

Patterns of Correction

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The state's involvement in correction has expanded recently from administration of one or more prisons to responsibility for several types of institutions and for supervision of adults—and, in some states, juveniles—released from these institutions. A number of states also have varying degrees of responsibility for probation and for local institutions.

This extension of responsibility has been followed by a trend toward integration of state correctional agencies and institutions, but there is a wide variety of administrative organization. Currently, state correctional administrative systems may be classified in three categories: (1) those using boards to manage the various correctional programs; (2) those placing correction in some larger existing department; and (3) those administering correction in an independent department. There is some overlapping among the categories, and marked differences appear within each.

This paper classifies the present arrangements for administering correctional programs in the fifty states and comments on the efficiency of the various models.

EVEN THOUGH there has been an unmistakable trend, in recent years, toward integration of correctional institutions and agencies, the process of development has assumed many different forms, and not all states have progressed equally far. The result is that there are many "patterns of correction."

Initially a state's involvement in correction was limited to prisons. There was no other correctional agency. Each prison carried out its functions without any official relationship to another—if indeed the state had more than one such institution or other agency interested in correction. Each was considered mostly a local establishment and had its own board of trustees, appointed by

the governor. Each board appointed its warden and was concerned exclusively with its own institution's policy and administration.

The next step came when a state's correctional system expanded through the addition of more penal institutions, or perhaps some of a special type, such as a reformatory, and of other agencies, such as parole. At this point the need was felt for a better type of administration which would make possible greater coordination within the system. Institutional boards had proved unsatisfactory: either they paid scant attention to such few duties as they had or they became too involved in administration or patronage. Their primary weakness was that they impeded

efforts at coordination. This situation led to the formation of central boards with more comprehensive responsibilities and wider authority.

Many states today administer their systems through boards, variously named (boards of control, boards of correction, etc.) and differing as to their area of concern. Some are in charge solely of adult institutions; others supervise training schools and, in a few instances, probation and parole. Some boards also have charge of other state institutions, such as those for the mentally ill and retarded. In a few boards, membership is ex-officio; in others, members are appointed by the governor to serve at his pleasure or for a term of years. Board members may work part-time and be paid per diem while in attendance at meetings or engaged in official business, or they may serve full-time and be salaried. Thus, there is little uniformity, except for the fact that control is vested in several persons rather than in a single executive.

The degree of integration which seems so highly desirable was not achieved through the board type of administration. Greater efficiency of administration and fuller integration could be secured by combining all institutions and agencies in one department under a single administrator. Each of the various entities (probation, institution, parole) with which a person comes into contact—whether he be juvenile or adult, from the time his case is adjudicated until his discharge—is part of the correctional process. There is, therefore, logic to placing them in one department, thus providing for coordination, exchange of information, and a continuous program of treatment.

This has been accomplished in many states, at least to some extent, through placing correction in an already existing larger state department, or through establishing a separate, independent organization. Thus, the development reaches its latest stage: the integration into one organization of many, if not all, correctional activities, under one administrative head.

With few exceptions, the states have developed units which provide for some degree of coordination and integration. However, if desirable integration calls for an independent department of correction concerned with the administration of probation, institutions, and parole, both juvenile and adult, and with the supervision of local institutions, one finds that the evolutionary process is far from complete. The states have not progressed uniformly; some states are still in the early stages of development and, even in those that have developed independent units, structure differs widely.

There are, however, groups of states with clearly identifiable types of administrative controls. Starting with these, we may begin to classify the various correctional systems into three major categories, though there is some overlapping among the groups and some marked differences within each group: (1) those that use boards to manage their correctional programs; (2) those that have placed correction in some larger, existing department; (3) those that administer correction in an independent department. The first and second categories are again subdivided.¹

¹ Some data may have become obsolete through the actions of state legislatures in session in the spring of 1967.

I. Boards or Commissions

A. BOARD FOR AN INDIVIDUAL INSTITUTION OR AGENCY

1. *Arizona*.—The Parole Board supervises adult parole. The board of directors for juvenile institutions controls juvenile institutions and parole. The state prison is supervised by the superintendent of the prison.

2. *Arkansas*.—Each correctional institution has its own board. Adult probation and parole are administered by the Board of Pardons, Paroles, and Probation. Juvenile probation and parole are the concern of the Department of Public Welfare.

3. *Connecticut*.—Independent boards or commissions govern juvenile institutions, adult correctional institutions, parole, and adult probation. The state has a central jail administration under the State Jail Administrator.

4. *Mississippi*.—The institutions are under independent boards. Adult probation and parole are under the Probation and Parole Board. Juvenile parole is supervised by the Department of Public Welfare.

5. *New Hampshire*.—The state prison and the juvenile institution have their own independent boards. Adult parole is under a Board of Parole.

6. *New Mexico*.—A board of directors controls the penitentiary. Juvenile institutions have independent boards. The Board of Probation and Parole administers adult probation and parole.

B. BOARD CONCERNED WITH MORE THAN ONE AREA OF CORRECTION

1. *Idaho*.—Each of the three members of the full-time Board of Correction has a special function: the chair-

man is warden of the penitentiary; the vice-chairman is director of rehabilitation; the secretary is director of parole and probation. This board is involved only with adult offenders. The Board of Education supervises juvenile institutions.

2. *Oklahoma*.—The three-member Board of Public Affairs supervises the penitentiary and the reformatory. The Board of Parole and Probation is the paroling authority and is in charge of field services. Juvenile institutions and aftercare are in the Department of Public Welfare.

3. *Texas*.—A Department of Corrections under a Board of Corrections has charge of adult correctional institutions. The board of Pardons and Paroles is the paroling authority and supervises parolees. The Youth Council supervises juvenile correctional institutions and aftercare.

4. *Utah*.—A seven-member Board of Corrections governs the prison, adult probation, parole supervision, and the Board of Pardons and Paroles. The Department of Public Welfare has supervision of juvenile institutions and aftercare.

C. EX-OFFICIO BOARD

1. *Florida*.—The Board of Commissioners of State Institutions is composed of the governor, the secretary of state, the attorney general, the state treasurer, the comptroller, the commissioner of agriculture, and the superintendent of public instruction. The Division of Corrections supervises the adult correctional institutions; the Division of Child Training Schools supervises juvenile institutions and aftercare. The Probation and Parole Commission, which is not a part of the Board of Commissioners of State Institutions, is the paroling

authority and is in charge of adult parole and probation field services.

2. *Nevada*.—The Prison Commission, consisting of the governor, the secretary of state, and the state treasurer, has charge of the state prison. The Board of Parole Commissioners has charge of parole and field services. The governor, the justices of the Supreme Court, and the attorney general constitute the Board of Pardon Commissioners. Juvenile institutions are administered by the Department of Public Welfare.

3. *Oregon*.—The Board of Control, consisting of the governor, the secretary of state, and the state treasurer, supervises all state institutions. The Division of Corrections of the Board of Control oversees juvenile institutions, aftercare, and adult institutions. The Board of Parole and Probation is not under the Division of Corrections.

4. *Wyoming*.—The governor, the secretary of state, the state treasurer, the state auditor, and the superintendent of public instruction constitute the Board of Charities and Reform, which supervises the penitentiary, other state institutions, and probation and parole and also sits as the Board of Pardons.

D. BOARD CONCERNED WITH OTHER FUNCTIONS IN ADDITION TO CORRECTION

1. *New Jersey*.—The Board of Control regulates the administration of the Department of Institutions and Agencies, which supervises all state institutions. The Division of Correction and Parole, in the Department, is in charge of both juvenile and adult institutions. The Parole Board is in the Division of Correction.

2. *North Dakota*.—The Board of Administration has charge of all state

institutions; another board has charge of adult probation and parole.

3. *South Dakota*.—The Board of Charities and Correction has control of all state institutions. Juvenile aftercare and adult probation and parole come under the Board of Pardons and Paroles.

4. *Iowa*.—The director of the Division of Corrections is appointed by the three-member full-time Board of Control. The Division supervises juvenile and adult correctional institutions as well as juvenile community (field) services. Adult probation and parole and field services come under the Board of Parole (which is not part of the Board of Control).

II. Larger State Department

A. DEPARTMENT OF WELFARE

1. *Alaska*.—The Youth and Adult Authority, a division of the Department of Health and Welfare, supervises juvenile detention, probation, institutions, and aftercare; misdemeanor and adult probation; and local and state adult institutions. The Board of Parole is also placed in the Authority. Alaska is one of two states (the other is Rhode Island) that have effected complete integration of all correctional activities in one administrative unit, under a full-time director.

2. *Hawaii*.—The Correction Division in the Department of Social Services has supervision of juvenile institutions and aftercare and also adult institutions. The adult parole program is under the Board of Pardons and Paroles, which is also within the Department of Social Services.

3. *Rhode Island*.—The Division of Correctional Services in the Department of Social Welfare has a scope of authority similar to that held by the

Youth and Adult Authority in Alaska.

4. *Virginia*.—The Division of Youth Services in the Department of Welfare and Institutions has control over juvenile institutions; it includes the Bureau of Juvenile Probation and Detention. The Division of Corrections is in charge of the adult institutions. The Parole Board functions as part of the Department of Welfare and Institutions. The Department has authority to establish minimum standards for jails and to enforce its rulings in the courts.

5. *Wisconsin*.—The Division of Corrections in the Department of Public Welfare is responsible for the operation of institutions for adult offenders and juvenile delinquents. The Division also provides probation services to all courts of criminal jurisdiction (outside of Milwaukee County) and supervises all adult offenders released on parole and juveniles released to aftercare supervision. The director serves as chairman of the seven-man parole board; the other six members serve full-time under civil service.

B. DEPARTMENT OF INSTITUTIONS²

1. *Colorado*.—The Division of Corrections has charge of the adult correctional institutions; the Division of Youth Service is in charge of juvenile institutions and juvenile aftercare. The Division of Adult Parole supervises adult parolees and probationers. The paroling authority is the Board of Parole, which is not in the Department of Institutions.

2. *Louisiana*.—The Department of Institutions supervises juvenile insti-

tutions and adult probation, adult institutions, and parole. Juvenile probation and aftercare are supervised by the Department of Public Welfare.

3. *Montana*.—The Department of Institutions controls juvenile and adult parole and institutions. Adult probation and parole are the concern of the Board of Pardons. Juvenile probation and aftercare are supervised locally.

4. *Nebraska*.—Juvenile and adult institutions and parole are controlled by the Department of Corrections in the office of the director of Public Institutions. Other correctional functions are under local control.

5. *Vermont*.—The Department of Institutions includes juvenile and adult institutions and adult probation and parole. Juvenile probation is in the Department of Social Welfare. The Division of Probation and Parole is in the Department of Institutions, which is the paroling authority and supervises field services.

6. *Washington*.—The Division of Adult Correction includes the adult institutions; the Division of Juvenile Rehabilitation has charge of juvenile institutions and aftercare. Both divisions are in the Department of Institutions. Juvenile probation is under local control. The Board of Prison Terms and Paroles is the paroling authority and directs probation and parole field services.

7. *West Virginia*.—The office of the Commissioner of Public Institutions includes a Division of Corrections, under a director, which has charge of juvenile and adult institutions and the administrative and supervisory functions of the Board of Probation and Parole. Granting of adult parole is the function of this Board; the

² The department supervises all state institutions.

director of the Division of Corrections has authority to place juveniles on parole. The Department of Public Welfare has charge of juvenile and adult probation and parole field services.

C. DEPARTMENT OF PUBLIC SAFETY

Illinois.—This department includes adult institutions and parole. Juvenile institutions and aftercare are under the Youth Commission. Other correctional functions are under local control.

D. DEPARTMENT OF JUSTICE

Pennsylvania.—The Department's Bureau of Correction has charge of adult institutions. The adult Board of Parole is also in the Department of Justice. Juvenile institutions are under the Department of Public Welfare. Other correctional functions are under local control.

E. DEPARTMENT OF MENTAL HEALTH AND CORRECTION

1. *Maine.*—All correctional functions, except supervision of local institutions, come under this department. The Bureau of Corrections has charge of adult institutions, juvenile institutions, and aftercare. The Probation and Parole Board is included in the department.

2. *Ohio.*—The department is called Mental Hygiene and Correction. The Division of Correction has charge of adult institutions. The adult parole authority is in this division; it has the paroling function, is in charge of parole supervision, and includes a probation services section. Juvenile institutions and parole come under the Youth Commission. Other correctional activities are locally controlled.

III. Independent Departments

1. *Alabama.*—The Board of Corrections has replaced the former Department of Corrections and is in charge of adult institutions. Adult probation and parole are under the Board of Pardons and Paroles. Juvenile institutions are under separate boards. Juvenile probation and parole are the responsibility of the Department of Pensions and Security and of local authorities. Juvenile detention and local adult institutions are controlled locally.

2. *California.*—The Youth and Adult Corrections Agency includes the Department of Corrections, the Department of the Youth Authority, the Adult Authority, and the Women's Board of Terms and Paroles. Juvenile detention, juvenile probation, and local adult institutions are administered by local authorities.

3. *Delaware.*—The Board of Correction is the general policy-making authority but is not the administrative head of the Department of Correction. The commissioner supervises adult correctional institutions and the operation of probation and parole field services. The Probation and Parole Commission is not within the Department of Correction. Juvenile detention, institutions, and aftercare come under the Youth Services Commission.

4. *Georgia.*—A part-time Board of Corrections, which appoints a director as executive officer, controls the state penal system. Adult parole is the concern of the Parole Board. Adult probation is under the Board of Probation and local authorities. Neither of these boards is under the Board of Corrections. Juvenile detention, probation, institutions, and af-

tercare are all in the Department of Family and Child Services.

5. *Indiana*.—The Department of Correction, which controls adult and juvenile institutions, has four divisions: parole, probation, farm and industries, and classification and treatment. There is a full-time parole board for adult institutions and the Boys' School. Part-time boards supervise the women's prison and the Girls' School.

6. *Kansas*.—The Office of the Director of Penal Institutions supervises prisons. The Board of Probation and Parole has charge of adult probation and parole. Juvenile institutions and aftercare are under the Department of Social Welfare. Detention, juvenile probation, and jails are controlled locally.

7. *Kentucky*.—Included in the Department of Corrections are the Division of Probation and Parole, in charge of field services, and the Division of Institutions, in charge of the adult institutions. The Parole Board is for administrative services only. Juvenile institutions and probation and aftercare are in the Department of Child Welfare.

8. *Maryland*.—The Department of Correction has charge of adult institutions. Juvenile institutions and juvenile detention are under the Department of Public Welfare. Juvenile and adult probation and parole are under the Board of Parole and Probation, although local authorities are also involved in juvenile detention, probation, and aftercare.

9. *Massachusetts*.—The Department of Correction supervises adult institutions. The Parole Board is in the Department "but not subject to its jurisdiction." Adult and juvenile

probation are under the Probation Commission. Juvenile institutions and aftercare are the concern of the Youth Service Board.

10. *Michigan*.—The Department of Corrections has jurisdiction over adult institutions and parole and probation field services, through appropriate divisions. The Parole Board is in the Department. Juvenile institutions and aftercare are under the Department of Social Services. Juvenile probation and detention and jails are under local control, although the Department has certain responsibilities with regard to jails.

11. *Minnesota*.—The Division of Adult Corrections in the Department of Corrections has charge of adult institutions and adult parole services. The Division of Youth Conservation supervises the institutions for juvenile delinquents; it is also the paroling authority for juveniles and is in charge of aftercare. The Adult Corrections Commission is the paroling authority for adult offenders; the Division of Field Services supervises adult probationers and parolees.

12. *Missouri*.—The Department of Corrections has control over adult institutions; its Parole Board is the paroling authority and supervises probation and parole field services. Juvenile institutions and parole are under a Board of Training Schools in the Department.

13. *New York*.—The Department of Correction is concerned solely with adult institutions. The Board of Parole is the paroling authority; the Division of Parole in the Executive Department has supervision over parolees. The Division of Social Welfare is in charge of juvenile institutions and aftercare. Other correction-

al functions, such as jails and probation, are locally administered.

14. *North Carolina*.—The Prison Department is concerned only with supervision of the adult institutions. The Board of Juvenile Correction has charge of juvenile institutions. The Board of Parole is the paroling authority and is in charge of field services. Adult probation is under the Probation Commission. Other correctional activities are under local authorities.

15. *South Carolina*.—The Department of Corrections is concerned with adult institutions only. The Probation, Parole and Pardon Board has control over parole and probation and field services. Juvenile institutions and parole are supervised by the Board of Juvenile Correction.

16. *Tennessee*.—The Department of Correction has charge of adult and juvenile institutions, the latter being supervised by its Youth Services Division, which also has charge of juvenile probation and aftercare. The adult Pardons, Parole and Probation Board, with the commissioner of the Department as chairman, is concerned with adult parole and probation and parole field services.

Discussion

It is evident that these groups are not equally efficient. The "local board" type of control, which makes no provision for coordination, deserves the lowest efficiency rating. Members are likely to be busy men who have no time for their official duties; they may, at least initially, have little interest in or knowledge of correctional problems; and, as a rule, they meet too infrequently to permit close attention to business. The tendency is either to interfere too much

in day-to-day operations or to leave everything to the head of the institution or agency—which may, under the circumstances, be a bit of a blessing. Some of the states which use this type of control have very limited systems and are so poor that a more elaborate organization would be too expensive and unnecessary. However, no one doubts the need for coordination of correctional activities, and to acquire it to some degree would require very little additional money.

The ex-officio boards are subject to substantially the same criticisms. The likelihood of having members with an interest in correctional programs is even less than in appointive boards. Certainly such interest is not likely to be a factor in the election. Moreover, men highly placed in government are too busy with the duties of their own office to have much time left for correction. If they happen to be of different parties, political differences may have repercussions throughout the system. There are also many objections which regularly attach to plural executive administrations.

Other types of organization, under boards, are preferable to local boards. Their involvement with more than one institution, or with other correctional activities as well, makes for a greater degree of knowledge and coordination. As a rule, the broader the coverage, the better. Whenever the chairman of the board acts as chief administrator, such possibility is enhanced. In some states the legal provision for bipartisan boards reduces the possibility of political interference in the management of board affairs. However, it is true here, as it is in other fields, that a committee makes a very poor administrative device. Intimate knowledge of correctional activ-

ities, as well as professional leadership, is often lacking in such boards. Individual interference in management is not unlikely. Advisory boards have their value, but administrative boards are another matter.

Placing correction in a larger, existing department is a step forward. This type of organization has its appeal for states where the number of institutions and agencies is not large enough to warrant establishing an independent department. It is interesting to note that the two states that have achieved the greatest degree of integration of correction (Alaska and Rhode Island) have placed correction in the welfare departments. Seven states have correction in the department of institutions. Correction in Colorado and Montana was so organized fairly recently.

Including correction in an existing larger department makes for more efficient administration. Including correction in the department as a separate division or divisions covering most of the field has many advantages and serves as well as an independent department of correction. The development of a good program may be jeopardized, however, if the chief administrator of the larger department is primarily interested in another of its functions. This may result in less administrative time spent on correction and less effort to secure the necessary appropriations. This situation may weaken the centralization of correctional authority and encourage a tendency by the institutions to become autonomous, thus thwarting coordination. Much depends on personalities within the organization. If capable directors of the division are secured, such dangers are lessened. Adequate salaries must, of course, be

provided, or capable men will not be attracted to the subordinate positions.

For populous states with extensive correctional systems, the preferable form of correctional administration seems to be the separate, independent department under a single executive. The administrator is almost certain to be familiar with the problems of correction and is under no temptation to ignore these interests because of other functions. It is possible to include divisions dealing with the chief areas in the field and for the head of each of these to be a specialist who knows the program, thus assuring professional leadership and the greatest degree of coordination, exchange of information, and mutual assistance. Sixteen of the states now have a separate department, but it is evident that most of them have a long way to go before they can be said to have truly integrated systems of correction. In addition, there is considerable difference of opinion as to which areas should be included in such a department.

There is, for instance, no consensus as to the inclusion of the adult paroling authority and parole field services. All agree that in making its decisions, the parole board should be autonomous and, if placed in the department of correction, should not be subordinated to the director of the department. The contention is that the inclusion of the board would secure greater coordination in matters of mutual interest and less "passing the buck" in the matter of parole failures. This arrangement has been carried out successfully in several states, such as California, Michigan, and Wisconsin.

Disagreement centers chiefly on the question of the best location of super-

vision of parolees. On the one hand, it is argued that time in institutions and time on parole are parts of the same sentence, and that, since parole is a continuation of the rehabilitation process begun in the institution and it is the duty of the institutional treatment staff to prepare for parole, the highest degree of coordination is desirable and can best be secured by placing parole supervision and the institutional program under the same administration.

There are those, however, who argue that the authority which grants parole and sets the conditions should have the staff to see that these conditions are met; that under such arrangement the authority is in the best position to evaluate the success of its services. However this question is resolved, there is no doubt that efficiency demands the closest possible coordination between the paroling authority and the department of correction.

A similar disagreement concerns the question of including juvenile correctional services in the same department with adult institutions, probation, and parole. One viewpoint is that the two should not be combined in the same organizational structure because of differences in the approach to the juvenile offender, a different treatment philosophy, and different staff training needs; and that the association of the juvenile with the adult offender may have a deleterious effect upon the public attitude toward the juvenile and may adversely affect the juvenile himself. On the other hand, it is argued that many juveniles pass into the adult institutions and, therefore, that the same questions are asked and many of the same techniques used and, be-

cause of this, the adult staff should know what is being done in the juvenile agencies—something which can best be accomplished if the two fields are under the same general administration. Such separation as is desirable can be provided for through the organization of different divisions—one for juveniles and one for adults within the same department. Those jurisdictions which have this arrangement seem quite successfully to have overcome the objections of those who advocate separate organizational structures.

Integrating probation with institutions and parole in one department also presents problems. The granting of probation is regarded as a function of the court and is therefore a local concern, whereas the supervision of correctional institutions and parole is a state responsibility. So here we have the traditional dilemma of local autonomy versus state control, and the tendency of local organization to guard its authority and power. There appears to be no demand that the power to grant probation should be removed from the courts. Supervision of the probationer is something else. Under the local court, it is plagued by a variety of weaknesses. Many courts, particularly in rural areas, are not sufficiently well staffed to do a good job of supervision. Frequently staff is not well trained because the salary scale is too low to attract persons equipped for the task. The pay offered is often below the state scale for similar duties and responsibilities. The judge is frequently too busy to pay attention to supervision of those whom he has placed on probation. A step toward remedying this situation would be to have the court continue its function of granting probation

and to permit the appropriate state agency to exercise supervision. This would bring about integration of probation with other correctional activities.

To an outsider the various devices conceived for the control of our correction systems must be bewildering. He will wonder whether he should regard our efforts as demonstrations of ingenuity or as monuments to stupidity. Although we would prefer that he see them as steps toward a goal—the organization that will work most efficiently toward restoring the offender to useful citizenship—our time is almost up. We have more than

enough evidence that some of the existing types of controls are archaic and that others are far from being as efficient as we would like them to be. Our citizenry is aghast at the increasing number of offenders and at the rising cost of handling them. If our correctional systems are to be factors in reducing crime, we shall have to make them more efficient. True there are other problems—such as manpower—which we must solve in our quest for greater effectiveness. But we are here discussing organization. Leaders in all states, therefore, should be putting thought and effort into improving the administration of their correctional systems.