder had been frank and their references -- former employers, parole officers, narcotics program administrators -- offered no information to discourage their hiring. All began work shortly after New Year's Day of 1968. Thus the road from "pros" to "cons" was walked in part decisively, in part, fortuitously.

To train and supervise the new counselors, an Associate Director of Counseling and two counseling supervisors had been hired. All had civil service backgrounds, academic credentials, counseling experience and welcomed the challenge of working with non-professionals.

In January, Project staff members, Vera Institute administrators, court and police personnel, social workers and psychologists discussed their own jobs and organizations with the trainee counselors, as part of a planned training period. The trainees toured the courts, practiced interviewing at a Board of Education counseling center, and visited social agencies in the City. They met frequently as a group with their Supervisors to discuss their feelings about the job, their strengths and weaknesses, their backgrounds, their futures and the social implications of what they were attempting. Most had been adversely affected by their prison experiences; they were suspicious of the courts, their Supervisors and the Project's goals. Perhaps their greatest fear was that either they would fail or the job would fail them.

The training period lacked precise focus. No one knew exactly for what job the trainees were being prepared. Would the job center around a field base, office base or counseling center base? Would the role

of the trainees peak at being supportive, or was the Project staff good enough to train them to counsel? How would they be trained on-the-job...how much would be teaching... how much counseling, helping them to understand their own fears, anxieties and problems so that they could function better in counseling roles.

All emerged from the training period assuming that the trainees would, of necessity, initially function in supportive roles, "rapping" with participants, and hopeful that they would eventually be effective both in supporting and at counseling. The counseling program would encompass both individual and group techniques; the counseling job would involve a combination of office, field and counseling center bases; and participants would be given tasks to perform (attendance and involvement at group and individual counseling sessions) -- rather than just being visited periodically in their own neighborhoods and homes.

The staff also emerged from those four weeks with a job title. The trainees did not want a name that linked them with any existing jobs or that carried menial connotations. Since they were responsible for representing the Project to participants, the court, and other agencies, they chose "Representative" and have since become the "Reps."

The history of the first group of Representatives, only one of whom is still with the Project, highlights some of the Project's early problems. The first Representative disappeared in March 1968, reappeared a few weeks later, and then disappeared again which surprised everyone since he seemed to be among the most self-confident and effective Reps. The second was discharged after seven months because his mercurial shifts in temperament strained his relationships with his Supervisors and fellow Reps. The third resigned after ten months. He had worked diligently but had had little success in relating to participants. He

is now in an administrative position with an anti-poverty agency. The fourth suffered a recurrence of an internal ailment related to his previous drug addiction and even after partial recovery, he was too weak to resume his position. The fifth resigned after a year and one-half to enroll in college full-time. The sixth was unable to adjust to the Project's structured program. The seventh was not functioning well on the job primarily because he had not dealt adequately with his own problems.

Because the Rep's job was ambiguously defined and its demands untested, it had been difficult to screen applicants intelligently for the position. As the job duties and pressures became more defined -- concurrent with gaining experience at screening, interviewing and hiring -- Project administrators became proficient at hiring Reps who behaved responsibly, functioned well and were highly trainable.

In retrospect, the soundest and most fortuitous decision that was made was to build a counseling program that utilized the talents and experiences of non-professionals with backgrounds similar to the participants. From the beginning, they have provided the credibility essential for effective counseling.

HISTORY OF REPRESENTATIVE RESPONSIBILITIES

Representative responsibilities have continually changed during the Project's three years of operation. For the first two years, the Rep's job was to :

1. help screen prospective participants;
2. take primary responsibility for the progress of 15 to 25 participants, attempting to gain each one's trust and cooperation, helping them to solve their personal, financial, legal, medical and vocational problems.
3. refer participants to appropriate services and agencies (including the Project's own Social Services Unit) when there was a particular need;
4. meet with all his participants one night a week at the Project's club house for a group counseling session;

5. make field visits to participants' homes at least once during their time in the Project;
6. meet with his Supervisor before each group meeting and plan the upcoming one;
7. maintain statistical and descriptive records of each participant's progress;
8. determine the appropriate time to refer the participant to the Project's Career Development Unit, advise the Career Developer of the participant's needs, and closely follow the Career Development Unit's work with the participant;
9. help participants secure the return of fingerprints and bail money when applicable;
10. help vacate bench warrants (that is, getting a defendant who missed a court appearance back on the court calendar without penalty);
11. prepare an initial recommendation for the dismissal or adjournment of his participants' cases for the court;
12. appear in court with each participant to provide information about his progress;
13. continue his own training as counselor through individual sessions with his Supervisor and group meetings once a week with the whole counseling unit;
14. meet applicants for the position of Representative and interview them in a group setting.

These responsibilities have been modified in three major respects:

1. Reps no longer screen potential participants;
2. Reps no longer appear with participants in court;
3. Career Developers and Reps work in teams to jointly service and counsel participants.

Except in rare instances, where a Screener is unsure of drug use, Reps no longer interview defendants before intake. Screeners have learned from Reps how to carefully evaluate a potential participant. Screeners also assumed responsibility for court appearances -- to free Reps from time-consuming delays in court. The merger of Career Developers and Representatives is discussed below.

THE MERGER

The Project's counseling and employment services were originally designed as separate units -- Human Services and Career Development -- each headed by an Associate Director of the Project. This separation facilitated staff training and divided supervision along functional lines.

From the Career Developer's point of view, however, the situation presented a continuing morale problem. The CD's work with participants centered only on vocational problems -- lack of or dissatisfaction with work, schooling or training. The other, emotional problems, while possibly job-related, were strictly the province of the counseling unit. CDs worked hard to place participants, but lost contact with them once they were hired. Career Developers received little satisfaction from their efforts, functioning as placement machines.

The first group of Representatives brought considerable feelings of inadequacy and insecurity to their job. They overestimated the degree of intimacy they could develop with participants; they expected instant confessions of personal problems. While their expectations were rarely fulfilled, they felt that whatever participants told them should be confidential. Consequently, Career Developers were operating with insufficient information. They wanted to see a participant's case file so that they

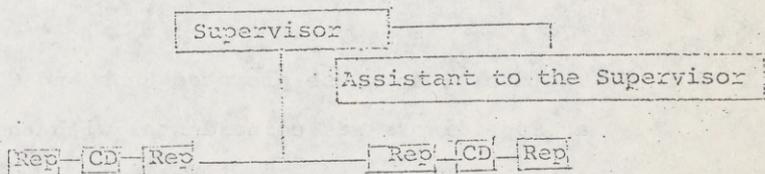
could make referrals that would reflect a participant's capabilities -- his specific weaknesses might not be obvious, but could be detected if folder contents were available. Because of unit separation, neither staff benefited from the insights of the other.

The staffing pattern created problems beyond the operation level. It did not provide career opportunities for employees. As long as professionals staffed the Supervisor positions, the Rep was in a dead-end job. Career Developers were limited in upward mobility to one position -- Associate Director of Career Development.

After analyzing these problems, Project administrators decided in January, 1970, to create operational teams consisting of two Reps and one CD (the same staff ratio that had existed previously). Representatives in each team are partners and cover for each other on field days, vacations and sick days. The Career Developer vocationally services both

their caseloads. The group of three now shares the same set of records. They work closely as a team; the office was physically rearranged -- desks were grouped in threes; confidential information is exchanged as a matter of course.

The Supervisor's position has been re-structured to accommodate the merger and to provide promotional opportunities for both Reps and CDs. The basic Supervisory unit now consists of six members in two teams:



An Assistant to the Supervisor has been added to the structure to provide clerical support. There are presently two such units of six, each headed by a Supervisor who had been a Rep. (It is possible for a CD to be promoted to the position.)

In time, it became apparent that there was a need for the professional psychologist to assist staff training and counseling. It had been awkward for the professionals to function as Supervisors. Much of their time and talent was dissipated in operational concerns, retrieving data and writing court reports, and preparing unit reports. Moreover, it was difficult to function both as the Supervisor and counselor of an employee who might be reticent to discuss fears, anxieties -- possible obstacles to efficient functioning -- with a counselor who was also the "boss."

The decision to use promoted Reps and CDs as Supervisors was coincidental with the decision to take the professional psychologist out of the chain of command so that he could function solely as a staff trainer and counselor. The position is called, "Trainer."

One Trainer was needed for every two supervisory units, plus an additional one to concentrate on the training of Screeners and special training of CDs in vocational counseling.

Adding Trainers to the staff has strengthened the counseling program. Specifically, they have been instrumental in articulating job relevance, psycho-dynamic concepts and managerial needs. They have helped the entire staff to communicate freely with each other and with participants, and helped the administrators with their daily responsibilities.

Group Counseling

For more than a year no one was sure what Reps and participants could accomplish together in the space of three months. The Project was constantly experimenting; at one time there were as many as ten different group counseling plans. It was hard sometimes for Reps and participants to know what was expected of them. No one knew exactly what a participant had to do to get his case dismissed: work and attend group sessions: Work and get involved in group sessions? Just work? Project administrators realized that while Supervisors were telling Reps to get participants involved in group, dismissals were being granted to participants who spent twelve

weeks being quiet, obedient, and uninvolved. Many Representatives did not feel comfortable in their relationships with participants. While trying to understand Reps' difficulties, Project administrators were still anxious to develop the best possible program. However, they knew that if the program wasn't good enough to get a participant involved, it wasn't fair to penalize him with an adjournment instead of a dismissal.

The program lacked definition: the Project needed to state its objectives more clearly, and to find or train Representatives who could achieve them.

In the summer of 1969, six new Representatives were hired. All were ex-addicts who had graduated from therapeutic communities where five had held staff and administrative positions. They brought to the Project the "confrontation" style of counseling which encourages group members to aggressively express their feelings towards each other. Reps who had been working in the Project

argued that this approach could not succeed in a non-residential setting. After much discussion, a counseling approach was developed that was built on the experiences of both groups of Representatives.

The new program is much more structured. Following an extensive intake interview with a new participant, the Rep schedules him for his first group situation, Orientation. Orientation eases the participant into a group and explains what will be expected of him while he is in the Project. After completing Orientation, a participant is promoted to an on-going group headed by his Rep. On-going groups are taped. The tapes are used by Trainers to help Supervisors and Reps analyze, identify, and understand participants' problems.

Project administrators now know what it takes to be a competent, successful Representative. To maintain the caliber of the staff, they look for candidates with:

1. ability to differentiate between thinking and feeling
2. ability to deal with office pressures
3. ability to express oneself verbally and in writing
4. potential for development
5. friendliness and an ability to relate to participants while maintaining objectivity
6. willingness and ability to accept constructive criticism.

Procedures for hiring new Reps have changed. At first, the entire staff of Representatives interviewed all applicants, qualified or unqualified, and passed their recommendations on to the Supervisor. This system took too much of the Representatives' time. Now the counseling Supervisor sees the applicants first and eliminates all but the most qualified.

The Reps as a group then interview those who remain, using the confrontation-style approach for which the applicants have not been prepared. By applying this kind of pressure, the Reps and Supervisors learn a great deal about an applicant's strengths

and weaknesses. It is a grueling interview, but a mistake in the hiring of a Representative is considered damaging to the Project and a disservice to the applicant and to participants.

Field Visits

Reps have always made field visits to participants' homes. Seeing a participant on his own "turf" gives a Rep a more complete picture of the participant. He can double-check the participant's address, meet his family and friends and talk to them about the program. When the Project began in 1968, each defendant was assigned at intake to the first available Rep. Adjustments were made to distribute participants equally so that no Rep had more than twenty in his caseload. Reps' caseloads were later organized geographically in order to minimize travel time in the field.

Originally, Reps spent half of their time in the field. Project administrators knew that they felt uncomfortable in an office setting and wanted to take advantage of their ability to move easily in the City's ghetto neighborhoods. However, when the counseling program

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became more clearly defined, Reps had to spend more time in the office to report to Supervisors, prepare for group, listen to tapes, attend training sessions -- in addition to their previous responsibilities. Field visits are still important, but they have been restructured to make sure that they are productive. No Rep goes into the field without an appointment. He makes his first home visit during a participant's second week in the Project. Later, he visits the participant at his job or at school to check his attendance record and speak with his employer or teacher. A Rep now spends one and one-half days in the field -- one-half the previous field time.

Clubhouse

Reps conduct group sessions at the Project's Lipsenard Street clubhouse, located a few blocks from the court building. The highly charged atmosphere of the Criminal Court Building is not conducive to honest group confrontation. The clubhouse is a five-room suite, generously furnished by Playboy Enterprises, with brightly colored chairs, low coffee tables, a paperback library, a pool table and a stereo set.

Conclusion

The most significant achievement of the counseling unit in the last three years has been the development of a sophisticated and effective counseling program that draws on the talents of both non-professional Representatives and Career Developers. The merger of the two staffs into teams has pressured them to produce for each other as well as for participants.

And they have produced. During the first year of operation dismissals of charges were recommended and accepted for 38.9% of the Project's participants; during the second year, the rate was 45.6%; and during the third year, the rate was 61.4%. During the first twenty-two months of operation the rate of rearrest among active participants was 12%; during the last six months the rate was 2.9%. During the first twenty-two months of operation the rate of participant attendance at group counseling sessions was 45%; during the last six months it was 67%. And despite the dearth of jobs available on any level today, 73% of the participants were working, in a training program or in school at any given time.

CAREER DEVELOPMENT

CHAPTER 4

CAREER DEVELOPMENT

Staff

The director of the Career Development Unit came to the Project from Project Develop, a job training and placement program for persons just released from New York State prisons (an earlier experimental and demonstration project of the Manpower Administration, U.S. Department of Labor.) While director of Project Develop, he had decided that two traditionally separate tasks -- interviewing applicants and promoting job accounts -- should be handled by the same person. He had observed that those responsible for interviewing often lost contact with the reality of the job market, while those who promoted jobs were often insensitive to applicants' problems. His thinking influenced the formulation of the Project's Career Developer position. Project administrators decided that the person who would help a participant define his job skills would also be the person who found that participant his job. Project administrators were not necessarily interested in individuals with psychology

credentials, although one of the original developers had a master's degree in psychology. But they were definitely not interested in gregarious, hard-sell job promoters.

In December, 1967, the Project advised 24 agencies of its staff needs for Career Development. Most of the experienced, promotional developers were talkers rather than listeners. The Project needed people who would invest time and energy in their relationships with participants, helping them to clarify and direct their thinking about opportunities in the job market. Project administrators eventually decided that they would have to sacrifice experience in order to find developers committed to the philosophy of the Project. Forty-five applicants came for interviews; four were hired. One had been a job developer, another had worked for a minority-group college placement agency, a third came from Project Develop, and the fourth had worked for a Newark anti-poverty agency.

Jobs

The first task of the Career Development Unit was to develop a reservoir of available jobs. By the time the first participant was accepted into the Project in February 1968, the unit had canvassed 60 private, public, large and small firms in the metropolitan area. They discovered that large companies were able to plan for their employment needs and could establish permanent accounts with the Project. Small firms, with infrequent turnover and limited job offerings, were less able to accommodate the Project's needs. In speaking with the employers from these smaller firms, however, CDs tried to impress them with the idea of the Project and with the chance to participate in a social experiment so that when they did have an opening they would call the Project. The staff also talked to non-profit vocational placement agencies and arranged with the City to have the Project designated a Neighborhood Manpower Center, which gave it access to jobs and training programs developed by the City's Manpower and Career

Development Agency. In addition, the Project was permitted to certify its participants as "hard-core," thereby making them eligible for private corporation training programs subsidized by the federal government under the Manpower Development and Training Act.

Large and Small Firms

CDs tended at first to try to place participants in small firms even though openings there are infrequent and unpredictable.

Career Developers assumed that small firms would provide a friendlier work atmosphere and would be more flexible about job requirements. They also thought that small firm employers might be more likely to develop relationships with participants and their Career Developers than large firm employers. After one year, however, CDs realized that placements in large firms were more desirable. Large firms offer wider benefits, chances for advancement (growth and upgrading are generally built into positions in large corporations), and on-the-job training programs. CDs have placed

increasing emphasis on developing accounts with these firms -- particularly those with training programs subsidized by the Manpower Administration of the U. S. Department of Labor. Since employers with MA (Manpower Administration) contracts are publically committed to hire the hard-core unemployed, participants are more likely to succeed in their companies than elsewhere.

Training

From the beginning, the Project has felt that it was better to place a participant in a training program where he could learn a skill, rather than in a dead-end job.

Training programs have varying desirability, however. Most participants are immature and have almost no patience for working towards a distant goal. Unless support and possibility for advancement are demonstrated soon after a participant is placed, his job may become meaningless to him. Lengthy training programs remind him of

school, which too often meant failure. CDs have found that publically financed training programs, as opposed to MA programs, do not provide enough support for participants. Of the first 350 participants, only 30 accepted training positions in publically financed schools or agencies and only 6 completed their courses. Participants are much more willing to accept training positions in MA programs which, in addition to training, offer remedial education, a reasonable starting salary and promise of advancement.

Employers

Virtually every employer approached by the Project has accepted in principle his company's commitment to hire the hard-core unemployed. But few are aware of the real problems involved. As one Career Developer wrote in a moment of frustration: "What firms seem to be looking for are 1) hard-core unemployed who behave like middle-class employed, or 2) hard-core unemployed who behave like middle-class employed after several Pat O'Brien lectures by a Supervisor."

CDs' approach with employers has been to discuss frankly the work and criminal backgrounds of the participants they plan to send to them. This approach eliminates many employers, but the willingness of the remainder to work with the Project after being told what the risks are, is assurance that they will be sympathetic to participants' problems. CDs stress that the progress of each participant will be followed closely by a participant's Rep and CD.

To increase the pool of available jobs, Career Developers visit at least one potential employer each week. The Field Visit, as it is called, is an essential part of job development and the most difficult. In a short time, the CD must find out what the employer's needs are, describe the Project, allay his fears about hiring defendants, and get him to commit his firm to hire a reasonable number of participants.

The Project has tried to develop relationships with employers on whom it can depend for at least 12 placements per year. CDs often don't have to wait for a vacancy to occur in firms where participants are given priority. Usually an employer goes to a Manpower agency to fill a specific need -- he tells the agency job developer what he wants and the agency supplies the right man. When a CD calls an employer, he discusses the needs and hopes of a participant and asks the employer to try to accommodate him. In some cases, the CD can get a participant a job that is not in the list of openings. For example, one participant with a talent for sketching was sent to and hired by the art department of a large company although "positions available" included only the usual entry-level jobs -- duplicating machine operator, mail clerk and supply clerk. The Project has tried to avoid being an agency that passively accepts job orders from employers, urging a participant to accept any available position.

At the same time, once CDs have a working relationship with a large firm, they take care to maintain it. If several participants fail to appear for interviews or do poorly on-the-job, the next referrals will be the best participants the Project has. Sometimes applicants may not be sent for a long time. The Project tries not to jeopardize its relationships with companies that may have openings in the future -- particularly those that offer programs for upgrading employees.

During the last three years, the Career Development Unit has contracted with over 400 firms, unions and training programs. CDs use a system of shared accounts. Each CD makes independent contacts with businesses, but all employment information is pooled and recorded in Project files. The system of shared accounts was introduced for the benefit of new, inexperienced Career Developers. They can rely upon the job opportunities already developed by their co-workers rather than having to start from scratch.

Referrals

Although the Career Development interview has been tied as closely as possible to the formal intake procedure, the initial interview between a CD and a participant is conducted primarily to sustain the participant's interest. When a person has been arrested, booked, jailed, interviewed and brought before a judge in less than 20 hours, he is not in the best state of mind for job counseling. Few participants are sent to job interviews on their first day in the Project, but half are sent within their first week.

When the initial interview takes place, the CD obtains the following information on a participant's employment background:

1. percentage of previous year the participant was employed;
2. the length of time the participant worked at his most recent job;
3. the type of job he most recently held;
4. the salary of the job he most recently held.

The typical participant -- with a ghetto background, little advanced schooling, few skills and scanty employment experience -- has never faced a wide range of job opportunities nor been in a position to exercise a meaningful preference in choosing employment. CDs ask participants about their interests, their former job experiences and their ambitions. At some point they ask each participant to choose a job. When the CD, the participant and his Rep are satisfied with his choice, employers are called and attempts to arrange an interview are made.

A Career Developer draws on three sources for jobs: large companies ("house accounts"), companies with smaller and less frequent manpower needs, and new contacts. If he finds an opening, he talks with the participant to prepare him for the coming interview. He may also help the participant prepare for any tests he may be asked to take and write him a letter of introduction.

A participant's first job interview is rarely his last., CDs average about 2.2 referrals for every placement. The following table reveals the frequency with which participants are referred.

FREQUENCY OF REFERRALS

YEAR OF PROJECT	TOTAL NO. PART. REF.	NUMBER AND PER CENT OF PARTICIPANTS REFERRED ONE - ELEVEN TIMES													
		ONE		TWO		THREE		FOUR		FIVE		SIX		SEVEN - ELEVEN	
		NO.	Per Cent	NO.	Per Cent	NO.	Per Cent	NO.	Per Cent	NO.	Per Cent	NO.	Per Cent	NO.	Per Cent
1st	256	102	39.8%	62	24.2%	29	11.3%	31	12.1%	13	5.1%	9	3.5%	10	3.9%
2nd	225	114	50.4%	49	21.7%	27	12.0%	16	7.1%	10	4.4%	4	1.0%	6	2.7%
3rd	129	79	61.2%	20	15.5%	15	11.6%	7	5.4%	4	3.1%	2	1.6%	2	1.6%
Total	611	295	48.3%	131	21.4%	71	11.6%	54	8.8%	27	4.9%	15	2.5%	18	2.9%

Most participants who fail to report for an interview will not come back to the Project without prodding. Similarly, when a participant appears for an interview and is not hired -- especially when the interviewer does not explain why he wasn't hired -- he generally will not return to the Project's offices unless he is given a great deal of encouragement. If a CD feels an employer has

made a mistake in not hiring a participant, the CD may talk to the employer. Some employer rejections have been enormously frustrating: one participant was rejected from a hard-core program because of his poor work background -- essentially because he was hard-core. In any case, CDs try to learn from their placement attempts. And since the Project strengthened its counseling program, appointments missed by participants have been cut in half.

Placements

Participants not only require several referrals, but also several placements. Although some participants may seek new placements because they are ready for a better job, most seek new placements because they have been unable to retain their previous job. In general, they have poor work habits. They have failed at work, failed at school and often failed family and friends. About 34 per cent of the Project's participants have to be placed two or more times:

FREQUENCY OF PLACEMENTS

YEAR OF PROJECT	TOTAL NO. PARTICIPANTS PLACED	ONE		TWO		THREE		FOUR-SIX	
		NO.	Per Cent	NO.	Per Cent	NO.	Per Cent	NO.	Per Cent
FIRST	177	111	62.7%	44	24.9%	17	9.6%	5	2.8%
SECOND	154	101	65.6%	41	26.6%	8	5.2%	4	2.6%
THIRD	101	75	74.3%	19	18.8%	6	5.9%	1	1.0%
TOTAL	432	287	66.4%	104	24.1%	31	7.2%	10	2.3%

Career Developers believe the critical factor that determines whether a person will stay on the job is the extent of the employer's commitment to help him succeed.

Employers who are willing to:

1. lower entrance requirements (waiving diplomas and the requirement of a clean criminal record)
2. offer a training program with remediation and counseling
3. provide systematic up-grading for unskilled jobs
4. and commit their administrative and supervisory staff to the growth and development of entry-level employees

succeed with the Project's participants and participants succeed with them. No employment project -- court-based or otherwise -- ought to funnel untrained, unskilled persons into dead-end jobs.

Project Impact on Employment

Not every participant is in need of or ready for employment: some are satisfactorily employed at entry; some find employment through their own efforts; some are students; and some have personal problems which impair their ability to accept the responsibility of full-time employment.

Nevertheless, Career Developers have been able to provide employment for a significant number of Project participants. An overview of the extent of their efforts can be seen from the following table:

Year of Project	Total No. of Participants	Total Referrals	Total Placements	Percentage of Placements per Referral
First	450	626	270	43.1%
Second	450	477	219	45.9%
Third	400	264	135	51.1%
Total	1300	1367	624	45.7%

In spite of the fact that not every referral results in a placement, the extent to which CDs have been able to make referrals is, in part, indicative of the large resources of career opportunities which they have developed.

The decline in the number of referrals during the third year is due largely to the tightness of the job market. There were far fewer job openings during 1969-70 than in the two previous years. Nevertheless, more placements resulted from CD referrals during the third year than in the previous year. Because CDs now work more closely with a participant and his Rep, they are able to make more appropriate referrals -- referrals that will more often result in a placement.

The most favorable view of the Project's impact on employment can be seen in terms of its dismissed participants:

EMPLOYMENT STATUS OF DISMISSED PARTICIPANTS
AT INTAKE (BEFORE) AND AT DISMISSAL (AFTER)

Employment Status	FIRST YEAR				SECOND YEAR				THIRD YEAR			
	Before NO.	Per Cent	After NO.	Per Cent	Before NO.	Per Cent	After NO.	Per Cent	Before NO.	Per Cent	After NO.	Per Cent
Unemployed	111	79.3%	2	1.4%	107	54.9%	0	0%	109	49.1%	0	0%
Employed	20	14.3%	128	91.4%	84	43.1%	186	95.4%	68	30.6%	176	79.3%
Students	9	6.4%	10	7.2%	4	2.0%	9	4.6%	45	20.3%	46	20.7%
Total	140	100%	140	100%	195	100%	195	100%	222	100%	222	100%

Invariably, the employment status of dismissed participants was favorably changed during the course of their time in the Project. Although satisfactory vocational adjustment is, in most instances, a prerequisite for a recommendation of dismissal of charges, the findings are nonetheless significant, especially when viewed in conjunction with the Project's impact on participants' salary levels:

SALARY LEVELS OF DISMISSED PARTICIPANTS
AT INTAKE (BEFORE) AND AT DISMISSAL (AFTER)

Weekly Salaries	FIRST YEAR				SECOND YEAR				THIRD YEAR			
	Before		After		Before		After		Before		After	
	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent	No.	Per Cent
\$131-	1	5.3%	3	3.2%	1	1.6%	6	4.6%	3	3.2%	6	4.1%
\$121-\$130	0	0.0%	5	5.4%	1	1.6%	4	8.1%	6	6.5%	6	4.1%
\$111-\$120	1	5.3%	8	8.6%	4	6.1%	9	7.0%	8	8.6%	20	13.6%
\$101-\$110	1	5.3%	12	12.9%	1	1.6%	6	4.6%	11	11.8%	12	8.2%
\$ 91-\$100	1	5.3%	18	19.4%	7	10.8%	29	22.5%	18	19.4%	26	17.7%
\$ 81-\$ 90	2	10.5%	23	24.7%	11	16.9%	26	20.2%	23	24.7%	36	24.5%
\$ 71-\$ 80	4	21.0%	11	18.8%	17	26.1%	31	24.0%	11	11.8%	29	19.7%
\$ 61-\$ 70	7	36.8%	7	7.6%	17	26.1%	14	10.9%	7	7.5%	9	6.1%
\$ 60 or less	2	10.5%	6	6.4%	6	9.2%	4	3.1%	6	6.5%	3	2.0%
Total	19	100%	93	100%	65	100%	129	100%	93	100%	147	100%

The Project was most able to elevate the economic status of participants who entered the Project at the poverty level.

The figures for the third year are not as impressive as those for the other years because a change in the minimum wage law in July 1979 resulted in fewer persons earning \$80 or less per week, and because the participant population contained more students than in the previous years.

Surprisingly, starting salaries offer no real clue to whether a person will stay on-the-job. Project administrators conducted a study that showed exactly the same retention rate for jobs paying over \$90 per week as for jobs paying less than that. More participants were fired from higher paying jobs, and more were quitting the low paying ones. Raises, not starting salaries may be the key to job retention. Career Developers have

suggested to employers that they begin a participant at a salary lower than planned and increase his wages in frequent, small amounts -- each advance based on merit. Frequent raises eliminate the intimidating effect of a high salary and constitute a rare winning experience for participants.

SOCIAL SERVICES

CHAPTER 5

SOCIAL SERVICES

From the beginning, Project administrators knew that participants would need financial assistance. Whatever their economic status, it was sure to be disrupted by their arrest. A Social Services Unit was designed within the Project that could:

1. insure the continuance of public assistance that participants might already be receiving;
2. secure aid for those eligible but not yet receiving public assistance; and
3. use Project resources to meet participants' immediate financial needs (up to \$30.00) regardless of whether they were receiving or would be seeking public assistance.

Project administrators negotiated with the Commissioner of the New York City Department of Social Services (DSS, formerly the Department of Welfare) to make the Project's Social Services Unit an outstation of DSS. He assigned a Supervisor and two case-aides to staff the unit. This arrangement has allowed the Project to extend rather than

duplicate existing welfare resources and has enabled DSS to contribute to a program designed to make welfare recipients self-sustaining and to reduce the crime rate.

A decision was made not to pay stipends to participants either to secure their interest in the Project or to maintain them until they were self-supporting. To do so would have set a precedent that might have been feasible for the relatively small number of participants accepted during the experimental phase but would have been impossible on the large scale the Project was envisioned reaching. The Project is able, however, to grant minimal financial assistance to needy participants -- if necessary, on the first day they enter the Project. The Social Services staff then tries to secure whatever assistance they may need from existing public resources. The DSS provides semi-monthly grants to the unemployed and the under-employed. Participants may also receive medical and housing assistance through the Department of Social Services.

Of the first 100 participants, 33 per cent received financial assistance from the Social Services Unit. At present, 20 per cent receive such assistance, 9 per cent of whom continue to receive aid through their neighborhood welfare centers after leaving the Project. The others do not appear on the welfare rolls again, most because of successful employment, some because they have lost contact with the Project and the unit.

The responsibilities of the Social Services Unit were broadened in May 1970. An organization known as the Social Services Exchange (SSE) maintains records of all contacts made by an individual with any city, state or private agency. Project administrators realized that access to these records would enable them to learn more about participants and their needs. The SSE agreed to make available to the Project any information that was needed. A Social Service Exchange form is filled out on every participant accepted into the Project and sent to SSE. It is then checked against their records and a list is made of every known agency a participant has contacted. When necessary, the Project contacts

agencies for information about a participant. Such information is frequently helpful to Reps and CDs.

The Supervisor of the unit has been largely responsible for the smooth cooperation between the project and the Department of Social Services. He has also been particularly successful in establishing liaisons with private, charitable organizations throughout New York City. These agencies can be called upon to provide such specific items as clothing, furniture and utensils.

The Supervisor participates in the training of new Representatives, informing them of the various benefits available to needy participants. Unfortunately, the unit's effectiveness has been hampered recently by DSS's failure to assign a sufficient number of case-aides to the Project. The Project expects, however, to soon have the additional personnel needed.

RESEARCH

CHAPTER 6

RESEARCH

A demonstration project has combined goals: to implement and test an idea, to measure and analyze performance and to communicate results to interested persons.

Initial emphases were placed on establishing an effective operation and on creating data-collecting and recording systems for internal monitoring and external evaluation. The design of the Project as well as its acceptance by court administrators was based on studies of the population passing through the criminal justice and the mechanics of the system itself. In selecting data to be collected, the staff was guided by a review of the published reports of manpower agencies and projects, advice from consultants and ultimately their own collective judgement. Selecting categories of data provided insights into the problems of evaluating a program such as the Manhattan Court Employment Project -- one whose services

are complex and subject to rough measurement at best and, which depends upon a staff who conceive of themselves as action people not researchers.

Nevertheless, Project staff immediately recorded as much information as could be collected about participants and operations, even if there was no immediate use for it. Forms were designed and tested before the first participant was accepted. Screeners, Representatives and Career Developers maintain reports and statistics on participants and operations, exchanging data systematically among themselves and Project administrators. Many operational changes were made as a result of studies of the Project's data -- eligibility criteria changes, the merger of Reps and CDs, elimination of the Reps from the screening process, the addition of trainers. Data has helped Project administrators to plan staff needs, set salaries and budgets, compare the Project's effect to that of other agencies, and report its work to court administrators and other

interested persons. The data collected has further helped the Project to prepare training manuals for new staff, follow-up the experiences of former participants and make recommendations for expansion and institutionalization of the Project.

The Project was designed and has been administered by persons with a demonstrated capacity to deal with a wide range of manpower problems. For the most part they have been able to deal with the Project's short-range data problems. As the Project ends its demonstration phase, plans for converting data from hand storage and retrieval to electronic data-processing are being made.

Evaluation

To evaluate the Project's long-range impact on participants and its benefits to the criminal justice system and the community, extensive efforts were made to measure the recidivism rates of former participants and the cost-benefits of

the Project's overall operations. The Project staff retrieved the data for these studies and tabulated and analyzed the results with the aid of an outside evaluator, Dr. Edward J. Yarosz. The Project is greatly indebted to Dr. Yarosz for lending his professional expertise to these efforts.

Recidivism

Purpose and Design

The recidivism study was originally designed to compare the rearrest rates of three defendant populations:

1. dismissed or successful participants whose favorable vocational status, regular attendance and involvement at counseling sessions and overall responsible behavior earned them a recommendation for dismissal of charges which was granted by the court.
2. terminated or unsuccessful participants whose inability to meet Project demands and overall irresponsible behavior necessitated that they be terminated from the Project and returned to the normal court processes.
3. control group of defendants selected from Manhattan Day Court from the three month period prior to the beginning of the Project in February 1968. Individuals in this group were matched closely with dismissed participants (see Selection of Subjects).

The primary intent of the study was to determine whether successful Project participants differed recidivistically from comparable defendants who had not had the benefit of the Project's services. The secondary intent was to determine whether successful participants differed recidivistically from unsuccessful participants.

Limitations

Two factors precluded the study from adhering to a true experimental design. Firstly, a true control group was unavailable. Ideally, a control group should have been established at the outset by screening defendants for Project eligibility and then denying them participation. This was not done because 1) the experimental nature of the Project required initial emphases to be placed on establishing effective day-to-day operations and, 2) denying participation for the purposes of research violated the humanitarian tenets of the Project and the sensitivities of the staff. Nevertheless, it was possible

to construct a group of defendants comparable to the Project's dismissed population (see Selection of Subjects) who had not had the opportunity to participate in the Project and who could serve as a valid comparison if not a true control.

Secondly, the study was conducted ex post facto. Ideally, it should have been initiated at the outset of the program. This was not done because, as previously stated, the experimental nature of the Project required initial emphases to be placed on establishing effective day-to-day operations. Nevertheless, the ex post facto design permits consideration of some of the important internal changes that were made to strengthen the program during its three year experimental phase.

Methodology

Selection of Subjects

The study, as originally planned, was to include 100 randomly selected dismissed participants, 100 terminated participants

matched according to the intake dates of the dismissed sample, and 100 defendants comparable to the dismissed population selected from the three month period of Manhattan day court operations prior to the beginning of the Project. The goal of selecting equal numbers of subjects for each group proved unrealistic and was modified in the following respects:

1. dismissed sample: A random sample of 100 participants was created as originally planned. In the course of securing rearrest data, the study population was expanded to include all of the Project's dismissed participants as of October 1969. As of that date, 247 participants had received dismissals. However, reliable rearrest information was later obtained for only 152 of the 247 dismissed participants. Thus the sample group of dismissed participants contains 152 subjects.
2. terminated sample: 100 terminated participants, matched according to the intake dates of the members of the dismissed group, were chosen as originally planned. However, reliable rearrest information was later obtained for only 62 of the 100 originally chosen. Thus the sample group of terminated participants contains 62 subjects.
3. control sample: Constructing a control group presented special problems. An examination of the court papers of Manhattan Day Court defendants from the three month period prior to the

beginning of the Project yielded a group of 150 arrestees who, on the basis of their court papers, might have been eligible to participate in the Project. Eligibility criteria were carefully adhered to in the review of these defendants' papers. The final control sample was comprised of only those defendants who were clearly not ineligible and whose charges at the time, prior drug arrests, average ages and places of residency closely matched the sample of dismissed participants. The number of control group subjects who appeared eligible on the basis of their court papers and for whom reliable rearrest information was later obtained was 91.

Collection of Dependent Variable Information

The Bureau of Criminal Identification of the New York City Police Department (B.C.I.) supplies rearrest information to the courts in order to help judges make decisions regarding bail and sentencing. At the time the study was conducted, only arrests for fingerprintable offenses (all felonies and most misdemeanors) were officially recorded by B.C.I.* Records of such arrests appear on one or more sheets referred to as Yellow

* In the future, all arrestees will be fingerprinted and photographed regardless of the nature of their charge. This will greatly facilitate further follow-up studies.

Sheets which are identified by a number known as a B number. Knowing a defendant's B number assures access to his criminal record. In the absence of a B number, a record is theoretically traceable through B.C.I.'s index -- given the defendant's name, last arrest, charge, address and date of birth. The requisite information for the dismissed, terminated and control groups was gathered either in the form of B numbers or personal information which Project researchers sent to B.C.I. B.C.I. personnel in turn sent the Project whatever Yellow Sheets they had for all subjects. It was assumed that if no Yellow Sheet was returned on a given subject, he had not been rearrested.*

Limitations

For many defendants in all groups a B number was not available. Violations and certain misdemeanors are not fingerprintable and are therefore not recorded. No

*Unfortunately, this assumption could not be made with complete assurance. In some instances, a Representative knew that a former participant had been rearrested even though no Yellow Sheet had been returned on him. These subjects were deleted from the sample group of Project participants but there was no way of determining whether control group members for whom no Yellow Sheet was returned had nevertheless been rearrested.

effective way existed to track non-finger-printable offenses. Personal information submitted to B.C.I. in the absence of a B number was adequate for most Project participants but only approximate in many cases for the control group. It is likely that there were control group members who had been rearrested who were not positively identified by B.C.I. Project researchers had to rely upon the staff of B.C.I. and detectives assigned by the District Attorney's Office to gather the follow-up information on all subjects and were therefore not in the position to know or control whatever errors may have been made in the collection of data. Another source of bias may have been sentencing. Dismissed participants were the only subjects who were in fact back on the street and free for the possibility of rearrest. B.C.I. posts rearrests immediately but they are months behind in the disposition of Yellow Sheets. It is possible that a few members of both the control and the terminated groups were incarcerated as a result of the dispositions of their cases or detained for some of the time they were assumed to be free for the possibility of

Breakdown of Follow-up Information

The sample groups of Project participants were divided into two groups:

1. those who entered the Project during its initial 13 months of operation; and,
2. those who entered the Project during its 14-23 months of operation.

The reason for the grouping was to determine whether there was a decline in participant rearrest rates during the course of the Project's operation.

Presumably, participants entering the Project during its later stages had the benefit of developed expertise that did not exist in the early stages of operation. Rearrest rates for Project participants were measured over a period of 12 months following the dates each subject left the Project. Eighteen month recidivism rates were calculated for participants who entered the Project during its initial 13 months of operation. At the time the study was conducted, not all of the participants accepted during the Project's 14-23 months of operation had been out of the Project for 18 months.

The rearrest rates of control group members were measured over 12 and 18 months following the dates of their court contact during the three month period prior to the beginning of the Project.

For all groups, the nature of the rearrest charge was disregarded except when the offense involved narcotics. Although the Project's policy has always been to exclude narcotics offenders from participation, half of the dismissed and terminated participants included in the study (those accepted during the Project's initial 13 months of operation) were accepted during the time when one out of every four participants accepted was later found to have a "drug problem." Since the likelihood of repeated criminal activity is high among narcotics users, an effort was made to determine the extent to which rearrests for drug offenses contributed to the recidivism rates of each group.

Recidivism rates for all groups were calculated on the bases of the number and per cent of individual subjects rearrested.

Results

As can be seen in Table 1, the 12 month follow-up study of the rearrest rates of sample groups of Project participants and the control group revealed the following:

1. during the initial 23 months of operation, the rearrest rates for the dismissed group was about 50% less than that of the terminated and control groups (statistically significant beyond the .01 level with chi square test);
2. this difference is due primarily to the sharp decline in the rearrest rate of participants accepted into the Project during its 14-23 months of operation who succeeded in earning dismissals of their charges. During the initial 13 months, the dismissed group's recidivism rate was approximately 17% less than that of the control group, and only 32% less than that of the terminated group. However, during the 14-23 months of operation, the recidivism rate for the dismissed group was approximately 79% less than that of the control group and approximately 74% less than that of the terminated group (both are statistically significant beyond the .01 level with a chi square test).

Table 1
12 Month Recidivism Rates for Control,
Dismissed, and Terminated Groups

Date of Project Entry	Group	No. of Subjects	Individuals Rearrested	
			No.	Per Cent
	Control	91	29	30.1%
INITIAL 23 MONTHS				
	Dismissed	152	24	15.8%
	Terminated	62	19	30.8%
-- initial 13 months	Dismissed	76	19	25.0%
	Terminated	30	11	36.7%
-- 14-23 months	Dismissed	76	5	6.6%
	Terminated	32	8	25.0%

As can be seen in table 2, the 18 month recidivism rates for participants entering the Project during its initial 13 months of operation and the control group shows the dismissed group with a recidivism rate of almost half that of both the terminated and control groups, (statistically significant at the .01 level with a chi square test).

Table 2

18 Month Recidivism rates for the control group and participants entering the Project during its first 13 months of operation.

<u>Date of Project Entry</u>	<u>Group</u>	<u>No. of Subjects</u>	<u>Individuals Rearrested No.</u>	
	Control	91	36	39.5%
Initial 13 Months	Dismissed	76	19	25.0%
	Terminated	30	12	40.0%

As can be seen in table 3, the 12 months rearrest rates for drugs revealed the following:

- both dismissed and terminated participants accepted into the Project during its initial 13 months of operation showed a higher percentage of rearrests for drugs than dismissed and terminated participants accepted during the 14-23 months of operation;
- both dismissed and terminated participants accepted into the Project during its initial 13 months of operation were rearrested for drugs almost twice as often as members of the control group;
- the number of dismissed and terminated participants accepted into the Project during its 14-23 months of operation who were rearrested for drugs is too insignificant to make any valid comparison but is probably indicative of the Project's ability to more thoroughly screen out addicts during its later stages than during its initial months of operation.

12 Month Drug Recidivism Rates for the
Control, Dismissed, and Terminated Groups.

Date of Project Entry	Group	No. of Subjects	Total No. Rearrested	Individuals Rearrested for Drugs		
				No.	Per Cent	Percentage of those rearrested
	Control	91	29	8	8.8%	27.6%
Initial 23 Months	Dismissed	152	24	12	7.9%	50.0%
	Terminated	62	19	8	12.9%	42.1%
Initial 13 Months	Dismissed	76	19	10	13.2%	52.5%
	Terminated	30	11	7	23.3%	63.6%
14-23 Months	Dismissed	76	5	2	2.6%	40.0%
	Terminated	32	8	1	3.1%	12.5%

Limitations

Complete data was only available for 61.5% of the dismissed group initially selected as subjects, 62% of the terminated group, and 60.7% of the control group. The investigators were concerned about the representativeness of the sample participant groups and subsequently compared the study samples with the entire Project population on the following characteristics: ethnicity, marital status, age, and education. The results are presented below:

Table 4

Ethnicity

	Black	Puerto Rican	White	Other
Dismissed	41.4%	41.4%	13.6%	3.6%
Terminated	46.6%	34.5%	18.9%	0%
Total Project Population	50.2%	30.5%	3.2%	5.1%

Marital Status

	Married	Single	Widowed, Divorced, Separated
Dismissed	18.9%	79.7%	1.4%
Terminated	19.0%	77.8%	3.2%
Total Project Population	22.0%	74.8%	3.2%

Age

	Median	Range
Dismissed	19	16-41
Terminated	19	16-40
Total Project Population	19	16-44

Education

	Median	Range
Dismissed	10th grade	3 - 12
Terminated	10th grade	3 - some college
Total Project Population	10th grade	3 - some college

As can be seen in the chart above, the sample groups are generally representative of the total Project population. There is a somewhat lower percentage of blacks and other and a higher percentage of Puerto Ricans and whites in the sample groups than in the total group. Marital status, age and education completed are highly similar for all groups.

The control group was compared with the dismissed and terminated groups on charge and age.

Table 5

<u>CHARGES</u>	<u>CONTROL</u>	<u>DISMISSED</u>	<u>TERMINATED</u>	
Soft Drugs	5.5%	7.7%	5.3%	
Larceny	25.7%	24.7%	32.9%	
Assault	13.8%	8.8%	7.9%	
Burglary	13.8%	10.4%	9.2%	
Weapons	8.8%	5.6%	3.9%	
Disorderly Conduct	6.4%	11.5%	9.2%	
Resisting Arrest	7.3%	6.0%	3.9%	
Auto Offenses	1.8%	2.2%	5.3%	
Robbery	9.2%	11.5%	13.2%	
Forgery	0.9%	2.8%	1.3%	
Other	7.3%	8.8%	7.9%	
AGES	RANGE MEDIAN	16-38 22	16-41 19	16-40 19

As can be seen above, the groups were highly similar in terms of charges. The differential in arrest charges ranged from as little as 1.5% (Forgery) to no more than 8.2% (Larceny). The Control group was somewhat older than the sample groups (a median of 22 years for the control and 19 for the sample groups), a factor which would tend to favor the control group, since older defendants tend to be more stable than younger ones. However, the margin of difference between the groups with respect to age is not significant enough to create a substantial bias.

Three additional factors in the selection of the control group were beyond the investigators' control and may therefore be sources of bias:

1. Project participants are interviewed personally by Project screeners in order to more thoroughly determine eligibility;
2. Project participants are asked if they want to participate;
3. Project participants must be granted the court's permission to enter the Project.

None of these considerations could be applied to the Control group since they were selected solely on the basis of their court papers.

In summary, all of the sample groups are generally representative of the total Project participant population. No attempts were made to project adjustments for any factors since the differences were insignificant.

Conclusions

The follow-up study on the recidivism of dismissed and terminated Manhattan Court Employment Project participants and on a group of comparable defendants not diverted into the Project revealed the following:

1. recidivism was substantially reduced for the dismissed participant group in comparison to the terminated and control groups.
2. recidivism among terminated participants was approximately the same as among control members.

In addition, it is clear that a pre-trial intervention program of intensive manpower services needs to screen out potential drug arrestees or develop an appropriate pre-trial response to their addiction in order to significantly reduce the recidivism of its participants. Such a project also needs more than one year in which to develop expertise and demonstrate its capabilities.

Cost-Benefits

The cost of operating the Manhattan Court Employment Project during its three-year demonstration phase was \$950,823.00. During this time, a total of 1300 participants were given the opportunity to benefit from the Project's services. The average cost per participant was therefore \$731.

Six hundred seventy-four participants did not complete the program successfully and were terminated from the Project. No direct, measurable benefits were accrued as a result of their involvement in the Project, although some may have benefited indirectly. On the other hand, 626 participants completed the program and had their charges dismissed. The average cost of the Project per dismissed participant was thus \$1518.

Since a satisfactory vocational adjustment (which usually means achieving full-employment) is, in most instances, a prerequisite for receiving a dismissal of charges, the

earnings of dismissed participants constitute the major economic contribution of the Project. Other economic benefits which were accrued but which cannot be calculated with precision include the following:

1. the recidivism benefit, i.e., the savings to the courts and the community as a result of fewer re-arrests among dismissed Project participants as compared to terminated participants and control group members; and
2. the Project's internal benefits to its staff, i.e., the fact that the Project employs persons who are highly discriminated against (ex-addicts and ex-convicts) and offers counseling and vocational services to relatives of Project participants.

Earnings

Wages can be assumed to be a useful measure of the Project's contribution to not only its dismissed participants but also the community. Although it may be argued that the employment gains of participants who were unemployed at the time they entered the Project were made, in part, at the expense of reduced opportunities for others, it must be remembered that Project participants would be highly likely to continue to be unemployed if convicted and would be highly likely to recidivate as well.

The estimated annual wages of dismissed participants "before" and "after" Project participation were calculated. The resulting increases in earnings were due to the increased wages of participants who were employed at entry and, to the earnings of participants who were unemployed at entry but who achieved employment as a result of Project efforts. These calculations appear in Tables 1, 2, and 3 and are summarized in Table 4.

Table 1

Estimated Annual Earnings of First-Year Dismissed Participants "Before" and "After" Project Participation

Annual Wages	First Year "Before" No. Participants	Total \$	First Year "After" No. Participants	Total \$
\$7020	1	\$7020	3	\$ 21,060
6500	0	----	5	32,500
5980	1	5980	8	47,840
5460	1	5460	12	65,520
4940	1	4940	18	88,920
4420	2	8840	23	101,660
3900	4	15,600	11	42,900
3380	7	23,660	7	23,660
2860	2	5720	6	17,160
TOTAL*	19	\$77,220		\$ 441,220

*Complete salary information was unavailable for some dismissed subjects.

Table 2

Estimated Annual Earnings of Second-Year Dismissed
Participants "Before" and "After" Project Participation

Annual Wages	Second-Year "Before" No. Participants	Total \$	Second-Year "After" No. Participants	Total \$
\$7020	1	\$ 7,020	6	\$ 42,120
6500	1	6,500	4	26,000
5980	4	23,920	9	53,820
5460	1	5,460	6	32,760
4940	7	34,580	29	143,260
4420	11	46,620	26	114,920
3900	17	66,300	31	120,900
3380	17	57,460	14	47,320
2860	6	17,160	4	11,440
Total		\$ 265,020		\$ 592,540

*Complete salary information was unavailable for some dismissed subjects.

Table 3

Estimated Annual Earnings of Third-Year Dismissed
Participants "Before" and "After" Project Participation

Annual Wages	Third-Year "Before"		Third-Year "After"	
	No. Participants	Total \$	No. Participants	Total \$
\$7020	3	\$ 21,060	6	\$ 42,120
6500	6	39,000	6	39,000
5980	8	47,840	20	119,600
5460	11	60,060	12	52,280
4940	18	88,920	26	128,440
4420	23	101,660	36	159,120
3900	11	42,900	29	113,100
3380	7	23,660	9	30,420
2860	6	17,160	3	11,580
<hr/>				
TOTAL*		\$ 442,260		\$ 695,660

*Complete salary information was unavailable for some dismissed subjects.

Table 4

Summary of Estimated Annual Earnings of Dismissed Participants

	<u>First Year</u>	<u>Second Year</u>	<u>Third Year</u>	<u>Total</u>
AFTER	\$ 441,220	\$ 592,540	\$ 695,660	\$ 1,729,420
BEFORE	77,220	265,000	442,260	784,500
INCREASE	\$ 364,012	327,520	253,400	\$ 994,932

Since about 80 per cent of dismissed participants tend still to be employed 14 months after leaving the Project, a 20 per cent reduction in the total estimated increase is more than adequate as a correction factor. Thus a conservative estimate of the total salary increase would be \$795,946. Even if there were a 50 per cent loss of employment 14 months after leaving the Project, the total estimated increase would be \$497,466 and the total earnings benefit would be \$1,281,966, which far exceeds the operating cost of \$950,823.00.

Recidivism Benefit

As previously explicated, Project participants who received dismissals of charges were rearrested at statistically significant lower rates than either terminated participants or control group members. Furthermore, there was a steady decrease in the rate of rearrest among dismissed participants during the Project's three years of operation: 25 per cent for the first year; 6.6 per cent for the second; and less than 3 per cent for the third. (See Chapter 6, Recidivism)

At the same time, the number and percent of participants who completed the program successfully increased steadily: 39 per cent during the first year; 46 per cent during the second; and 61.5 per cent during the third year.

If it is assumed that the Project was largely responsible for the low incidence of rearrests among its dismissed participants, then it is possible to estimate the number of dismissed participants who would have been rearrested

(on the basis of the rearrest rates of the terminated and control populations or approximately 30 per cent) had they not had the benefit of Project services:

Table 5
Expected¹ and Actual² rearrest Rates for Dismissed Participants

	First Year No.	Second Year No.	Third Year No.	Total No.
Expected	53	62	74	189
Actual	43	14	7	64
Decrease	10	48	67	125

¹Expected at the 30% rate found for those who did not successfully complete the program and those not diverted into the Project.

²Actual based on the 25% rate for the first year, the 7% rate for the second year, and the 3% rate for the third year.

As can be seen in Table 5, it is highly likely that the Project was responsible for eliminating at least 125 arrests.

If the past records are used for predicting the probable charges for these arrests, about 65 per cent would have been misdemeanors, about 30 per cent would have been felonies and about 6 per cent would have been violations.

No precise economic calculations can be made to determine the extent of this recidivism benefit. Although the costs of the crimes to the victims might be calculated (about half of the dismissed participants were originally arrested for property-related crimes), it would be inaccurate to assume that the costs of operating the courts, police protection, prisons and probation programs would be reduced directly by the estimated 125 "saved" arrests. However, there are savings in these areas which can be identified if not precisely calculated. For example, the savings in the costs of pre-trial detention (based on an average stay of 30 days at \$12 per day) for 125 arrestees would be \$45,000. And although it is difficult to predict how many of the "probable" rearrests would have resulted in convictions and subsequent prison, parole and probation time, it is clear that

costs in these areas, were not incurred as a result of the Project's ability to significantly reduce the recidivism rates of its dismissed participants. Savings in these areas, however, would only become substantial if pre-trial diversion projects with a demonstrated ability to reduce recidivism were to become the rule rather than the exception in the judicial process.

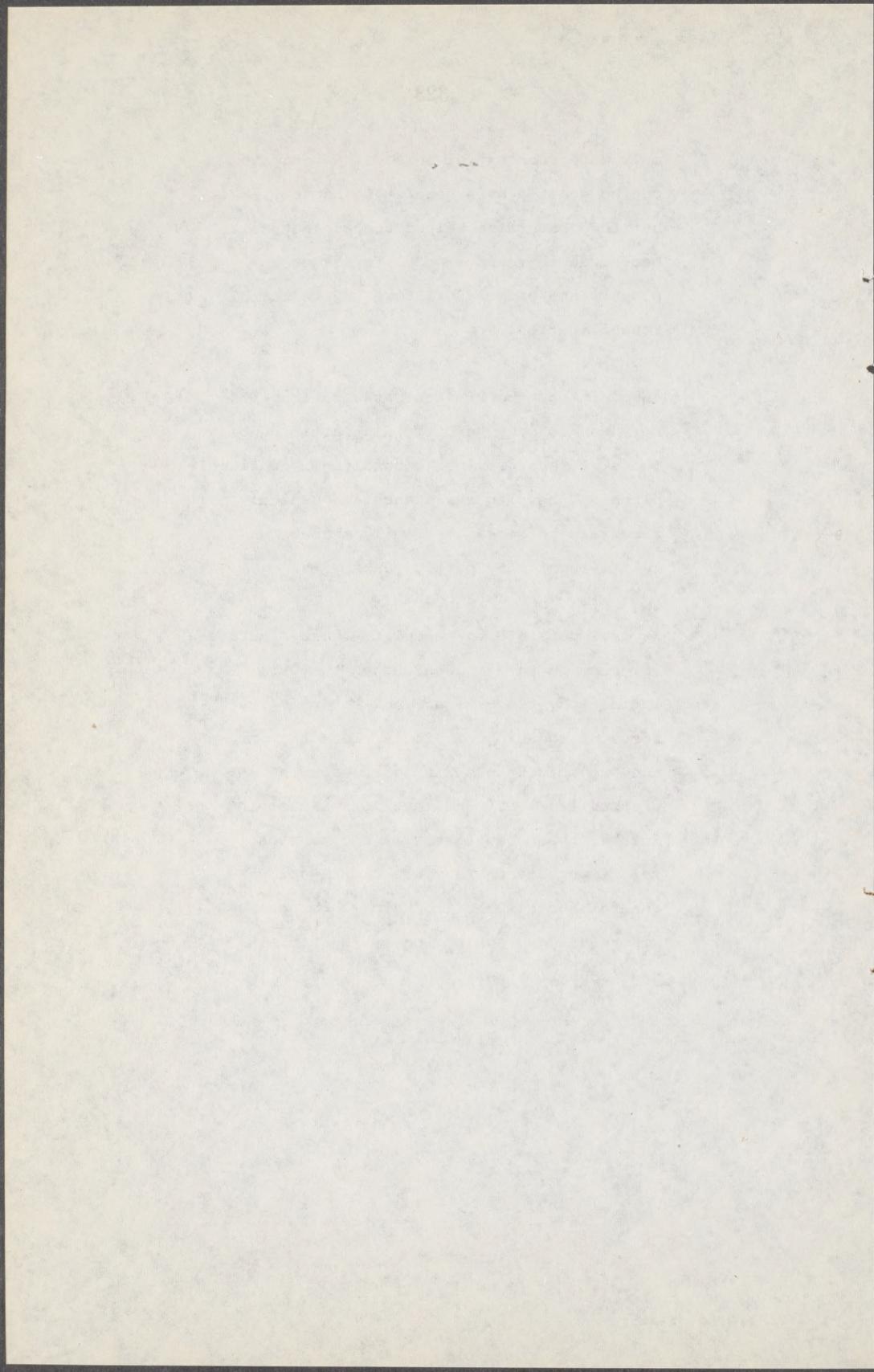
Internal Benefits

The Project itself employs many individuals whose life experiences and backgrounds would otherwise preclude or severely hamper their ability to achieve economic and social stability. During the Project's three years of operation, 20 non-professional ex-addicts and ex-convicts have been employed as counselors, the vast majority of whom left the Project to go on to other legitimate occupations as counselors or administrators in other agencies. These individuals have not

only made substantial personal gains which can be counted as a benefit to society, but they have also helped the Project to become an impressive model for other employers and officials interested in social rehabilitation.

In addition, the Project has also lent its services to many "unofficial" participants. The staff has provided counseling, vocational planning, housing assistance and medical referrals to immediate family members and relatives of many participants.

It is impossible to calculate these benefits in economic terms and although they are indirect by-products and not the primary focus of the Project, it is clear that as the Project expands its operations and increases its staff and level of participant intake, these benefits will become even more impressive. They are clearly of general social benefit and must be considered in any evaluation of the social and economic benefits of the Project.



SPECIAL PROBLEMS

CHAPTER 7

SPECIAL PROBLEMS

Narcotics Addicts

Project administrators knew that addicts would have difficulty committing themselves to the Project's goals -- particularly employment. Addicts generally cannot meet responsibilities beyond satisfying their habits. If the Project were to admit them, it would take the risk of their being rearrested for crimes committed to support their needs -- the costs of which cannot be covered by any salary job the Project can offer them. Experts trained in drug use also point out that addicts who are allowed to focus on anything except their need for treatment want to think that they can get along simultaneously in the straight and addict's world. For these reasons, the Project's first rule was: Don't take a defendant into the Project if you think that he is an addict. The screening criteria excluded any defendant who had been arrested at any

time for possession or sale of drugs or drug apparatus, regardless of the disposition of the case. The Project also excluded any defendant who admitted he was an addict or who showed signs of addiction during his interview with a Screener or Rep.

There is a staggering proportion of addicts in the general court population and so it was inevitable that some would be taken into the Project inadvertently. Nevertheless, it was a shock to find out that one out of every four defendants who came through the Project's screening process was later found to be using drugs to an extent that impaired his participation in the Project. Participant drug use is discovered in many ways: most tell their Rep; many are visibly addicted; some are identified by their parents; those who are unable to keep appointments or who disappear usually turn out to have a drug problem. Calling all of these participants "addicts" may be inaccurate -- there are substantial variations in how

often they use drugs, what drugs they use, and how they take them. But whether they are called serious drug users or addicts, they have a drug problem -- which from the Project's point of view overshadows everything else about them.

Although the Representative staff visited most of the drug treatment centers in the City during their training period, the Project had not formulated a policy for dealing with addicts, mostly because it did not expect to have to deal with very many of them. At first the staff tried to help them kick their habits without entering treatment centers. Many continued to be referred to places of employment after their addiction had been discovered. This practice was discontinued when it became obvious that they were unable to hold a job and that their condition had not been helped by the experience.* But when the Project

*Because of the faster referral now of participants to Career Development, some are placed in jobs before they are discovered to be addicts. Their poor rate of job retention almost always relieves us of having to choose whether to protect their job or warn their employer. A known addict is never referred to employment. A suspected addict who insists he is not addicted and insists he wants a job is referred.

decided to refer them to treatment centers it had difficulty getting them admitted. Only recently and after considerable negotiation with the directors of these treatment centers has the Project been able to insure a fairly prompt admission for its participants -- at least for those who want help. Drug addiction programs in the City screen heavily for motivation. The addicts coming into the Project are randomly selected and predictably few want to shake their habits.

Throughout the three-year demonstration phase, the staff has devoted disproportionate amounts of time to working with addicted participants. Fifteen to twenty per cent of those who have been identified have entered treatment centers -- though few have completed their residency. Some have given up their use; some have decreased their use; more have been forced to admit they have a problem. By Project standards of success, however, the staff feels that they have been of minimal

assistance. Addicts have received one-fifth as many dismissals as other participants. Having realized its inability to respond effectively to addicts, the Project has tried to screen them out as often as possible. Screeners, with the aid of the ex-addict Representatives, ^{and} have been able to reduce the addicted population considerably. Currently, only one out of every twelve defendants coming into the Project is later found to have a drug problem. At the same time, however, the Project's increased ability to detect addiction has permitted expansion of the eligibility criteria to include less serious drug users. There are considerable differences between the heroin addict and the occasional marijuana smoker. The staff's inability to respond to the former no longer excludes the latter from consideration. The staff's judgment that they could work successfully with occasional drug users without increasing the addicted population has

proven correct. The Reps are still prepared to make a substantial commitment to an addict although they are pessimistic about the Project's ability to work successfully with addicts. But as Reps have pointed out, if they give up, no one else will be there to help. This theme has recurred in the staff's thinking since it first became aware of the magnitude of the drug problem. An early attempt to set up a treatment program within the Project failed because the staff did not screen adequately for motivation. But they are acutely aware of the need to develop a meaningful response to addicts and are actively engaged in designing a treatment program for them within the criminal justice system.

Women

As mentioned in Chapter 2, the eligibility criteria has been expanded to admit certain female defendants. The initial decision to exclude them reflected Project

administrators' general desire to keep the Project's variables as few in number as possible until the Project knew what it was doing. Once the staff became reasonably competent, however, they realized the necessity and challenge of developing an effective response to female defendants.

In the summer of 1970, a two-week survey of females arraigned in the Manhattan Criminal Court was conducted. Researchers examined their court papers and interviewed them in the detention pens. Of the 586 arraigned in weekday court during that period, approximately 12 were found eligible by existing criteria standards. Most were ineligible because of prostitution or drug charges. It was determined, however, that the Project could take in 5 - 6 females per week who were eligible and willing to participate. Shortly thereafter, two female Reps were hired, training begun, and intake procedures

inaugurated. Since that time, an average of 3-4 female participants have been admitted into the Project each week.

The admission of females required the Project to develop liaisons with many more outside agencies than previously. The Project has established access to day-care centers, abortion clinics and pre-natal care programs. The Project's counseling program has been modified to accommodate the special needs of females. The women who have been admitted tend to see their problems in a more intensely personal way and are less concerned with employment or careers. The Project's approach has been successful to date: 8 of the 13 female participants have received dismissals. The Representative staff is currently experimenting with co-ed groups. Since many of the participants' problems are tied to their inability to relate fully and openly to other human beings, the co-ed setting encourages them to explore these problems in a more real life situation.

CONCLUSION

The Project has extended its horizons in many directions since the first days of operation. But its essential goal has been and continues to be to demonstrate that intervention before trial can change a defendant's life and help him to become more socially productive. It is still too early to determine the Project's long-range effects on participants but preliminary findings have been encouraging and have led Project staff, New York City officials and approximately twelve communities beyond New York to conclude that for select defendants, a program of counseling and employment in lieu of trial is worth continuing. It is the Project's hope that it can continue to demonstrate the efficacy of this approach and that those engaged in similar efforts will benefit from its experiences and succeed as it has.

EPILOGUE

In November, 1970, the Manhattan Court Employment Project ended its three-year demonstration phase under the aegis of The Vera Institute of Justice with funding from the United States Department of Labor. The City of New York and the District Attorneys of the four larger city counties asked the Project to continue and to expand its operations. The Project became incorporated on December 1, 1970, and its services contracted to the City of New York. Since then the Project has more than doubled the size of its operations in Manhattan, extended its services to Brooklyn and the Bronx, and hopes to operate in Queens by the beginning of 1973. The Project continues to receive the support of the Mayor as well as other city and court officials.

Remarks by

Edwin S. Jorge, National Deputy Director

June 19, 1972

NATIONAL PUERTO RICAN FORUM, INC.

Repeated riots and frequent accounts of poor conditions have focused public attention on the New York City correctional facilities and the correctional system itself. The news media have documented prison conditions in the City's institutions, and the recent revolt at the New York State Correctional Facility at Attica served to increase national public awareness about penal institutions.

As a result there have a myriad of reports suggesting ways to improve conditions and institute significant programs of reform and rehabilitation.

One such report published recently is that of the Subcommittee on Penal and Judicial Reform. In this forty-seven page report specific problem areas are identified, ranging from lack of adequate sanitary facilities to the number of inmate deaths through suicide. The report contains evidence for reforms in all New York City correctional facilities, and its appended 17-page proposal amendment to the administrative code of the City of the New York is an indication of the extent that such reform is needed.

The Subcommittee provides substantial documentation regarding the need for legislative reforms in: recreational facilities, libraries, punitive measures, overcrowded conditions, detoxification programs and others. But absent from the

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Subcommittee's report is recognition of the various inmate communities in New York City correctional institutions; the differing experiences and needs of such communities; and significant recommendations to provide programs of rehabilitation for these diverse populations. In the total sixty-four page report there are only three brief reference to the Puerto Rican inmates who represent over 20% of the daily population in the New York City correctional institutions.

Chief among the problems of the Puerto Rican is that of "identity," and that problem is carried into the correctional facility, intensified beyond imaginable limits, and the end product is one of suspicion, distrust and eventually a return to crime.

The problems of identity can be traced to 1917 when the Puerto Rican became a citizen of the United States, nearly two decades before the great wave of migration began post World War II. Being both a citizen and Spanish-speaking prior to arrival, he rightly did not view relinquishing his language and traditions as down payment for citizenship, as did former immigrant groups. Consequently, he remained isolated from the mainstream of urban life for a longer time.

The Puerto Rican's status as migrant has prevented the development of a cohesive stable community structure. Although many small Puerto Rican clubs and organizations have developed over the years, they have never achieved the formalized political influence characteristic of the original immigrant population

III

that allowed them to better conditions within their communities. The result has been continued despair and a sense of helplessness on the part of the Puerto Rican population in New York City as well as in other cities in the United States.

That despair and helplessness is furthered by the our educational institutions which have failed to recognize the Puerto Rican's culture and language and in so doing do not prepare him adequately for a meaningful role in society. Our correctional institutions, whose purpose is ostensibly to "reform," magnify his feelings of isolation and inferiority through lack of understanding. An example of such lack of understanding can easily be seen in the attitudes and conditions currently prevailing in New York City correctional facilities.

In his first encounter with a correctional institution, the Spanish-speaking prisoner experiences complete frustration at not being able to communicate. Referred to a house of detention, he is given a medical examination; to a sentence institution he may undergo psychological testing, and may even be counseled--all of which is usually done in English. Also, a battery of tests given to him to determine his qualifications for manpower training programs are offered only in English, thus

IV

automatically disqualifying the non-English-speaking. Similarly, the pre-release work programs, which attempt to train and place inmates in job outside the institutions while they serve sentences, are again out of reach of the Spanish-speaking, and upon release, he has learned no new skill and is forced to return to a low-paying laboring position.

During his initial detention period the non-English-speaking prisoner is faced with an even more serious problem--that of making himself understood and understanding the charges against him as well as his legal rights. Following his appearance before a judge, he is ~~sent~~^{Sent} to one of the 21 court pens in the City where he meets his first representative of the corrections department--the corrections officer.

Although it is estimated that from 20-25% of the inmates in New York City correctional institutions are from Hispanic backgrounds, and that the majority of these are unable to communicate adequately in English, there are few correction officers who can communicate in the Spanish language.

Of the more than 2,600 male correction officers currently employed by the New York City Department of Corrections, only 110 are of Hispanic background and speak Spanish. Thus, only 4% of the male correctional officer force is Spanish-speaking, while 20% of the total prison population (more than 13,500) are ^(Spanish speaking). An even greater disparity is noted in the breakdown of female

corrections officers at the New York City Correctional Facility for Women at Rikers Island where, of a total of 241 correction officers, only three (3) are of Hispanic background .

The "language problem" also leads to other inequities for the Spanish-speaking inmate. Relatives of the Spanish-speaking inmate are often delayed or not allowed to visit, as their proof of identification--marriage licenses, birth certificates or other means of identification--are in Spanish and therefore not acknowledged by the English--speaking corrections officer as valid.

The absence of Spanish language training programs, correctional and counseling staff who can relate to the inmates culture as well as language, and visits from family or relatives all add to feelings of helplessness and despair, often causing irreparable psychological damage. The results of such feelings may well be a related cause of some sixty deaths by suicide among Puerto Ricans during the past twelve years.

The Puerto Rican Forum recognizes that there are educational and training programs currently being offered at the Corrective Facilities on Rikers Island. It is also aware that Spanish and English classes are held two hours a day for those interested in learning a second language. From its study,

however, it believes that much more can and should be done to "motivate" an interest in learning and that its experience in the programmatic areas explained herein, qualifies it to carry out a program of meaningful rehabilitation for the Puerto Rican population in New York City Correctional Institutions.

BOARD OF EDUCATION
OF THE CITY OF NEW YORK
110 LIVINGSTON STREET
BROOKLYN, N. Y. 11201

HARVEY B. SCRIBNER
CHANCELLOR

June 15, 1972

Honorable Jacob K. Javits
Senator from the State of New York
Committee on Labor and Public Welfare
110 East 45th Street
New York, New York 10017

Dear Mr. Javits:

Re: SENATE SUBCOMMITTEE ON EMPLOYMENT, MANPOWER AND
POVERTY HEARING, FRIDAY, JUNE 16, 1972, 10:30 A.M.,
RIKERS ISLAND, NEW YORK, WITH FOCUS ON S.2962

I am in receipt of your cordial invitation to participate in the above-referenced hearing at Rikers Island, New York, on June 16, 1972. However, due to previous commitments, I am unable to attend. Thank you for asking me.

You and your committee are to be highly commended on Bill S.2962 which is an excellent and urgently needed amendment to the Manpower Development and Training Act of 1962. The Bill is especially significant in view of the volatile atmosphere in many correctional institutions throughout the Nation.

As you know, with your support, the Board of Education, through its MDTP, has conducted several manpower training projects on Rikers Island. In fact, at the present time, the Board's MDTP is conducting an effective training project for inmate trainees which is funded by MDTA until August 11, 1972. A prospectus has been submitted to the New York State Departments of Labor and Education for a more comprehensive project that is scheduled to begin on August 14, 1972 through September 14, 1973 to train at least 400 inmate-trainees. This proposed project will provide for inmates to receive training in MDTP facilities located on Rikers Island during their period of incarceration, but with the added opportunity to complete their training after release in Board of Education/MDTP skills centers on the mainland.

It might be significant to note that the New York City Parole Commission (now the New York State Parole Commission) has also been involved in these MDT Programs since the first project was funded on October 11, 1965. In support of the ultimate effectiveness of education in correction institutions, it is interesting to note from a report issued by that Commission in February, 1967 that

Honorable Jacob K. Javits

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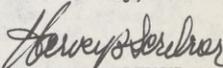
June 15, 1972

a follow-up of 222 former MDTP trainees from Rikers Island Project, who had been in the mainland community for an average of 8½ months, had a recidivism rate of about 20% as compared with an expected 50 to 70%. There was a 90% employment placement record for that group. Nevertheless, despite the documented success of MDT Programs at Rikers Island, since the first project in 1965, MDTP has been plagued with some 38 months of inactivity due to failure of funding of programs for inmates at that institution. This lack of continuity in funding may well be the greatest deterrent and disability in the rehabilitative processes.

The "Comprehensive Correctional Training and Training Act" introduced by you and your colleagues appears to thoroughly meet the challenges for the President's Task Force on prisoner rehabilitation as stated in the Congressional Record, Vol. 117, No. 190."work experiences for institutionalized offenders including vocational and pre-vocational training when needed, and the assurance of decent jobs for released offenders, could be at the heart of the correctional process." Given the support of this viable legislation, correctional and training institutions will be able to effectively attain the principal objective of the correctional system in the United States by providing total rehabilitation in order to benefit the Nation, and return ex-inmates to society armed with valuable skills and knowledge that equips them to compete and become productive citizens. We are indeed fortunate that you have chosen to give your support to this vital piece of social legislation.

I regret that I am unable to be present for the hearing. However, I do know that Mr. O'Daniel, the Director of our Manpower Development Training Program, and Mr. George Quarles, the Administrator of our Career Education Program, are both present and will be prepared to answer any questions or provide you with any additional information that may be required.

Sincerely,


HARVEY B. SCRIBNER
Chancellor

HBS:ej

ALLIANCE FOR A SAFER NEW YORK

REC'D JUL 14 1972

July 13, 1972

Senator Jacob K. Javits
New Senat Office Building
Washington, D.C. 20510

Dear Senator Javits:

In response to your request, the Alliance for a Safer New York is happy to submit the following statement, for the record, concerning S.2962, the Comprehensive Correctional Training and Employment Act.

One of the integral parts of the Alliance for a Safer New York program has been to bring together business groups, labor unions, and those working to provide supportive services to the ex-offender in order to find new ways to open up jobs for the ex-offender. We feel strongly that legislation must be changed to remove the civil disabilities that often prevent ex-offenders from even applying for jobs. We also believe that the community-at-large must be made to realize that it is in their self-interest to employ the man or woman who has already paid his debt to society in order to provide him with alternatives to a life of crime. Similarly, it is in their self-interest - because rehabilitation is more effective - to support community-based facilities, work-release, and pre-trial assistance in lieu of incarceration. We are also aware of the dearth of training programs within correctional institutions and of the fact that too many of them - even when they are available - are totally irrelevant to the jobs that exist in free society.

We therefore see S.2962 as a valuable potential breakthrough in "formulating (and financing) a national effort through which public resources and private efforts may be combined to improve opportunities for offenders, to increase the effectiveness of the correctional process and to better serve the nation by reducing recidivism." The expenditure of \$340,000,000 over a three-year period, would go a long way towards meeting the dimensions of this problem.

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We would hope that the current pilot program, funded by the Department of Labor, in seven cities, to provide pre-trial manpower, training and employment opportunities will be expanded under this act, as well as providing expansion of similar services for confined inmates. The importance of having this training in real work situations with up-to-date equipment cannot be over emphasized. We also strongly urge that training programs be tied in with arrangements for subsequent employment in both the private and public sectors. We also agree that a reallocation of the available funds used in corrections is essential to provide a larger percentage for training and educational programs rather than solely for security and custodial services.

We sincerely hope that the Senate will proceed to enact the Comprehensive Correctional Training Employment Act as promptly as possible, to indicate a Federal commitment to deal with the serious problem of recidivism and that a similar bill will be introduced and passed in the House of Representatives. State and local governments can no longer bear the major burden of correction and offender rehabilitation - traditionally a low priority, partly due to strain on state and local finances.

The Alliance, which is in the business of building broad community support in New York for meaningful reforms of the criminal justice system, will be happy to lend its support in whatever way possible to the efforts embodied in S.2962. The community must be made to see that this is in no way to be construed as "coddling criminals," but rather a protection of the public by enabling those convicted of crimes to be given alternatives to a return to a life of crime.

Cordially,

Donald H. Goff
Donald H. Goff
Chairman

DHG/sms

JAMES JORDAN
COMMISSIONER
ROBERT W. MCCOLLEY
DEPUTY COMMISSIONER



ROBERT J. LALLY
SECRETARY
LEIGHTON W. DUDLEY
DEPUTY SECRETARY -
CORRECTIONS

MARYLAND

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES

DIVISION OF CORRECTION

920 GREENMOUNT AVE. BALTIMORE, MD. 21202
PHONE: 383-4590

REC'D JUL 11 1972
July 13, 1972

Hon. Jacob K. Javits
United States Senator
Committee on Labor and Public Welfare
Washington, D.C. 20510

Dear Senator Javits:

In response to your letter, this is to formally state that I am in complete accord with the legislation as proposed in Senate Bill 2962.

Having been in corrections for the last 14 years, I have felt--and still feel--that one of the greatest contributors to recidivism is the lack of financial assistance which would provide for special and intensive manpower training and employment programs for those persons in our correctional system. I strongly endorse the community corrections concept and here, again, it must be realized that assistance similar to that referred to above is essential at the early stages of the criminal spectrum if we are to provide intervention measures at a time when it can be most meaningful.

At the present time, one of our most successful programs is in the printing industry wherein inmates are allowed to learn the printing trade and are accepted into the union upon completion of certain basic apprenticeship programs. With sufficient financial assistance, similar programs could probably be developed in other areas.

If there is any additional information you need, please do not hesitate to contact me.

Sincerely yours,

James Jordan
James Jordan
Commissioner

JJ:jms2

JAMES JORDAN
COMMISSIONER
ROBERT W. MCCOLLEY
DEPUTY COMMISSIONER



ROBERT J. LALLY
SECRETARY
LEIGHTON W. DUDLEY
DEPUTY SECRETARY
CORRECTIONS

MARYLAND

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES

DIVISION OF CORRECTION
920 GREENMOUNT AVE. BALTIMORE, MD. 21202
PHONE: 383.4590

June 22, 1972

Mr. John K. Scales
Minority Counsel
Subcommittee on Employment, Manpower
and Poverty
Room 4222 New Senate Office Building
Washington, D.C. 20510

Dear Mr. Scales:

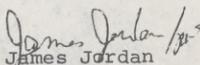
In response to a letter recently received from the Hon. Jacob K. Javits, United States Senator, this is to formally state that I am in complete accord with the legislation as proposed in Senate Bill 2962.

Having been in corrections for the last 14 years, I have felt--and still feel--that one of the greatest contributors to recidivism is the lack of financial assistance which would provide for special and intensive manpower training and employment programs for those persons in our correctional system. I strongly endorse the community corrections concept and here again it must be realized that assistance similar to that referred to above is essential at the early stages of the criminal spectrum if we are to provide intervention measures at a time when it can be most meaningful.

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If there is any additional information you need, please do not hesitate to contact me.

Sincerely yours,


James Jordan
Commissioner

JJ:jms2

GOVERNMENT OF THE DISTRICT OF COLUMBIA



DEPARTMENT OF CORRECTIONS
Suite 1114
614 H Street, N.W.
Washington, D.C. 20001

Office of The Director

REC'D JUL 17 1972

July 13, 1972

Honorable Jacob Javits
United States Senate
Washington, D. C. 20510

Dear Senator Javits:

This is in response to your June 5, 1972, letter requesting a statement for the record concerning Senate Bill S.2962 - To amend the Manpower Development and Training Act of 1962.

The attached statement reflects the feelings of correctional officials and treatment personnel in the Department of Corrections, District of Columbia, toward this legislation.

Sincerely,

A handwritten signature in dark ink, appearing to read "Kenneth L. Hardy", written over the typed name and title.

Kenneth L. Hardy
Director

Encl.

REVIEW OF A BILL S.2962 TO AMEND THE MANPOWER DEVELOPMENT
AND TRAINING ACT OF 1962

Bill S.2962 introduced in the senate of the United States on December 7, 1971, by Mr. Javits, Mr. Hart, Mr. Bayh, Mr. Brooke, Mr. Burdick, Mr. Cranston, Mr. Eagleton, Mr. Jackson, Mr. Kennedy, Mr. McGovern, Mr. Mondale, Mr. Muskie, Mr. Nelson, Mr. Pell, Mr. Percy, Mr. Randolph, Mr. Stafford, Mr. Stevenson, and Mr. Tunney for the purpose of providing financial assistance for a special Manpower Training and Employment program for criminal offenders and for persons charged with crime, and for other purposes, is legislation that will be helpful to correctional administrators.

Correctional officials and treatment personnel in the Department of Corrections, District of Columbia, are especially interested in the key provisions of the bill which provide for pre-trial manpower training and employment opportunities as well as provision for manpower training and related services during confinement in institutions where some inmates do not now have the opportunity to make maximum use of their time. While activities in both of the above areas are currently conducted in institutions of the Department, funding limitations restrict the number of inmates that may become involved.

Recent appropriations by Congress for the development of the Lorton Master Plan provide for the construction of several institutions. Meaningful programs and supportative services must be provided for the youth, women and men who will be assigned to these institutions. Additional resources will

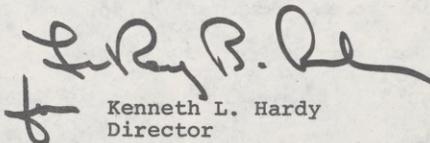
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be needed to properly finance necessary programs.

The majority of offenders in our institutions are for the main undereducated and unskilled and have acquired too few of the competencies necessary to compete in today's job market. General disenchantment with past school experiences, and too limited vocational education offerings for youth and adults tend to contribute to the problem. The lack of appropriate counseling, little knowledge of the labor market demands, limited understandings of what employers expect, further compound problems of our offenders.

Other critical problems with respect to education and training needs of offenders and with which our institutions are confronted are: inadequate provisions for health and recreational needs; too little guidance and counseling of offenders; limited staff; insufficient laboratories, classrooms, shops space and equipment; few adult basic education classes, academic and vocational education offerings; community isolation and rejection; limited placement of offenders and jobs, and out-dated programs unrealistic to expanding labor market areas.

Provisions of S.2962 will do much to help solve these and other problems which place demands on those in charge of designing policies, procedures and programs to alleviate burgeoning needs.



Kenneth L. Hardy
Director
D. C. Department of Corrections



DELAWARE COUNCIL ON CRIME AND JUSTICE, INC.

701 SHIPLEY STREET • WILMINGTON, DELAWARE 19801 • TELEPHONE 658-7174

July 13, 1972

Senator Jacob K. Javits
United States Senate
Washington, D.C. 20510

REC'D JUL 17 1972

Dear Senator Javits:

This letter is being directed to your attention to support S. 2962, the Comprehensive Correctional Training and Employment Act. In order to facilitate the situation, I would like to make my comments brief and to the point.

First, I would like to indicate support of S. 2962 and further add that I was quite pleased to see such a bill as an amendment to the Manpower Development and Training Act of 1962. Having been a Manpower Research Analyst assigned to the MDTA program in its first days, I feel I can speak with some authority as to the appropriateness of the Comprehensive Correctional Training and Employment Act as Title III of the MDTA of 1962.

Second, I would strongly suggest that, either in the legislation itself or as a first order of business in policy establishment once S. 2962 becomes law, priority be given to those individuals who are released from correctional facilities. Again, for the sake of brevity, those in the corrections field are painfully aware of the critical time period from the day a man is released through his first year in the community. Further, our Council recently polled 50 states and found that the primary resource allotted to a man or woman upon release from an institution is, for all practical purposes, the old stereotype of a prison suit and \$10, and many are fortunate if they receive that.

Thank you for your attention.

Very truly yours,

Jean J. Schneider
Executive Director

JJS/rrg

EXECUTIVE DIRECTOR
Jean J. Schneider

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Mrs. Henry W. Clark
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The Rev. Felton E. May
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Anderson Smith
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Mrs. Theodore Whitehurst
Mrs. Elton N. Woodbury



DELAWARE COUNCIL ON CRIME AND JUSTICE, INC.

701 SHIPLEY STREET • WILMINGTON, DELAWARE 19801 • TELEPHONE 658-7174

June 16, 1972

Mr. John K. Scales
 Minority Counsel
 Subcommittee on Employment, Manpower and Poverty
 Room 4222, New Senate Office Building
 Washington, D.C. 20510

Dear Mr. Scales:

This is in response to the notice from the U.S. Senate Committee on Labor and Public Welfare dated June 5, 1972, regarding S. 2962, the Comprehensive Correctional Training and Employment Act. Due to the shortness of time, I will make my comments brief.

First, I would like to indicate support of S. 2962 and further add that I was quite pleased to see such a bill as an amendment to the Manpower Development and Training Act of 1962. Having been a Manpower Research Analyst assigned to the MDTA program in its first days, I feel I can speak with some authority as to the appropriateness of the Comprehensive Correctional Training and Employment Act as Title III of the MDTA of 1962.

Second, I would strongly suggest that, either in the legislation itself or as a first order of business in policy establishment once S. 2962 becomes law, priority be given to those individuals who are released from correctional facilities. Again, for the sake of brevity, those in the corrections field are painfully aware of the critical time period from the day a man is released through his first year in the community. Further, our Council recently polled 50 states and found that the primary resource allotted to a man or woman upon release from an institution is, for all practical purposes, the old stereotype of a prison suit and \$10, and many are fortunate if they receive that.

Thank you for your attention.

Very truly yours,

Jean J. Schneider
 Executive Director

JJS/rrg

EXECUTIVE DIRECTOR
 Jean J. Schneider

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STATE OF CONNECTICUT
DEPARTMENT OF CORRECTION
340 CAPITOL AVE. HARTFORD, CONNECTICUT 06106



JOHN R. MANSON
COMMISSIONER

June 21, 1972

Mr. John K. Scales
Minority Counsel
Subcommittee on Employment, Manpower and Poverty
Room 4222
New Senate Office Building
Washington, D.C. 20510

Dear Mr. Scales:

I wish to commend Senator Javits for his very forward looking bill recently presented to the Congress, Senate Bill 2962, the purpose of which is to amend the Manpower Development and Training Act of 1962 to provide financial assistance for a special manpower training and employment program for criminal offenders and for persons charged with crimes and for other purposes. I wish to go on record in support of this bill which will be acted upon by Senate and House members.

In reviewing the comments in the Congressional Record dated December 7, 1971, I feel that Senator Javits, in his wisdom, has narrated very well the many problems besetting correctional education and training. His support and encouragement of this bill, along with the 16 Senators who joined with him, would do much to insure the proper funding of the needed programs for correctional institutions through the United States.

Not only does this bill provide for training programs within the correctional institution, it also provides for much needed community participation in the correctional effort and the placement of former inmates in training and job programs on the outside, which should do much to reduce recidivism.

Most important in this bill is training tied in with the employment of the former offender, for it is through job replacement that the efforts of corrections will result in the redirection of inmates.

Much could be said in support of this bill, i.e. the provisions for work experience, work release, manpower training and supportive services, but Senator Javits in his presentation in December covered this in an excellent manner and I merely wish to commend him for his farsightedness and for his support of the efforts.

Very truly yours,

John R. Manson
John R. Manson
Commissioner

JRM:mth

cc: Senator Javits



EXECUTIVE CHAMBERS

HONOLULU

JOHN A. BURNS
GOVERNOR

July 19, 1972

Dear Mr. Scales:

While Hawaii's crime and convicted persons posture may be insignificant as compared with our larger sister states, nevertheless, Hawaii faces many of the contemporary crime problems that are found in larger states.

The early provisions of the Manpower Development and Training Act of 1962 only scratched the surface of providing resources to train the convicted offender in occupational fields that are relevant to the current work force needs of the community. S. 2962 has been reviewed carefully by our corrections staff and they can find no suggestions to improve upon it. The general provisions of the bill should give resource assistance to the training of the convicted offender in occupational skills that has for one reason or another been left undone by the community or its educational institutions.

In Hawaii, as elsewhere, two-thirds of the convicted felons in our correctional system have no salable skill that the reformed offender could use in sustaining himself as a free and law-abiding citizen. Every effort extended to provide behavioral changes and the adoption of an attitude that would assist in preventing further criminal acts goes for naught when the ex-offender finds himself in the community once again a second class citizen as it pertains to status, employment, and of course most important, a reasonable income.

While non-relevant vocational education has not proven to be too satisfactory, on the other hand, relevant occupational training where the trainee receives a commensurate salary, prestige, and status definitely have a bearing on the successful reintegration of the ex-offender to the community.

Page 2
July 19, 1972

The contents of S. 2962 appears to meet the minimal needs of providing occupational training. It is sincerely hoped that the bill will be passed in its present form with sufficient funding to make it effective.

I have forwarded copies of this letter to the Hawaii Congressional Delegation for their information, and I sincerely hope that their endorsement along with my own will be of assistance in passing this legislation.

With warm personal regards. May the Almighty be with you and yours always.

Sincerely,

James A. Russell

Mr. John K. Scales
Minority Counsel
Subcommittee on Employment, Manpower
and Poverty
Room 4222, New Senate Office Building
Washington, D. C. 20510

cc: Honorable Daniel K. Inouye
Honorable Hiram L. Fong
Honorable Patsy T. Mink
Honorable Spark M. Matsunaga

TRANSITIONS TO FREEDOM, INC.

2160 LAKE STREET • SAN FRANCISCO, CA 94121 • (415) 752-7716

July 18, 1972

Senator Jacob Javits
Senate Office Building
Washington, D. C.

Dear Senator Javits,

I have recently read your Bill S2962 "The Comprehensive Correctional Training and Employment Act," and am moved to communicate my feelings on this vital issue of our times.

Transitions to Freedom is an urban program in San Francisco, whose efforts for the past two and a half years have been aimed at improving the employment situation for men and women returning to the city from prison and jail. A summary description of the program is attached.

As you can imagine our work during the past couple of years has been almost impossible given the employment situation we have had. Even in good times however, we are faced with a critical problem which your bill aims to solve. That is the problem of the unskilled and inexperienced worker. You can't imagine how discouraging it is to have a man or woman sitting in your office who for the first time in his or her life wants to make an honest living and has absolutely nothing to offer in the way of viable skills or experience. Oh, they may have worked in the prison laundry- with antiquated machinery, in the license plate factory, or sweeping the tiers. But in relation to the work-a-day world that you and I know, they cannot withstand the pace and pressure they will face.

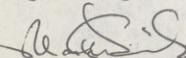
As you know, vocational training is available to some prisoners. The availability and the viability of the training varies widely from state to state. Nowhere is there enough. Your bill would go a long way toward improving this situation.

Transitions began as a general reentry program. We soon realized that employment was the critical ingredient of successful resettlement and chose, at that point to concentrate our efforts on job development. Thorough research, conducted from state to state, shows the same results... about 80% of those who do not find work within a short time after leaving prison go back, while less than 20% of those who do find work EVER go back.

As doubtless you know, the activities your bill would begin, will not by themselves solve the crisis in our prisons. But by providing people with economically viable skills and providing supportive employment counselling services for them you are going to lower the population of our prisons and thereby take a great deal of pressure off their environments.

I encourage you to do your best to have this bill enacted by this Congress and failing that to re-introduce it first thing in the next Congress.

Highest regards,



Mark Dowie

TRANSITIONS TO FREEDOM, INC.Introduction

For the past two years Transitions has been operating in San Francisco. Our broad objective is to improve the employment situation for men and women returning to the city from prisons and jails. Our course of action has included the following activities.

1. Job Development
2. Job Counselling
3. Small business formation and consulting.
4. "Lobbying" to have restrictions against "felons" removed from civil service and corporate hiring policies.
5. Creation of a Temporary Labor Pool for unemployed ex-prisoners looking for full time jobs.
6. Taking assembly and maintenance contracts to create supportive work environments.
7. Improving the job counselling skills of others coming in contact with ex-prisoners. (parole agents, pre-lease counsellors, probation officers, etc.)
8. Crisis intervention.

Results

Although there are no criteria by which to measure the success of a new project like Transitions, we have seen unquestionable improvement in the employment situation in San Francisco as a result of our efforts. The results have been carefully researched by an independent research organization (the Wright Institute) and are available upon request. Over the past two years we have tripled our placement rate and raised our average wage per job from \$2.25 per hour to about \$3.85, reflecting an improvement in the jobs developed. During the period we have been in operation the recidivist rate in San Francisco has dropped remarkably. We like to think we had something to contribute to this since extensive research shows that employment is the critical factor in successful resettlement of ex-prisoners (about 20% of employed people recidivate as opposed to 80% of those unemployed).

Plan

We intend to continue to operate with the same basic objective. Since our results with skilled and experienced workers has improved we will be able to devote less time to job development and more to improving the vocational training available to the unskilled-both in and out of prison.

During our first two years of operation we have developed a model program which is definitely transportable. We have been asked to open chapters or branches in other cities, but have preferred to encourage the creation of totally new projects modelled after our structure and strategy, but with their own identity and management. We have been working closely with groups in San Jose and Oakland California who have chosen to use our approach to job development. We would, of course, be happy to do the same in any city and are currently preparing a detailed "model" of the program for this purpose.

jse

Carlson, Norman

October 28, 1971

Dear Mr. Carlson:

Thank you very much for your letter of October 14, 1971 and the accompanying annual report.

I would appreciate receiving the following additional information:

- a) The total number of inmates in federal penitentiaries, with breakdown indicating age, race, education, previous work experience and other demographic information relevant to the necessity and prospects for education and vocational and manpower training;
- b) information with respect to the extent (in terms of hours) and nature of vocational and manpower related programs currently conducted; the number of inmates covered by such activities and the extent of work release programs; please indicate the amount which has been budgeted for these activities in each of the last fiscal years;
- c) information on the particular activity of placement offices in manpower areas which you cited, data indicating the number of placements actually made, and the duration of employment of those places; please indicate whether there are similar offices in rural areas;
- d) the extent to which programs involve the participation of the private sector in a direct way;
- e) the extent to which other Federal agencies, as in the case of Department of Defense programs at Ashland, Kentucky, have entered into arrangements for the production of products by prisoners for the federal government. Please indicate the extent, if any, to which these activities are linked to jobs upon release.

Your cooperation is very much appreciated.

Sincerely,

John K. Scales
Minority Counsel
Subcommittee on Employment,
Manpower and Poverty

Mr. Norman A. Carlson
Director, Bureau of Prisons
Washington, D. C.

UNITED STATES DEPARTMENT OF JUSTICE
BUREAU OF PRISONS
WASHINGTON 20537

October 14, 1971

Mr. John K. Scales
Minority Counsel, Subcommittee on
Employment, Manpower and Poverty
Committee on Labor and Public Welfare
United States Senate
Washington, D. C. 20510

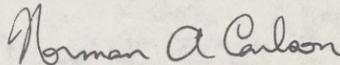
Dear Mr. Scales:

We are responding to your October 4 letter requesting information concerning programs and activities conducted by the Bureau of Prisons which relate to employment and training of offenders.

We are sending you, enclosed, a copy of an annual report prepared by the Bureau's Education and Vocational Training Division. We think it is responsive to your request. If you desire more detailed information regarding any aspect of the program described, we will be happy to provide you with additional information.

Thank you very much for your interest in education.

Sincerely,



NORMAN A. CARLSON
Director

Enclosure

Ethel Ross

August 25, 1970

Garland S. Wollard
Deputy Associate Commissioner
for Education

Bureau of Prisons Annual Report - 1970 (Education and Vocational Training).

Within the Federal Prison System, education and vocational training programs are provided as a major thrust in inmate rehabilitation. While the intelligence level of Federal offenders follows the same distribution as the National population their educational achievement usually lags 5 years behind the National average. To offset these educational deficiencies, adult basic education programs ranging from the teaching of illiterates through high school equivalency preparation is available to all inmates. Several institutions offer special courses for non-English speaking inmates. Innovative approaches to learning are being used, including learning materials center, team teaching, programmed instruction, language laboratories, video tape recordings and playback, individual prescription programs, speech therapy and a variety of teaching devices. College level courses at a number of institutions are taught by visiting faculty members from nearby colleges and universities. Through the study release programs selected inmates can attend on-campus classes at local community facilities.

Project Newgate at the Federal Youth Center, Ashland, Kentucky, now in its second year has been expanded and extended to include the Federal penitentiary at Lewisburg, Pennsylvania. This program is funded primarily by the U. S. Office of Economic Opportunity and prepares capable inmates for college level work. Tuition payments and living expenses for young men enrolled in college after release are included in this project.

The U. S. Office of Education has funded the second year of a three year program designed to improve the teaching skills of adult basic education instructors who teach in correctional institutions. The Bureau will fund approximately \$30,000.00 during FY-1971, in support of this project. An estimated 150 Federal correctional staff members will participate in 18 regional seminars.

Inmate education and training and placement goals for the 70's are:

1. All inmates leaving the Federal Prison System will be able to read at least at the sixth grade level.

2. All inmates possessing an average or above average intelligence will have a high school equivalency certificate upon release.

3. Every inmate with the need will have been trained in a marketable skill.

4. Upon release, inmates will have a job which pays a livable wage.

Progress toward the achievement of these goals includes the standardization of GED educational materials throughout the system and the establishment of a priority system for developing new vocational programs and existing ones.

The experimental education program at the Federal Youth Center, Morgantown, West Virginia, integrates academic needs with education and training. Residents progress through a cluster of occupational skills in one or more of four industrial areas: Aerospace, Graphic Arts, Electricity-Electronics, and Technical Services.

At the time of admission to prison, a large majority of inmates, especially the young offenders, possess no marketable job skills. Vocational training programs designed to teach inmates a marketable skill are financed primarily from the profits of Federal Prison Industries, Inc. In FY-1970 more than 5,000 Federal inmates participated in 28 different vocational training programs. In addition, Federal Prison Industries contracted with private training firms to teach inmates Key-punch operation at Alderson, West Virginia and Drafting at Lewisburg, Pennsylvania. Negotiations are underway to enter into an incentive performance contract with a private company under which payment to the contractor will be restricted to the attainment of measurable skills and the successful placement of released inmates on jobs.

Many institutional maintenance jobs to which inmates are assigned have some training potential. Staff members have identified specific skills that can be learned from these assignments and later used in non-institutional occupations. Inmates assigned to these maintenance jobs are now assured of learning a marketable skill.

Federal Prison Industries, Inc. has established a new industry to manufacture teaching machines and related soft-ware. These products will be made available to other Federal agencies when the Bureau's needs have been satisfied.

During FY-1970, plans were conceived to develop a model prison industry at the Federal Youth Center, Ashland, Kentucky. The repair and overhaul of small engines used by the Department of Defense and other Federal agencies was selected as a product and training project. Efforts will be made to simulate production techniques and processes found in non-institutional industrial environments which will enable

inmates to be better prepared to find employment related to the training they received in the institution.

In addition to preparing the inmate for release to the community by teaching him a marketable skill, Federal Prison Industries, Inc. also assists in job placement. The agency finances the salaries and expenses of 28 placement officers located in major metropolitan areas throughout the United States. During the past year, these officers have assisted nearly 6,000 releasees and probationers in finding employment.

UNITED STATES CIVIL SERVICE COMMISSION
Washington, D.C. 20415

STATEMENT OF J. PHILIP BOHART,
CHIEF, MANPOWER SOURCES DIVISION, BUREAU OF RECRUITING AND
EXAMINING,
U.S. CIVIL SERVICE COMMISSION,
BEFORE THE SUBCOMMITTEE ON NATIONAL PENITENTIARIES
OF THE COMMITTEE ON THE JUDICIARY OF
THE UNITED STATES SENATE

May 19, 1971

Mr. Chairman and Members of the Subcommittee:

We are pleased to respond to your invitation to appear before this Subcommittee to explain the rehabilitated offender program of the Federal Government as an employer. Mr. Edward Rose, Director, Public Policy Employment Programs, U.S. Civil Service Commission, is here to join me in answering questions or providing additional information to the Subcommittee.

Policy

It is the policy of the Federal Government to hire, carefully and selectively, rehabilitated offenders for jobs where they are needed and for which they are qualified by education, training, and competitive examining procedures. This policy stems from the belief that employment opportunity for the rehabilitated offender is a very effective tool in the national effort to prevent crime. It provides the Federal Government with an additional source of manpower and enables the rehabilitated offender to become a working, tax-paying citizen.

Implementing the Policy

To assure that this policy is carried out, we have taken the following steps:

(1) Revised the arrest question in Federal job application forms to require information only on convictions or pending charges.

(2) Eliminated the requirement for convictions to be listed on Federal job application forms if the act occurred before the applicant's 21st birthday and was adjudicated under a youth offender law or in a juvenile court.

(3) Designated a selective placement specialist in each of our 65 area offices to advise rehabilitated offenders who seek employment.

(4) Expanded the role of coordinators for employment of the handicapped in each employing activity of Federal agencies to include the responsibility for assuring that rehabilitated offenders receive full consideration for employment.

(5) Conducted a one-day training conference on the rehabilitated offender program for over 200 agency personnel officials. This was held 3 years ago with assistance from the D.C. Department of Corrections. The next day many of these officials were given an extensive tour of the Lorton correctional complex.

(6) Provided periodic training to agency coordinators. Each meeting of coordinators for employment of the handicapped throughout the United States for the last 3 years has included sessions on employment of rehabilitated offenders.

(7) Established an excepted appointing authority through which work releasees of Federal and the D.C. prison systems may be appointed noncompetitively to shortage category positions.

Although absolute figures are not available on appointments of rehabilitated offenders to Federal jobs, two previous short-term studies we conducted would project that about 2.4 percent of the persons entering the Federal service would have adult convictions. There are no records, of course, on juvenile offenders.

Determining Suitability

In administering the merit system, suitability determinations are made for all applicants for competitive employment as part of the examination process. This responsibility is assigned to the Commission's Bureau of Personnel Investigations.

Each suitability determination is judged on an individual basis, taking into consideration the social and humane need for employment as the final step in the rehabilitation process, as well as the requirement of the position to be filled.

Taken into full consideration is any evidence of rehabilitation demonstrated by good conduct in prison or in the community, or both, counseling or psychiatric treatment received, acquisition of additional academic or vocational schooling, successful participation in correctional work release programs, and the recommendation of persons who have had the applicant under their supervision.

Felony offenders may be considered for appropriate Federal jobs while they are still on probation or parole.

Work Release

In support of the Prisoner Rehabilitation Act of 1965 and the District of Columbia Work Release Act of 1966, the Civil Service Commission authorized an excepted appointing authority, Section 213.3102(x) of Schedule A. Under this authority, and subject to prior approval of the Commission, agencies may employ inmates of Federal and District of Columbia penal and correctional institutions in positions for which a local recruiting shortage exists when such inmates are participating in work release programs authorized by either of the Acts. Initial appointments under this authority may not exceed 1 year but may be extended to additional periods of time if the inmate is still in a work release status and the local recruiting shortage still exists.

An individual may be employed under this authority for up to 1 year beyond the date of his release from custody.

We do not have firm statistics on the number of work releasees employed, but the total is relatively small. As you are aware, the Prisoner Rehabilitation Act requires that there be no displacement of employed workers by prisoners, and that prisoners may not be employed in skills, crafts, or trades in which there is a surplus of available labor in the locality.

Impact of Other Public Policy Employment Responsibilities

As a responsible employer, the Federal Government has a social responsibility to provide full employment opportunities to a number of other categories of citizens seeking Federal employment. These include the educationally and economically disadvantaged, minority groups, women, the mentally and physically handicapped, and the Vietnam era veteran. Of particular importance today is the providing of maximum employment opportunities for returning veterans.

Other Factors Affecting Federal Job Opportunities

In addition to the need for the Government to do all that it can to employ returning veterans, there is another group of individuals that we must consider before we hire from the outside.

These are the Federal employees who have been, or are being, displaced because of employment cutbacks, and who must be relocated.

And we would be remiss if we did not mention the condition of the labor market. There are many qualified applicants for virtually all Federal positions.

Conclusion

We are keenly aware that employment is vital to the ultimate completion of the rehabilitation process. The need to work, to belong, to take pride in accomplishment, is as representative of persons in the process of rehabilitation as it is in the general population. Within the framework of our existing policies, rehabilitated offenders are provided the full opportunity to compete for Federal jobs.

Most of the information we have provided to you today is contained in our pamphlet "Employment of the Rehabilitated offender in the Federal Service." We have furnished copies of this pamphlet as an integral part of our testimony.

This concludes our statement. Mr. Rose and I will be pleased to answer any questions to the best of our ability.

UNITED STATES DEPARTMENT OF JUSTICE
BUREAU OF PRISONS
WASHINGTON, D. C. 20537

OFFICE OF THE DIRECTOR

November 15, 1971

Honorable Jacob K. Javits
United States Senate
Washington, D. C. 20510

Attn: Mr. Scales

Dear Senator Javits:

In reply to your request of October 28 for information on inmate education, vocational and manpower training, the following data is provided:

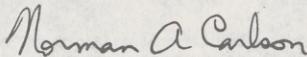
- (a) breakdowns on the number of inmates confined in federal correctional institutions are shown on the following attachments: #1 = average age and average grade level; #2 = distribution by race; #3 = summary of course completions and length. We have no data on previous work experience.
- (b) the nature of vocational and manpower related programs and number of inmates are shown on attachment #4. The extent of work release programs is listed on attachment #5. Since work release is an integral part of an institution's activities, we do not maintain a separate budget for this function.
- (c) information on employment placement activities is listed on attachment #6.
- (d) since the success of institutional work release programs depends on the local communities' ability and willingness to absorb the offenders into the local market, there is a total involvement with the public and private sector in the implementation of the work release program. The same holds true on an even broader scale regarding the community based employment placement activities. A major priority is to identify and develop employment and training resources in the community which will enable offender to become a self-supporting member of that community.
- (e) a number of federal agencies at varying times enter into contracts with the Federal Prison Industries to acquire products supplied by the corporation. Our

- 2 -

operations in electronic cable assemblies, tire reconditioning, furniture manufacturing (both wood and metal), automatic data processing and sign fabricating are the primary ones geared from a training standpoint to place inmates in jobs upon release. Approximately 2,100 men and women are engaged in such activities.

We hope this information will prove helpful to you.

Sincerely,



NORMAN A. CARLSON



UNITED STATES CIVIL SERVICE COMMISSION
 BUREAU OF RECRUITING AND EXAMINING
 WASHINGTON, D.C. 20415

IN REPLY PLEASE REFER TO
 EMP:EMP

YOUR REFERENCE

DEC 21 1971

Honorable John K. Scales
 Minority Counsel, Subcommittee on
 Employment, Manpower and Poverty
 United States Senate
 Washington, D. C. 20510

Dear Mr. Scales:

This is in response to your letter of November 12, 1971, requesting additional information on the employment of criminal offenders in the Federal service.

We are furnishing you with a copy of our March 10, 1969, report summarizing two short-term studies conducted by the Commission. There are several qualifications and caveats which we think should be understood in interpreting those studies.

Our favorable suitability ratings took into account the nature and seriousness of the offense; the circumstances under which it occurred; the lapse of time; the age of the offender at the time of the offense; any other offenses; any evidence of rehabilitation; and the duties of the position applied for.

It is very difficult to draw any valid conclusions or treat these data statistically because of the large number of factors considered and the overall judgment which must be applied individually to each case.

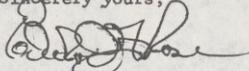
We think also that the relative age of the studies is significant. Because of rapid changes in behavior patterns these past two years, we would probably find in an updated study that the number of cases involving the misuse of drugs had materially increased.

Since these studies, we have redoubled our efforts to assure that rehabilitated offenders are given appropriate consideration. The majority of those individuals accepted, we believe, have been certified to lower-grade positions.

It is our view that the continuing identification of individual employees as rehabilitated offenders would subject the Commission to charges of "blacklisting", and therefore we have carefully avoided any such identification.

We hope that the information submitted is helpful. If you have additional questions, please call me at 632-5687.

Sincerely yours,

A handwritten signature in dark ink, appearing to read 'E. Rose', written over a horizontal line.

Edward F. Rose, Director
Public Policy Employment Program

Enclosure

Report of Survey of Extent of Federal Government
Hiring of Persons with Records of Convictions

MAR 10 1969

This report summarizes the recently completed eight-week survey of regular program investigations to determine the extent of Federal hiring of persons with records of convictions. It compares the results of that survey with the one made in 1967. The survey results have been reviewed by the Office of Selective Placement and the report includes comments suggested by that office.

SURVEY METHOD

During the period from September 22 through November 16, 1968, the Division of Adjudication reviewed the case files for completed MACI and Limited Suitability Cases, both field and central office, in which there was information falling within the scope of the revised questions on Standard Form 171 or similar forms. With your prior concurrence we did not survey full field or preappointment MAC cases. We found last year that their relative volume was too small to affect the end figures in any material way. Since they generally are on applicants they do not necessarily provide a measure of agency hiring practices.

The files referred for this survey were reviewed individually by an experienced evaluator who tabulated his data on code sheets designed for machine processing. Use of EAM methods in this survey eliminated tedious manual compilation of results and enabled us to obtain additional breakdowns of information for use by the Bureau of Recruiting and Examining.

The Bureau of Manpower Information Systems assisted in the design of the coding procedure and performed the card punching and machine tabulation of the data.

To facilitate ready comparison, we have listed the data obtained in both the 1967 and 1968 surveys, with appropriate narrative comments on any major variations.

Cases Closed During Survey Period

TYPE	1967	1968
NACI	78,431	54,417
Limited Suitability	139	303
Preappointment EAC	3,656	2,333
(Full Field-1967 only)	4,905	---
TOTAL	87,131	57,053

Total case volume in the 1968 survey was down about 30% from that of the comparable 1967 period, a reflection of reduced hiring by agencies.

FINDINGS

Out of the 57,053 cases completed we examined 1,201 files with conviction records falling within the scope of the revised conviction questions on the SF 171 or other forms regarding either civilian criminal convictions or convictions by military courts martial. Last year there were 2,074 such files out of the larger total of 87,131 cases completed. In 1968, the cases involving conviction records represented 2.1% of the total reviewed, compared with almost 2.4% in 1967. If the latter rate had continued, there would have been 157 more conviction cases in 1968, or 1358 instead of 1201.

Type of Service

Of the 1,201 cases in 1968, there were 95 excepted and 1,106 competitive. Comparative figures for 1967 were 248 excepted, 1,826 ~~excepted~~, total 2,074. *competitive*

Type of Investigation

The cases involving these convictions were distributed as follows:

TYPE	1967	1968
NACI Noncritical-Sensitive	141	135
NACI Nonsensitive	1,851	1,039
Limited Suitability	18	27
Full Field (1967 only)	64	---
TOTAL	2,074	1,201

Type of Position

In the 1967 survey, 64% of the convictions were on blue collar and semi-skilled workers, but only 47% were in this category in the 1968 survey. Conversely, the proportion of postal cases increased, from 19% of the total in 1967 to 32% in 1968.

	<u>1967</u>	<u>1968</u>
Blue collar - Semiskilled	1,328	562
Clerk, Stenographer, Typist	108	88
Postal positions	403	385
Law Enforcement, Guards	29	21
Professional, Administrative, Technical, & Scientific	} GS-1 thru 8 } 206* } GS-9 and up	79
		<u>65</u>
TOTAL	<u>2,074</u>	<u>1,200</u>

* Not divided by grade in 1967

Number and Type of Offenses

Convictions for the various types of offenses followed roughly the same pattern as last year, with those involving intoxicants the most numerous. Dishonesty and crimes of violence continued to show significantly high figures, as did disorderly conduct. Since some persons were convicted for more than one type of offense, the totals exceed the number of cases reviewed. The figures below show types of offenses involved in the cases reviewed. They do not reflect the total number of separate convictions, as some persons were convicted more than once for the same type of offense. In 1967 there were 4,999 separate convictions compared to 2,412 in 1968.

<u>Offense</u>	<u>1967</u>	<u>1968</u>
Intoxicants	827	436
Narcotics, Drugs	21	20
Morals, (No perversion)	102	43
Morals, (Perversion involved)	14	20
Dishonesty	617	361

Number and Type of Offenses (Continued)

<u>Offense</u>	<u>1967</u>	<u>1968</u>
Crimes of Violence	367	173
Disorderly Conduct	567	301
Traffic	413	240
Nonsupport	36	Not determined
Other (Miscellaneous)	<u>56</u>	<u>23</u>
TOTAL	3,022	1,617

While the proportion of convictions involving morals offenses remained almost constant at just under 4% for both years, there was a drop of more than one percent in 1968 (to less than 11% of the total offenses) in the proportion of crimes of violence. Roughly 85% of the convictions in 1968 were for offenses involving other than morals and violence.

Analysis of Most Significant Offenses

The reviewer selected the offense in each case which in his judgment was the most significant from a suitability viewpoint. The following data are based on that selection. Some variations in totals will be noted because the files did not show the information or in some instances two items appeared to be equally significant.

Recency of Most Significant Offenses

	<u>1967</u>	<u>1968</u>
Within the past year	263	180
From 1 to 3 year period	663	327
From 3 to 6 year period	383	247
More than 6 years ago	<u>762</u>	<u>434</u>
TOTAL	2,071	1,138

The figures for the two years run roughly parallel, with 1968 being smaller in keeping with the lower volume of cases. However, 15 percent of the cases surveyed in 1968 had a significant offense within a year of their application, compared to 13 percent in 1967.

Nature of Most Significant Offense:

	<u>1967</u>	<u>1968</u>
Intoxicants	564	357
Narcotics-Drugs	27	18
Morals - (No perversion)	63	32
Morals - (Perversion)	17	22
Dishonesty	573	318
Crimes of Violence	239	142
Disorderly Conduct	265	214
Traffic Convictions (in "Other")		146
Other	<u>311</u>	<u>19</u>
TOTAL	2,079	1,268

Punishment for Most Significant Offense:

	<u>1967</u>	<u>1968</u>
Forfeiture of collateral	66	53
Fine	1,032	591
Sentence suspended	530	253
Prison, less than 1 year *	245	145
Prison, 1 to 3 years	56	36
Prison, 3 or more years	46	27
Undetermined or not shown	<u>170</u>	<u>96</u>
TOTAL	2,145	1,201

* Imprisonment was the significant punishment for over 17 percent of the cases surveyed in 1968 and for 16 percent of those in the 1967 survey.

Information Source for Most Significant Offenses:

In 51% of the sample, as against 56% in 1967, the conviction record was admitted in the case papers. In those cases in which the conviction was not admitted, the source of the information was tallied. In both surveys, FBI Fingerprint records were the major source, followed by local law enforcement records.

<u>Source of Information</u>	<u>1967</u>	<u>1968</u>
Admitted on case papers	1,161	645
FBI Fingerprint files	638	424
Local Law Enforcement records	231	108
Military Service Record files	8	21
Miscellaneous sources	36	3
TOTAL	2,074	1,201

Significant Offenses, Disposition Undetermined

The instructions provided for inclusion of offenses for which disposition was not shown or developed but which appeared to be of sufficient importance to be significant indicators of the rehabilitated offender policy in action. In 1968 there were 97 items reported in this category compared to 191 in 1967.

Youth Offender Law

To the extent that file information identified or permitted the evaluator to deduce that the case came within the scope of a youth offender law, this was recorded in the study. In 1968 there were 12 such cases, all involving intoxicants, compared to 31 in 1967.

Parole, Probation or Warden's Report

In the cases reviewed in 1968, Parole, Probation or Warden's Reports were obtained and influenced the decision in eleven cases, all of which involved intoxicants. In 1967 such reports were obtained in ten cases and apparently influenced the decision in 6 appointments. As pointed out in the previous survey report, these records are more likely to be obtained and evaluated in applicant cases such as Merit 13 investigations or Special Suitability Determinations. These applicant cases were not within the scope of this study.

CONCLUSIONS

A comparison of the data from the two surveys revealed no conclusive indications of the impact of the rehabilitated offender program.

There was a somewhat lower incidence of conviction records among the cases reviewed in the 1968 survey. This could have been the result of increased agency selectivity related to the general reduction in hiring activity during the early part of the fiscal year.

The drop in proportion of blue collar-semiskilled workers with conviction records appears at first glance to be the most impressive shift reflected by the 1968 survey. However, this was almost counterbalanced by a percentage increase in the postal category. If we lump the two categories together as being in roughly comparable economic and social levels, the contrast between the two years is much less marked.

It is also interesting to note that the proportion of significant offenses occurring within the past year increased by 2%--from 13% in 1967 to 15% in 1968. We might speculate that this reflects an influence of the rehabilitated offender policy in terms of increased agency willingness to hire persons with recent records. This can not be taken as a certainty, however.



UNITED STATES DEPARTMENT OF JUSTICE
LAW ENFORCEMENT ASSISTANCE ADMINISTRATION

WASHINGTON, D.C. 20530

OFFICE OF THE ADMINISTRATION

NOV 29 1971

Mr. John K. Scales
Minority Counsel
Subcommittee on Employment
Manpower and Poverty of the United States Senate
Committee on Labor and Public Welfare
Washington, D. C. 20510

Dear Mr. Scales:

Thank you for your recent letter and for your interest in the Inter-Agency Council on Corrections.

On November 13, 1969, President Nixon, in a directive to Attorney General Mitchell, set forth a thirteen point program for improving the field of corrections. The President pointed out that correctional programs have proliferated with little or no effort at consolidation or coordination and he identified ten Federal agencies involved in correctional activities. The Attorney General was directed to take action to coordinate Federal activities in corrections.

Immediately thereafter, Deputy Attorney General Kleindienst contacted each Federal agency inviting the Under Secretary to designate an individual to serve as a member of the Inter-Agency Council on Corrections. With the exception of the Department of the Interior, each agency designated at least one representative to serve on the Council. The Council, which is co-chaired by myself and Norman Carlson, Director of the Bureau of Prisons, meets approximately every six weeks.

The Council has served to facilitate an exchange of information regarding the various programs of the participating agencies. One project which is currently being developed by the Council concerns the employment of ex-offenders by government agencies. A working subcommittee is currently in the process of designing an employment model which, if successful, could be replicated by state and local governments. The proposal for a metropolitan Washington employment project is now in the final draft stage and will be approved or disapproved by a vote of the Council within the near future.

Sincerely,

Richard W. Velde
Richard W. Velde
Associate Administrator



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REC'D JUN 16 1972

The Honorable Jacob K. Javits
Senate Committee on Labor and Public Welfare
Senate Office Building
Washington, D.C. 20510

Dear Senator Javits:

At its meeting held June 7, 1972, on motion of Supervisor Ernest E. Debs, the Board of Supervisors went on record as endorsing, subject to certain amendments, S. 2962, the Comprehensive Correctional Training and Employment Act.

This act adds a much needed new dimension to the short-sighted, out-dated "crime ... and punishment" theory, in that it is directed toward the kind of rehabilitative and employment programs which hold great potential for reducing recidivism, and the Board is keenly appreciative of its sound proposals.

However, each member of the Board feels that the proposed legislation will be even more complete and effective if amended to recognize that fundamental purposes of the correctional system include, in addition to rehabilitation, the isolation of dangerous persons, protection of the public, and deterrence of prisoners from further crime.

Your serious consideration of the Board's recommendations in amending this measure, is urgently and respectfully requested.

Very truly yours,

James S. Mize
JAMES S. MIZE



WILLIAM D. LEEKE
Director

SOUTH CAROLINA
DEPARTMENT OF CORRECTIONS

POST OFFICE BOX 766
COLUMBIA, SOUTH CAROLINA
29202

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June 20, 1972

Honorable Jacob K. Javits
C/O Mr. John K. Scales, Minority Counsel
Subcommittee on Employment, Manpower,
and Poverty
Room 4222, New Senate Office Building
Washington, District of Columbia 20510

Dear Senator Javits:

I am responding to your letter of June 5, 1972, concerning the hearings on your bill (S.2962) to amend the Manpower Development and Training Act of 1962, to provide financial assistance for a special manpower, training, and employment program for criminal offenders.

I would enthusiastically endorse such a program as outlined in your proposed bill based on our past experience with somewhat similar programs.

The Department of Corrections in South Carolina operates five community centers throughout the state, and one pre-release center in Columbia. Virtually all inmates in the South Carolina system, prior to outright release or placement in work release at a community center, first go through a 30-day pre-release training program that provides: orientation to the world of work, consumer education, driver training, job plan development, and intensive counseling. They are then released outright or to the Community Center, where two-man job development teams are situated. The team undertakes to place assigned clients in "quality" jobs, defined, arbitrarily but simply, as a job that: pays at least \$2 per hour starting wage; provides on-the-job training; and offers a significant chance for upward mobility.

Inmates once placed on the job, receive follow-up counseling and assistance in developing a solid work and home environment. Their employers are also offered assistance in obtaining training reimbursement through manpower programs such as the JOBS/70 and JOP's Program. Community organizations, such as the Alston Wilkes Society, provide "job coaches" who serve as longer term volunteer assistants to those ex-offenders the Project staff concludes need an extended

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June 20, 1972
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degree of after-care guidance. Jaycee Chapters throughout the state are alerted to inform Project job development teams of employment openings with their firms. The State Employment Service makes available a current list of available training positions, under JOBS/70 and JOP's contracts, to the staff. Local offices of the Employment Service that operate Job Banks provide weekly printouts or job listings for use by the Project. Employer organizations such as the State Chamber of Commerce, local Chambers, Personnel Associations, and other trade groups, canvass their members for employment opportunities, and publicize the goals of Project Transition through publications and informal meetings.

At the completion of Project Transition's first year, in excess of 1,000 inmates have received pre-release training and job placement assistance. Close to eight hundred inmates have been placed on jobs by the Project; with a retention rate of 57 percent. The recidivism rate for these ex-offenders is below 5 percent. The per capita cost is under \$300. Only one South Carolina employer, of the approximately 2,000 contacted over the past year, has evidenced an unwillingness to hire ex-offenders. Almost one hundred different job classifications have been filled by Project Transition clients, with an hourly starting wage averaging \$2.14 and a wage after 90 days of \$2.41. The Project has also been directly responsible for the development of nearly one hundred single-employer M.D.T.A. training slots and, in the case of the Greenville Chamber of Commerce, has helped develop a JOBS/70 consortium contract involving positions particularly for ex-offenders. Thus, in terms of a cost/benefit ratio of return to the people of South Carolina; measured by productive rather than wasted man hours, diminution of custodial and welfare costs, reduction of the inmate population, increased public safety, state and federal taxes paid by employed inmates and ex-offenders, we consider the Project as a successful tool of rehabilitation.

The President's Commission on Law Enforcement and Administration of Justice found that employment is a critical component in the determination of an individual's life style. "Growing up properly is difficult at best, but manageable with help at times of critical need. To become a fully functional adult male, one prerequisite is essential: a job. In our society a person's occupation determines more than anything else what life he will lead and how others will regard him. Of course, other important factors - family, wealth, race, age - exert significant influence on his future. But for most young men, it is securing jobs consistent with their aspirations that is crucial, that provides a stake in the law-abiding world and a vestibule to an expanding series of opportunities: to marry, to raise a family, to participate in civic affairs, to advance economically, socially and intellectually." The Commission's findings

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were supported in the report which was submitted by the President's Task Force on Prisoner Rehabilitation in April, 1970. The Task Force said that, "satisfying work experience for institutionalized offenders and the assurance of decent jobs for released offenders should be at the heart of the correctional process."

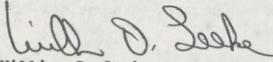
Given the fact that approximately 80 percent of the crime committed in this country is attributable to individuals who have previously been in prison, and that nationally something like two out of three offenders will return to prison one or more times, all of us interested in seeking a solution to these appalling problems of crime and recidivism, must look first to correctional programming designed to provide workable answers.

If, as a recent study of federal prisoners indicates, four out of five inmates attribute their lack of success in the outside world to a failure to obtain decent employment, it seems fair to assume that manpower services must indeed play a major role in any programmed attempts to reduce the incidence of crime. Therefore, our community-based programs and Project Transition for ex-offenders by no means provide all the answers to the employment predicament ultimately faced by inmates, I firmly believe that they do indicate a methodology that works, and thus provides a meaningful alternative to criminal behavior for the target population. In the long run, this is what correctional treatment is, or should be about in America.

We appreciate the opportunity to comment on your bill.

Sincere regards.

Sincerely,


William D. Leeke

WDL:sj

(Whereupon, at 1 p.m., the hearing was adjourned.)



