Developments in Correctional Services for Adult Felony Offenders in Louisiana

John Maurice Hyde

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DEVELOPMENTS IN CORRECTIONAL SERVICES
FOR ADULT FELONY OFFENDERS IN LOUISIANA

A Thesis
Submitted to the Faculty of the
School of Social Welfare
of the
Louisiana State University and
Agricultural and Mechanical College
in partial fulfillment
of the
requirements for the degree of

MASTER OF SOCIAL WORK

by
John Maurice Rye
B.A., Louisiana State University, 1940
May, 1955
MANUSCRIPT THESSES

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ACKNOWLEDGMENT

To my wife: without her interest, her encouragement and help, this thesis would not have been written.

I am greatly indebted to Mr. Reed Cozart of the Louisiana Department of Institutions, Warden M. H. Sigler and Director of Classification A. Wayne Allgood of Louisiana State Penitentiary, Mr. Curvey P. Landry of the Louisiana Department of Public Welfare, Mr. M. E. Culligan, Assistant Attorney General of the State of Louisiana, Mr. W. W. McDougall, Director of the State Department of Civil Service, and to Mr. Joseph A. Winkler, for the interview time they so generously made available to me.

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ABSTRACT

What is Louisiana getting for its multi-million dollar investment and annual expenditure of thousands of dollars for correctional services? Is this what we want, or should we strive for something better? This thesis attempts to answer these questions in terms of a reformulation of major correctional theories. These theories are organized here into two approaches to the problem of correction, designated as the legalistic and scientific systems. Their basic premises are, respectively, the traditional concept of free will and the scientific concept of multiple causation in human behavior.

This study concerns Louisiana State Penitentiary, the Board of Parole, and the Division of Probation and Parole of the Louisiana Department of Public Welfare. Today these agencies are found to be legalistic in their conception of their function; their reciprocal relationships are a matter of administrative expediency rather than therapeutic necessity, that is, the individual offender is subjected to a segmented approach by independent, loosely co-ordinated agencies instead of a continuous treatment process. They do not employ scientific methods.

When the problem of correction of adult felony offenders is viewed from broader perspectives, it is found that many perplexing problems remain to be solved. In Louisiana, we do not know how many such offenders there are; their fate is too largely decided on the basis of inadequate information and accidents of geography. Although administrative and therapeutic considerations both indicate that the agencies dealing with these individuals should be integrated, no study has been made to determine what the most felicitous
Important advances have been made in Louisiana in recent years, but much yet remains to be done. The writer proposes a Louisiana Correctional Commission as a first step in the orderly evolution of a conceptually consistent and scientifically oriented correctional system.
CHAPTER I

THE EVOLUTION OF A CORRECTIONAL SYSTEM

Major Concepts of Correction

In penology, in probation, and in parole there exist today wide areas of disagreement and controversy in regard to theory and methods which are reflected in the diverse range of organizational types and services offered by the various jurisdictions. An analysis of the major ideas espoused by the various authorities can be enlightening and useful in the task of identifying the differences in approach to the problem of correction of criminal offenders; additionally, such an analysis can provide a basis for and simplify the task of evaluating individual agencies and systems. When the literature of the field is reviewed, it is found that many ideas are expressed which are consistent with and complementary to each other which, at the same time, are individually and collectively inconsistent with and contradictory to others. If these various ideas are grouped so that mutually compatible ones are placed in exclusive groups, two prevailing systems emerge which can be stated in their extreme forms. These will be referred to here as the legalistic system and the scientific system, respectively.

I. The Legalistic System. The rationale of the legalistic system can be stated approximately as follows.

A. All individuals possess and exercise free will. They can accept and reject ideas; they can discriminate between what is good and what is evil; they can and do direct their own behavior through the acceptance of the good and the rejection of the evil.
B. If an individual violates the law, i.e. injures the group, he has voluntarily chosen an evil course of action. By so doing, he has incurred a debt to society; society must exact payment through inflicting an equivalent injury to him.

C. Such injury to the offender will serve as a deterrent to him when he is again tempted to violate the law; other individual members of the group, witnessing the retaliation of the group, will also be deterred from choosing the evil.

D. Ostracism, i.e. exclusion from participation in the group and denial of privileges accorded group members, is the most suitable penalty in the usual case. Although it is no longer practicable to ostracise an individual from the state, he can be ostracized from the group within the confines of the state.

E. We are now confronted with two problems:

1. Custody. The individual must be prevented from rejoining the group until he has paid his announced debt.

2. Maintenance. Since the penalty is not death, the prisoner must be provided with the necessities of life.

It is unjust and unfair that society should maintain in idleness those who have violated its laws, but since this can not be wholly avoided every effort must be exerted to ensure that the prisoner will contribute to his maximum ability to his own maintenance; the more effectively this is done, the lighter will be the burden on society.

F. Not only is it costly to maintain prisoners for their full terms, but it may be unnecessary; some of them may be so chastened that no further good can ensue from their continued confinement. If a conditional remission of a portion of their sentences is granted such prisoners, certain benefits may accrue: the prisoners will have the opportunity to
prove their good intentions, their sincerity, and their ability to lead a law-abiding life; society will be relieved of the burden of maintaining them.

G. A decision to so release a prisoner, to parole him, involves a change in the conditions under which his sentence is served. Such a decision is therefore a quasi-judicial decision.

H. In return for the privilege of serving part of his sentence outside the institution, the prisoner agrees to conduct himself during the remainder of his sentence according to rules of behavior set forth in a written contract between him and the state.

I. It is possible that the prisoner may make the contract in bad faith, or he may violate its terms after his release. It is necessary, then, that an agency be set up to enforce the contract. If a parolee is found to have violated the contract, the state may terminate it and reincarcerate him.

Although a discussion of probation is not one of the tasks undertaken in this paper, it is necessary to show that it can be thought of in terms of these major concepts in order to make clear the comments set forth in the concluding chapter.

J. Some individuals who violate the law may do so more or less accidentally, or through ignorance; or they may enjoy a reputation for previous good behavior; or they may be already so chastened by the fact of apprehension, or a remorseful conscience, that remission of the entire sentence, or deferring of sentence, may be desirable. They can thus be given the opportunity of proving themselves and the state will be spared the expense of maintaining them in prison.

K. The decision to remit the entire sentence, probation, is a judicial
decision.

L. In return for the privilege of serving his sentence outside an institution, the offender agrees to conduct himself according to certain rules of behavior set forth in a contract between him and the state.

M. Since the contract between the offender and the court, as an agency of the state, may be made in bad faith by the offender, or he may later violate its terms, it is necessary that the state set up an agency to enforce the contract. If a probationer is found to have violated the contract, the court may terminate it and remand him to prison.

II. The Scientific System. The rationale of the scientific system can be stated approximately as follows.

A. Criminal behavior is symptomatic of a defective relationship between the offender and the society in which he lives. The factors involved are both personal and social, but the cause of such behavior is a configuration of these causal factors which is unique to the individual. Stated differently, the cause of crime in an individual case is a complex of personal and social factors peculiar to the individual.

B. The social factors are a concern of our society as a whole, and are thus not within the purview of law enforcement and other agencies which have been set up to deal with those who violate the law. The latter agencies are concerned with the individual and his adjustment to a relatively stable society.

C. More specifically, the function of correctional agencies is to provide a program of study, diagnosis, and treatment, with the objective of producing within the individual offenders a greater over-all ability to meet the pressures of life in a socially acceptable way. This implies both a strengthening of the personality in its various aspects and a
correction or re-adjustment of faulty modes of functioning through the use of scientific knowledge and methods.

D. For the protection of the individual, for the protection of society, and for therapeutic expediency institutional treatment is often necessary.

E. We are now confronted with two new problems:

1. Custody. The individual must be prevented from rejoining the group until the therapeutic efforts have produced sufficient change in him so that he may be reasonably expected to function in accordance with the standards of the group.

2. Maintenance. The diagnostic and treatment problem presented by each case will be easy or relatively difficult to solve. In any event, provision must be made for the maintenance of the individual till institutional treatment is no longer required.

The cost to society of each prisoner, while not easily calculated, is large. In it must be included losses as a result of his illegal activities, the cost of maintaining law enforcement agencies, the cost of the courts and prosecuting officers, the cost of maintaining him in prison, the loss to society of his potential production, the cost, in many cases, of providing financial assistance to his family, the cost of the taxes he might pay as a productive citizen, and possibly others. Unless the individual is so changed that he will lead a law-abiding life, society may have to pay many of these costs during his entire lifetime. Although it is recognized as desirable for a prisoner to contribute through his efforts to his own support, the savings thus effected are not only paltry, but are illusory if this is done in a short-sighted manner which sacrifices or delays in any way the therapeutic objective.

F. It is costly to the state and detrimental to the individual to maintain him in an institution after that point has been reached where he can be expected to make an acceptable adjustment in the community.
It is therefore in order at this point to test the effectiveness of the treatment by permitting him to return to the community, provided, however, that further treatment will be required in the institution if his adjustment indicates it is desirable.

G. A decision to so release a prisoner, to parole him, is an executive decision based on treatment considerations.

H. Parole, so conceived, is a phase in an integrated program of treatment; it is additionally a testing of the effectiveness of institutional treatment under less restrictive conditions.

I. When he has been paroled, a prisoner has progressed from one phase of a treatment program to another. Personnel must be provided to continue the treatment program under these changed conditions. If it is found that a parolee was unready for this phase of treatment, or if he regresses, the agency may return him to the institution for further treatment.

Probation, considered from the viewpoint of a scientific rationale, can be thought of as follows:

J. Some individuals who violate the law may do so more or less accidentally, or through ignorance; the behavior may be symptomatic of a condition which can be most effectively treated outside an institution without great risk to society. If such is the case, extra-mural treatment without a prior period of institutional treatment may be therapeutically indicated.

K. The decision to choose this type of treatment is an executive decision based on diagnostic and treatment considerations.

L. Probation, so conceived, is a treatment method.

M. Since probation is a treatment method, it is necessary that personnel
be provided to give this service. If it is found that this method is not meeting with success, and institutional treatment may, the treatment form may be later changed.

The Sources of Controversy and Confusion

I. Intra-systemic. There is room for controversy and differences of opinion of greater or lesser importance in both the legalistic and scientific rationales. The independent paroling agency, for example, is a subject of much controversy among those authorities who see the paroling function as a quasi-judicial function.

In the matter of parole granting agencies, there are differences of viewpoint as to whether these should be central boards, Governors, or institutional boards. There are varying viewpoints as to who should be parole board members; should the members be public officials serving ex-officio as parole board members, or should they be private citizens? Should they be composed of both? If private citizens are parole board members, should they be appointed by the Governor, by the Governor with the advice or consent of the Legislature, or by some other method? Should parole board members serve on a full-time or part-time basis, or should some members serve full-time and others part-time? Should members be paid salary, per diem, expenses, or some combination of these? Should the chairmanship rotate among the members, or should one member serve continuously in that capacity? How many members should there be? Should their terms be overlapping? How long should their terms be?

Since the organization of present correctional agencies is an outgrowth of a pre-scientific approach to the correction of criminal offenders, it is possible to offer such an example. We do not have a similar example
to offer in a scientific approach because an organization designed to meet
the needs of a scientific rationale has not yet fully evolved in practice;
any example which could be offered at this time would, therefore, be only
speculative.

II. Inter-systemic. Certain features of correctional theory and practice
are compatible and others are incompatible between the legalistic and the
scientific approaches. The following list is merely suggestive.

A. Legal provisions.

1. The determinate sentence. A determinate sentence is one that
is fixed by the law at a definite period of time. From a
legalistic viewpoint, since each offender receives the same sen-
tence for the same offense, it is fair and equitable; from a
scientific viewpoint, in which the focus is on the offender, the
treatment needs, methods employed, and length of treatment necessary
can not be determined in advance by the particular crime the individ-
dual commits.

2. The indeterminate sentence. An indeterminate sentence is a
sentence that has no upper or lower limit; as such a sentence
exists more in theory than in practice, for practical purposes, an
indeterminate sentence is one that does provide for both a minimum
and maximum term. From a legalistic viewpoint, the indeterminate
sentence imposes no special problems in the program applied to the
individual; from the scientific viewpoint, a completely indeterminate
sentence is the most useful one in ensuring flexibility and facili-
tating treatment method changes.

3. Automatic consideration for parole after a pre-determined portion
of the sentence has been served. From a legalistic viewpoint, this
is fair and equitable and facilitates the routine and automatic handling of cases; from a scientific viewpoint, consideration for parole is automatic and continuous; such mandatory requirements will result in the wasting of time in formal consideration of cases which, from a treatment viewpoint, are not ready for such consideration, and will result in delaying or injuring the prospects for rehabilitation of those inmates who might have been ready for parole consideration at an earlier date.

B. Organizational features. Organization is, or should be, the handmaiden of function. As the functions of agencies, or their functions as they see them, differ, it is expected that the type of organization required to implement the functions will also differ. The independent parole board offers an excellent example of this point. From a legalistic viewpoint, the decision to parole is a quasi-judicial decision; this implies, if not as a sine qua non, at least a virtue in the separability of the body exercising this authority from both the institution and the parole service organization. From the scientific viewpoint, the concept of an independent board is entirely extraneous an organizational feature of a correctional system.

C. Methodological considerations. It is doubtful if there ever has been, in any place, a purely legalistic or purely scientific system of correction embracing the three institutions considered here. As a matter of historical fact, modern penology and parole have come about and developed at different times and places. They each represent a coming together and bringing to fruition of diverse practices arising in certain cultural milieus as suitable methods for the handling of criminal offenders. They have all developed, moreover, independently,
and as legal devices. Inherent in the concepts of modern penology and parole is the idea of reformation of the offender. There has been the tendency in these agencies, as entities, to modify their theories and the methods by which this objective is to be accomplished in accordance and conformity with advances in science and increasing knowledge about the dynamics of human behavior and psychopathology. It is here that the scientific and legalistic approaches converge: scientific methods are inherent in a scientific system; such methods are desirable and not incompatible in a legalistic system.

D. Semantic considerations. When an individual whose approach to correctional problems is largely a legalistic one, discusses such problems with an individual whose approach is more or less scientific, considerable confusion must ensue as a result of their using the same terminology to which each ascribes meanings derived from his special viewpoint. To one, institutional treatment may mean a program emphasizing work and vocational education; to the other the essential element may be psychotherapy based on a psychiatric diagnosis. The essence of parole service to one may be its contractual nature; to the other, it is quite clearly social casework service.

E. Vestigial influence of older theories. Although it can be clearly seen that the over-all trend has been the adoption of scientific methods in accordance with scientific understanding of causation, the influence of historical theories continues to pervade the field of correction in various ways. The religious approach, for example, is still clearly in evidence in the Federal Probation system, in which a large number of probation officers are former ministers or have had training for the ministry. This is not to say that religion does not have an important
role to play in correction, but that as an approach, as a basis for treatment, it is no longer applicable. The influence of the Irish marks system seems to be evident in references to the progress of an inmate from the institution to parole as being in the nature of promotion. Aside from whatever merit it might otherwise have, the enthusiastic war-time endorsement and promotion of the practice of paroling inmates to the armed services suggests a reversion to the ancient practice of ostracism or the more recent practice of exportation.

The two basic, central and interdependent problems in the field of correction now emerge:

I. Making internal changes in our present correctional agencies to bring about a redirection of their total activities based on the knowledge now possessed about causation and correction of criminal behavior.

II. Re-organization of our present agencies (usually an aggregate of independent or semi-independent entities) into a correctional system (in which each part has a fixed and necessary relation to the whole and to all other parts) in conformity with our viewpoint that correction is a single, continuous process.

Currently, emphasis is on desirable internal changes, i.e. on the administrative requirements of a changing methodology. We find, therefore, concepts of service and personnel standards receiving much careful attention and discussion in correctional literature.

Re-organization of correctional agencies into an integrated system can be supported on either one or both of two bases, (1) it eliminates overlapping and duplication of work and, (2) it is a sine qua non in the concept of correction as a single, continuous treatment (in the scientific sense) process. By reference to one or the other of these bases, agreement can be had that
correction is a single, continuous process while those who so agree are in fundamental disagreement. Again, it is a problem of semantics. For example, according to the Committee on the Model State Plan, The American Prison Association, "There is growing acceptance of the principle that the adult offender can be dealt with most effectively in a continuous, coordinated, and integrated correctional process, and that he should not be dealt with successively by independent and loosely coordinated services, each of which pays little attention to what the others have done or may later do". But the Association later expresses the opinion that there should be a parole board, that such boards have two functions: "one the semi-judicial function of granting and revoking paroles, the other the administrative function of directing the parole staff, the work of parole supervision, etc.". In contrast to this, R. Clyde White, who very obviously sees correction as a "single continuous process", states,

... It is assumed that granting parole is some kind of quasi-judicial act. As a matter of fact it is, like promoting a student from one class to another, a purely executive act. Nobody has ever suggested that a state administrative board be set up to determine the date when a patient in a hospital for the insane should be furloughed or, to use the more common term, paroled. Yet the deprivation of personal liberty in the case of the commitment of a citizen to an institution for the insane is just as complete as in the case of an offender sentenced to prison. The insane person has an absolutely indeterminate 'sentence', while the prisoner usually has an indeterminate sentence within the limits of a minimum and a maximum time fixed by law. The insane person is sick in one way, and the offender is sick in another way. No board of lay persons is qualified to pass upon the release from custody of either.

2Ibid., p. 75.
It should not be necessary to labor the point that, no matter how scientific the methods employed, no correctional system can reap the full benefits that should naturally accrue from their employment unless the overall organization provides the requisite structure in which to apply them; it should be clear also, that providing for a quasi-judicial parole decision, instead of an executive decision based on diagnostic and treatment considerations, is entirely unsuitable as well as unnecessary, as an organizational feature in a scientifically oriented correctional program. Recognition that "correction as a single, continuous process" may be either an administrative or a therapeutic concept is virtually non-existent; that it is generally considered as an administrative concept is indicated by the authoritative statement.

... If the principles enunciated in the chapter on Scope of the State Correctional System are accepted, the administrative structure of the state correctional system will include the administration of institutions and parole, and may include probation supervision. The most difficult problem involved in effecting such a plan is the preservation of necessary independence without sacrificing equally necessary integration. It is essential to good parole procedure that those who exercise the function of granting paroles, and revoking them if necessary, shall be entirely independent in their decisions.

From the viewpoint of a scientific approach to the problem of correction, it might be stated succinctly and simply, the necessity for an integrated correctional system arises out of therapeutic considerations, out of the fact that such organization offers the most suitable vehicle in which scientific methods can be employed. Increased administrative efficiency and economy, while important and desirable, are thus incidental and secondary by-products of integration.

1The American Prison Association, op. cit., p. 10.
For use in this thesis then, evaluation of correctional agencies can be made on the following bases:

Individual agencies are evaluated in terms of their adoption and use of scientific methods; correctional systems are evaluated in terms of (1) the adoption and use of scientific methods in various phases of treatment and (2) the extent to which a continuous, coordinated treatment program is provided.

Recent Changes in Louisiana

Extensive changes have been made at Louisiana State Penitentiary, especially since May, 1952, and other changes are in progress and are planned. Changes were made in the State's method of handling parole activities in 1940, in 1942, and in 1948. From 1948 till 1952, all parole activities were handled by an administrative board. In 1952 the composition of the Board of Parole was changed, the number of members was increased, and the Board was relieved of the responsibility of administering parole services. As of May, 1954, the Board of Parole is responsible for granting and revoking paroles and for setting policy with reference to parole activities. The Division of Probation and Parole of the Department of Public Welfare is responsible for administering parole services.

In view of the extensive changes that have taken place, it is in order to take a more than cursory look at these agencies, both singly and collectively. Our purpose is to set forth in some detail the changes that have been made; from the broad perspective outlined in the preceding section, these agencies will then be discussed individually with reference to their character and functioning.

At any one time the institution, the paroling authority, and the parole service agency may be loosely or closely coordinated or may be
partially or completely integrated in a variety of ways. The relationship may be a changing one, just as the individual agencies involved may themselves be changing, progressing or regressing in response to scientific advancement, financial considerations and political forces. We will want to know also, then, what these relationships are. That is, from the aspect of administrative efficiency, we will want to know what information is exchanged, what procedures have been established for the exchange of information, what duplication of effort and overlapping may exist. As the effectiveness of these relationships as an element in the process of meeting and resolving individual social maladaptations of a large number of people through the instrumentalities of institutional treatment and parole is important, these relationships will be discussed also from the aspect of therapeutic expediency and necessity.
CHAPTER II

LOUISIANA STATE PENITENTIARY

Authority and Function

1950 legislation provided that the superintendent of the penitentiary should have "general management and control over the convicts committed to the penitentiary, their custody, discipline, welfare, and safety." The law further provided that the superintendent should "enact rules for the grading and classifying of the convicts according to the most modern and enlightened system of reformation, the assignment and character of work, the prohibition of harsh or cruel punishment, the right of a convict to communicate directly with the superintendent without interference of an officer, the purpose being to restore and reform the individual to a better man, physically, intellectually, and morally." 

An amendment to the Louisiana Constitution in 1952 transferred all functions of Louisiana State Penitentiary and all employees with their functions to the newly created Board of Institutions. The Board of Institutions was empowered also to appoint the head of each institution for which it was given responsibility.

1Acts of Louisiana, 1950, Act No. 65
2Ibid.
3Acts of Louisiana, 1952, Act No. 48
Early History

As one historian has asserted, the prison systems in the South were an outgrowth of the climate, the race problem, and a largely agricultural economy. Penal farms were considered to be an improvement over and a method of eliminating the abuses of the alternative methods of handling prisoners through leasing them to private contractors or using them in building and maintaining public roads. He has described Louisiana State Penitentiary as it existed in 1928 as follows:

The state prison in Louisiana consisted in 1928 of a receiving station near Baton Rouge and two plantations, a large one of some 18,000 acres and a smaller one of 3500 acres. The receiving station has a hospital for the prison system and quarters for a few men employed in manufacturing clothing and shoes for the general prison population. Men are ordinarily held but a short time and then transferred to one of the plantations.

Louisiana Prisons are in charge of a general manager nominated by the Governor and confirmed by the senate for a four-year term. The general manager receives a salary of $6000. He appoints the wardens, determines the policy, and is responsible for the entire management of the prison system.

The warden is responsible for the general supervision of the men on the plantations. Discipline is handled by the warden and general manager jointly. Trusties for guard duty are selected by the warden.

Each plantation is in charge of a superintendent, and each camp unit is in charge of a captain and foreman, the number depending on the size of the group.

The men are housed in dormitories. The units care for an average of 150 men. The cooking is done for each camp separately. Some of the newer units have a large recreation room between the dormitory and the mess hall, which is used for shelter on rainy days and as a recreation room during the evenings.

In 1928 there were 1,687 prisoners distributed as follows:

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<th>Location</th>
<th>Population</th>
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<tr>
<td>Angola</td>
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<tr>
<td>8 units for men</td>
<td>1203</td>
</tr>
<tr>
<td>Women's unit</td>
<td>62</td>
</tr>
<tr>
<td>Men in hospital</td>
<td>19</td>
</tr>
<tr>
<td>Road camp</td>
<td>152</td>
</tr>
<tr>
<td>Oakley</td>
<td></td>
</tr>
<tr>
<td>Plantation</td>
<td>158</td>
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<td>Receiving station</td>
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The chief product of the plantations is sugar cane. The cultivation of this crop and the building of levees, running the sugar refinery for part of the year, and construction work provide employment for all the men...

The major part of the population is distributed in comparatively
small housing units scattered over the plantations. Seven of the housing units are built of brick. There is a good relation between the administration and the men and there is a recognition of the value of recreation in the development of a good morale.

On the other hand, the use of inmates as guards exists in Louisiana as in Mississippi, Florida, and Arkansas. The dangers of this system are obvious and need no special emphasis. The use of the lash as the major punishment is a method open to grave abuse. No effective restrictions are provided to avoid abuse. Striped clothing is still worn. There is no provision for education, although there is a high degree of illiteracy among the inmates.

Evaluative Criteria

Into our prison go persons who might never violate the law again, persons who can be so strengthened by their prison experience that they will become useful citizens, and persons whose biological inheritance is so weak, or whose psychological injury is so deep-seated that they are incapable of living in the community without violating its laws. It is recognized here that for the last group the function of the prison is primarily, if not solely, custodial. Although the prison has a custodial function in respect to the first two groups, the focus should be on their rehabilitation. Such rehabilitation implies psychological changes; these changes are brought about by a relationship or relationships between the inmates and skilled personnel; the use of various tools or equipment by that personnel may be necessary; the climate must be one of decency and humaneness.

Surveys of prisons are ordinarily made by analyzing the organization and administration of the institutions. A logically organized and properly equipped and staffed prison is necessary if it is to perform its functions. Such a thorough-going analysis is not necessary for the purpose of this study: we want to know if certain needs requisite for the accomplishment of

rehabilitation are being provided for the prisoners. How they are being provided, and their cost, either absolutely or comparatively, is irrelevant to this purpose. The needs of prisoners are categorized as follows:

I. Basic Needs. Every prisoner should be provided with food adequate in amount and quality to maintain good health; it should be palatably prepared under sanitary conditions. Every prisoner should be supplied with clothing properly fitted and suitable for the climate and the conditions under which he lives; he should have a sufficient number of changes so that through his own efforts and institutional facilities he can maintain personal cleanliness. Every prisoner should have shelter that adequately protects him against the elements, that is properly lighted and ventilated, and that affords him the maximum degree of privacy commensurate with institutional living. Availability to washstands, toilets, and bathing facilities should also, of course, be provided; they should be functioning and sanitary. In order to maintain reasonably good health and comfort, medical and dental care are also necessary; by this it is not meant that physicians and dentists should be available for emergency situations only, but that examination should be routine and periodic and treatment should be prompt and adequate.

II. Morale Factors. Because men's needs are not exclusively physical, provision must be made for these other needs, such provision being the second element in the climate of decency and humanness prerequisite to rehabilitation. Prisoners need:

A. To have their time occupied. To be needed, to have a degree of responsibility, to be occupied in some constructive task during a large part of each day seems to be essential to the well-being of man and a characteristic of his on-going nature.

B. To be able to participate in a variety of recreational activities.
with others and alone. Man is a social being. His personality is formed by contact and intercourse with his own kind, and is largely determined by the quality of that contact. The opportunity for the physical exercise, the competition, the feeling of solidarity with a group in a joint effort of some kind, along with the exercise of his wits, seem to be conducive to his feeling of well-being. In addition to group activities, prisoners also need the opportunity for recreational activities alone, perhaps practicing some skill or reading for pleasure.

C. The opportunity to spend some time in the privacy of their own thoughts. Mental and emotional growth are the outcome of the integrative processes of the personality. Men must have the opportunity to relive their daily experiences, to evaluate them, to relate them to each other and to the past, to consider them in relation to the future, and to thus make them part of themselves. This process, perhaps, is what takes place when men are alone and "doing nothing".

D. Fair, impartial, and appropriate measures for enforcing discipline upon them. Favoritism, cruel and unusual punishment, excessive punishment, all arouse resentment and hostility, inhibit the individual's ability to establish a normal relationship with those in authority, lessen his desire to cooperate in the effort to improve his condition, and place him more squarely in opposition to authority.

E. To be able to maintain through correspondence and visits contact with those people with whom they have affectional ties. Without question, all will agree that one's familial and intimate associates have much to do with the flavor of life in the present and hope for the future; concern for them will certainly inhibit progress; communication
with them and assurance of their well-being lessens the pain of separation and frees one to move ahead.

III. Rehabilitative Activities.

A. Activities which have as their objective the increasing of the prisoners' general social adaptability. Among these we include all corrective medical and dental services; vocational training programs; other education; a library well-stocked with carefully selected books; cultural education, i.e. the teaching of the commonly accepted values of our civilization, either in a separate program or combined with other education.

B. Activities which have as their objective the individualized study, diagnosis, and treatment of the prisoner. Included in such activities should be psychological testing of a high order, psychiatric evaluation and guidance, and counselling. These activities should be seen as a part of a total program for the individual which utilizes all other pertinent activities and services of the institution.

Such rehabilitative activities are usually considered to be within the scope of the classification program, where the institution has such a program. It is important to note in passing, however, that "classification" is a term which can be more confusing than enlightening. The term can mean the separation of inmates according to the degree of custody required, offender class, type of offense, mental or physical condition, vocational or educational assignment, or some other criterion; or it can refer to any one of these activities, if that is what the classification program concerns itself with. The point is, that the existence of a classification program in no way offers assurance of the existence of rehabilitative activities.
In 1944 a survey was made of Louisiana State Penitentiary by the United States Department of Justice, Bureau of Prisons and Federal Prison Industries, Inc., which is enlightening as to the changes which had occurred in the intervening years.

So far as food is concerned, it was described as adequate in quantity and quality before preparation. The trouble lay in what happened to it before it was placed before the inmates. The inmates handling and preparing the food were described as almost totally unsuited for such work. Food preparation equipment was described as practically non-existent, unsanitary, obsolete, and primitive. The report provides no information as to the clothing needs of the prisoners, nor to the types and quantities issued to them. We do learn that laundry facilities at the Camp located at St. Gabriel were practically non-existent, which is not too surprising in view of the situation at the main reservation at Angola:

Laundrying facilities on the Angola reservation are limited to a small obsolete unit located at the women's camp and restricted to the cleaning of women's clothing, hospital and staff laundry, and infrequent washing of inmate bed-clothing. No sterilizing facilities are available, and practically all male inmate garments are washed by the individuals after working hours and according to individual standards of sanitation.\(^1\)

An equally depressing picture is painted of the housing for prisoners. The report does not state with any exactitude just what housing conditions were, but from general evaluative statements it can only be concluded that they were inadequate in every respect: "Housing facilities consist of


\(^2\)Ibid., p. 50.
barracks type structures, many in such a state of disrepair as to be entirely unsuited for further use of any kind,¹ "two of the nine available camps had been condemned as unfit for further use.² The buildings were described as unsafe and unsanitary, the water supply inadequate, and sanitary facilities as practically useless. The fire hazard was described as grave. Perhaps the total inadequacy of the older camps accounts in part for the conditions in the newer camps (Camp A and Camp B) which were said to be "so overcrowded that inmates of all types and ages were bedded in double tier bunks, practically adjoining one another."³

One would suspect that inmates living under such conditions would present medical and health problems requiring an elaborate and expensive medical program, and this may reasonably be inferred to be a true state of affairs. The facilities and services available however could hardly be described as adequate for a number living under optimum conditions so far as sanitation, and nutrition, and shelter is concerned. The report relates,

Medical facilities consist of a small hospital unit capable of caring for not more than about 60 patients, including tubercular cases. As a result, some inmates requiring medical care have to be kept in bed at certain of the camps. The medical staff includes two general physicians, a dentist, a pharmacist, and a registered nurse, who are working under almost impossible conditions to attempt to meet the needs of almost two thousand inmates.⁴

Unfortunately the report does not enlighten us as to the number of tubercular patients occupying that 60 bed hospital unit; nor do we know the extent to

¹Ibid., p. 1.
²Ibid., p. 19.
³Ibid.
⁴Ibid., p. 3
which healthy inmates were needlessly exposed to infection because of being forced to live with the ill who could not be accommodated in the hospital. The dangers in the situation were only too apparent at the time the survey was made, as "an epidemic was sweeping through most of the camps and the segregation of even a small portion of the affected inmates was impossible, hence the only means of even attempting to control the spread of this epidemic lay in quarantining the whole camp."¹

Of the factors previously mentioned as important in creating and maintaining good morale only three were mentioned, even indirectly.

We could hope that inmates living under such conditions could at least enjoy the solace of work to occupy their time and minds, and could gain in the sleep induced by the hard labor generally thought to be their lot a temporary respite from the monotony and deprivation of their lives, but such was not the case. This is related to the poor methods of institutional management employed, the report relating "The raising and crushing of sugar cane is the chief activity which appears to transcend in importance all other phases of institutional administration, employment, and treatment, though the sugar operations themselves are conducted under relatively primitive conditions and do not provide adequate employment for all able-bodied inmates, even during the harvesting season."²

There were no recreational facilities of any kind provided, the inmates occupying their free time "loafing around the limited, fenced-in spaces enclosing groups of seventy to more than 100 inmates."³

¹Ibid., p. 19.
²Ibid., p. 2.
³Ibid., p. 19.
At the time this report was written the traditional practice of using inmate guards was still being used. Although the report, in commenting on this, emphasizes the inadvisability of the practice chiefly from the standpoint of the dangers to the non-inmate personnel, it is mentioned, so far as how the practice affects prisoners is concerned, that "armed or unarmed inmate guards and foremen exert a brutalizing effect on the morale of the institution. They have neither the ability nor the incentive to improve the outlook or work habits of other prisoners."\(^1\)

As preceding paragraphs have indicated, the focus of the survey was on institutional organization and administration, the needs of the prisoners being mentioned in the report almost incidentally, or at best as a secondary consideration. Because of the lack of exact information regarding matters of moment in the living conditions and treatment of prisoners, we must perhaps satisfy ourselves with conclusions gathered inferentially from some of the recommendations made. These are:

1. Remove illiteracy wherever possible.
2. Supply common school deficiencies
3. Give opportunities for cultural and general education
4. Provide industrial and vocational training
5. Develop avocations and wholesome recreational and leisure time activities
6. As a less tangible but equally important accomplishment, create in the prisoner, through expanding his mental horizon, some understanding of himself and of the underlying causes of his defection and present situation.\(^2\)

**Louisiana State Penitentiary - 1951**

In the Spring of 1951 a committee of twenty-five distinguished citizens from various areas of Louisiana who had been appointed several months

\(^1\)Ibid., p. 160.

\(^2\)Ibid., p. 175.
previously, made a report to the Governor of the conditions they had found existing at Louisiana State Penitentiary. Their findings are set forth here in summarized form in accordance with the criteria previously outlined.¹

I. Meeting Basic Needs. At the time the committee inspected the cooking and dining facilities at Louisiana State Penitentiary numerous deficiencies were noted in regard to the preparation and serving of food. Each camp had its own kitchen unit; each unit operated completely independently of the others, there being no uniformity between them in regard to items to be served and method of preparation. Cooking equipment was described as "rough,"² in Camp E, for instance, consisting of a large gas oven-range and steam kettles. Dining facilities were described by the Committee as being adequate in all camps except Camp A, where the dining room was too small for the number of inmates to be accommodated, and they could not, therefore, eat in comfort. One camp captain reported that his instructions were to feed the men all they wanted, however, in another camp several prisoners reported that they were being more adequately fed on the day of the inspection in honor of the investigating committee. A prisoner in one of the camps surreptitiously reported that the captain of his camp diverted the choicest foods to his own use. In the women's camp the committee found that better food was dispensed to the white inmates than to the negroes. It was reported that inspections were made of several camps during the preparation of meals or at meal time, and that in each instance meals appeared to be entirely adequate and balanced. Observation of its soupy consistency led to the

¹Note: The information contained in this section is drawn from sub-committee reports of the Governor's Committee which are available in the library of the Public Affairs Research Council.

²Leo B. Blessing, "Report of the Sub-Committee on Camp E to the Chairman of the Governor's Committee to Investigate Conditions at Louisiana State Penitentiary" (n.d.), p. 3. (Mimeo.)
explanation, in one instance, that this was due to the preference of the inmates. This also was the explanation for the preponderance of starchy foods and beans. From such general observations and comments, and from the general good physical appearance of the inmates, the conclusion of the committee was that the quantity and quality of the food served to the inmates were adequate.

In regard to the clothing of the inmates, the situation found to exist by the sub-committee investigating Camp E was, perhaps, typical of that throughout the institution. It was found that the broad-striped trousers required by institution regulations were generally worn, but that from the waist up the individual inmates showed a preference for the variety of T-shirts, sweaters, and jackets which they wore in preference to the uniform shirt. Each inmate, it was reported, was issued two changes of clothing, replacements, if available, being issued when they were worn out. It was reported that each inmate had issued to him two pairs of shoes, these being worn for work and for leisure; some inmates were issued boots if the nature of the work they performed required this. The committee observed that little serious thought was given to correct sizes. Although it was reported that laundry service was provided weekly, inmates complained to the committee that when incorrect clothing was returned they were forced to wear the same clothing for weeks. The net result of this system of providing for the clothing of inmates can be summarized by quoting from committee reports, "Most all the clothing was dirty and quite a bit was also ragged. Some inmates wore shoes while some wore boots, and in the case of a few the footwear was muddy and badly worn."

¹Ibid., p. 1.
No special sub-committee was appointed to investigate how prisoners fared so far as adequate shelter is concerned. Camp E for white prisoners, and Camp A for negro prisoners were considered to have the worst living conditions. They can not therefore, be considered as typical for all prisoners, but as differing from other camps in the degree of their inadequacy. According to the report, between 250 and 300 prisoners had their sleeping quarters in Camp E, in "the second floor dormitory of a two-story brick building of uncertain age." In Camp E at the time it was inspected, were 142 double-deck bunks, some of metal and some of wooden construction. The mattresses and sheets were found to be dirty, and gave the appearance of infrequent washing; around the bunks of the various inmates were strung lines upon which they dried towels or other articles. For these 250 to 300 inmates was one "antiquated water fountain with rusted coils." Bathing facilities were found to include five shower pipes; there was no provision for the disinfecting foot-bath usually found in public showers. Toilet facilities, which were contained in a concrete room measuring about 12' by 12', consisted of a six-foot long urinal and five unseated toilet bowls. For these prisoners, there was one outside fire-escape; from the dormitory opened one door to the fire-escape, this door being kept locked; the key was in charge of a man whose duties kept him at various parts of the camp. As to the building itself, it was reported as "too old and dilapidated."

The committee did not give a detailed description of Camp A, but the recommendation was made that the population should be greatly reduced.

1 Ibid.
2 Ibid., p. 2.
3 Ibid., p. 3.
as the number housed there was too large for proper administration.

The women's camp was described, not in detail, but sufficiently so that one can infer the general conditions: "All quarters, however, are antiquated buildings...with at least one instance of a large chink being stuffed with rags to keep out the wind." They were described as fire-traps heated by wooden stoves, with the one redeeming feature of numerous exits.

II. Morale Factors. Certain factors have been selected as important in maintaining morale. These are: to have one's time usefully occupied, a variety of recreational activities, some privacy, fair and humane disciplinary methods, and correspondence and visiting with relatives. Some of these factors were the subject of direct investigation; the situation as regards others must be inferred from scattered and indirect references.

Was the time of the inmates occupied to the optimum degree in constructive tasks? This question is one the answer to which must be secured inferentially. It must be remembered that the predominant occupations at Louisiana State Penitentiary were in the operation of the farm. This situation had not changed to any great extent since the 1944 survey was made, although there were, to be sure, related activities in the operation of the cannery and the sugar mill; some inmates, also, were employed in maintenance and construction activities, and in the tag plant (where automobile licenses are made). It must be assumed, however, because of the seasonal nature of agricultural operations and the vagaries of nature, agricultural occupations being predominant, that some deficiency existed in this respect. To what extent these considerations placed limitations on the occupational use of...
time, can be, of course, a matter of conjecture only.

"Recreation is left to the unguided imaginations of the inmates themselves," remarks the committee.¹ This, is, perhaps, an exaggeration, but only a slight one. Elsewhere the committee reported that movies were shown at each camp twice weekly; the negro inmates were reported to take a great interest in baseball and other sports; there was a band at Camp A; inmates were permitted to have radios.

Lest this recital imply an adequacy that did not exist, some further description is indicated. It is reported, for example, "When pictures are shown a screen is rolled down from the ceiling of the dormitory and the inmates recline on the bunks at one end of the room to view the films."²

The inadequacy of recreational facilities and programs was summed up by the committee in the comment, "There appears to be a terrible lack of organized and planned recreation, such as group activities, competitive games, organized teams, suitable rooms for reading and relaxation."³

That habitual unwholesome or harmful recreational activities would be continued under such circumstances is not to be wondered at; that those not addicted to such activities should be introduced to and join in them is to be expected. That such was the case was recognised in the comment that "... it appeared however, that gambling was one of the main recreational activities at each of the camps. As a matter of fact, a dice game was in

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¹Messing, op. cit., p. 3.
²Ibid.
³Carlos G. Spah, "Report of the Sub-Committee to Investigate Conditions Affecting Negro Prisoners at Angola to the Chairman of the Governor's Committee to Investigate Conditions at Louisiana State Penitentiary" (April 11, 1951), p. 3. (Mimeographed.)
progress while we were inspecting Camp A."

To the crushing impact upon prisoners of the conditions cited in previous paragraphs must be added the methods employed in enforcing discipline. The report relates that disciplining of prisoners was a responsibility, largely, in each camp, of the captain of that camp. The chief and most usual method of discipline, the committee reported, as revealed to them by inmates, was whipping with ropes, sticks, and heavy leather straps. Some prisoners exhibited marks on their backs made by these instruments; one hospital record was seen of a prisoner who was admitted for a broken arm as a result of a whipping, according to his story.

Not only were such measures used as a disciplinary method, but physical indignity was, in at least one recorded case, the peculiar penchant of an employee who gained the nickname of "Scalper" because of his occasional grasping of inmates by their hair, which he would snip off with a knife. In one instance, it was related by an inmate, the "Scalper's" aim had not been true and the inmate had been cut by the knife.

No mention is made in the committee report of correspondence or visiting privileges, but it is known correspondence with relatives and semi-monthly visits by them have been permitted for a number of years.

III. Rehabilitative Activities. No mention was made anywhere in the committee's report of the existence of any kind of activity designed to produce an understanding of the inmate or the influences operating within and

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1 Ibid.

2 Letter from Hon. Chris. Burnette to the Chairman of the Governor's Committee to Investigate Conditions at Louisiana State Penitentiary, March 19, 1951, p. 2. (Mimeographed.)
on him that resulted in the commission of a legal offense.\(^1\)

**Louisiana State Penitentiary - 1954**

On July 30, 1954, the writer visited Louisiana State Penitentiary and made a tour of part of the institution in the company of the Director of Classification. No attempt was made during this space of a few short hours to make a complete survey, the objective being only the acquisition of sufficient information to evaluate in a general way the present living conditions of prisoners, factors affecting their morale, and the treatment program.

I. Meeting Basic Needs. As related by the Assistant Director of the Department of Institutions in Charge of Correctional Institutions, the plant at Louisiana State Penitentiary was considered totally inadequate by the present administrators when they assumed responsibility for the Penitentiary, from the viewpoint of meeting the needs of prisoners and from the viewpoint of efficient institutional management. Because of their inadequacy, it was felt that the abandonment of many structures then existing, or their conversion to other use, would involve little less; from a positive point of view, new structures, designed and located in accordance with a comprehensive, over-all plan, had much to offer in terms of institutional management. The decision was made to build a new prison, to be designed and constructed along the lines indicated by modern penological thought. In the meantime, only such

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\(^1\) In December 1954 the writer interviewed Mr. Joseph A. Winkler. Mr. Winkler was Prison Classification Officer at Louisiana State Penitentiary from 1946 to 1950. Sometime in the period from 1946 to 1948 he conceived the idea of employing prisoner counsellors, preferably social workers, to work with inmates in the interest of their rehabilitation. A job classification for these positions was set up by the State Department of Civil Service, but even though the salary offered was excellent and living accommodations were to be provided, the plan was never carried out because of a lack of qualified applicants willing to live at Angola.
temporary changes and repairs would be made to existing structures as were necessary to alleviate the most objectionable features. The new prison is still under construction, and will not be ready for occupancy for some months; in the meantime, according to the Director of Classification, the conditions under which prisoners live is little different from that found by the investigating committee of 1951.

The writer visited Camp E. The dormitory previously described, on the second floor of the two story brick building, was crowded with single bunks where an estimated 135 to 140 inmates sleep. Although it is now less crowded than it was in 1951, the conditions under which the inmates live are otherwise much the same; the bunks are placed fairly close together, and strung around them are the lines upon which inmates dry clothing articles. Below, at the foot of the central stair-case, is the washroom containing four washstands, seven toilets, and five urinals.

Camp C was described by the Director of Classification as still the worst from a physical viewpoint. It is now a trusty camp occupied mostly by those negro inmates who work in the field. There were, at the time of this visit, 204 inmates quartered at this Camp. Their dormitory was so crowded with double-deck bunks, with hardly enough space between them for a man to walk, that it was difficult to see how more than this number were ever housed there.

It was stated that much the same situation existed at the various other camps; they were cleaned up a little and minor repairs had been made.

Each prisoner is now provided with three complete changes of clothing, except shoes. The "big stripe" formerly worn has now been discarded, ordinary prisoners wearing blue denims, trusties wearing pin stripes, and guards
wearing khakies. Special uniforms are provided prisoners who work as hospital attendants, as kitchen helpers, and in the cannery. All prisoners who work outside are provided with pea-coats. Most prisoners wear boots or work-shoe type of shoes, approximately two pairs of shoes per prisoner being issued each year.

At the time this visit was made the arrangements for preparing and serving food to prisoners was changed little, if any, from that previously described in 1951. Instead of the individual cooks or camp captains selecting the items to be served, the menus are prepared by a veteran navy steward, an employee who is in charge of food for the entire institution. The objective is said to be to provide meals comparable to those served to men in military service. No set standard, however, is followed, but it is felt by the authorities that some assurance of adequacy is provided by the practice of having all menus approved by the steward, the warden, and the physician. The menu for Friday, July 30, 1954, the day the writer inspected the institution is taken as typical:

<table>
<thead>
<tr>
<th>Breakfast</th>
<th>Lunch</th>
<th>Dinner</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fried eggs (2)</td>
<td>Salmon salad</td>
<td>fricassées of pork</td>
</tr>
<tr>
<td>Stewed fruit</td>
<td>sliced pickles</td>
<td>steamed rice</td>
</tr>
<tr>
<td>Oatmeal</td>
<td>fried potatoes</td>
<td>cut beans</td>
</tr>
<tr>
<td>Fresh milk</td>
<td>boiled navy beans</td>
<td>bread pudding</td>
</tr>
<tr>
<td>Toast and coffee</td>
<td>cole slaw</td>
<td>bread and iced tea</td>
</tr>
</tbody>
</table>

Instructions are that prisoners are to be permitted to eat all they desire. However, in order to accomplish this without causing excessive waste, each prisoner is required to eat all the food he takes.

Cooking equipment and dining facilities in the two camps inspected had a well used appearance and little change appears to have been made in this regard. The assistant to the steward stated that while the cost of feeding prisoners has been reduced, they are being better fed because of careful
control to prevent diversion of foodstuffs, and maximum utilization, e.g. excessive tallow in butchering meat is rendered and sold for making soap, other meat by-products are cooked and crushed and used to make food for the hogs.

A clear picture of medical facilities was not obtained, but it would appear, at least on the surface, that some deficiency may exist here. One physician is employed on a full-time basis by the penitentiary; a surgeon, a tuberculosis specialist, and an eye, ear, nose and throat specialist visit the institution weekly. A dentist spends one day per week at the institution. There is one full time pharmacist. Six medical technicians and nurses are employed on a full time basis. It was reported that there are an estimated 100 beds in the hospital.

II. Morale Factors. According to the Director of Classification, all prisoners are employed for a minimum of eight hours daily, a few working more than the prescribed number of hours because of the nature of their duties.

It was reported that recreational activities have been increased with the employment of a physical education director in the education department. Movies are shown outside in the summer months, and in the recreation room or dormitory during the winter months. There is a baseball diamond outside each camp, and basket-ball hoops were observed at Camp E and Camp C. A bookmobile calls at each camp weekly; however, the only reading material being used at Camp E, when it was visited immediately after the lunch hour, were a few magazines and a picture comic book, so far as could be observed.

It is reported that corporal punishment has been completely eliminated. Discipline is now enforced entirely through assignment to the less desirable employments, loss of credit for time off earned by good behavior, and solitary confinement on a restricted diet. It is reported that sufficient full time
civilian guards have now been employed to meet the needs of the institution when the new centralized plant is complete; in the meantime, because of a greater number of guards are necessary, some inmate guards are still used.

According to published regulations, inmates are now permitted a two-hour visiting period semi-monthly; this may be divided among several visitors as they see fit. Visits by others than members of the inmates' families, or special visits, are possible with advance permission from the warden. Each inmate is permitted to receive no more than seven personal letters each week. Radios, clothing, books and magazines can be sent to inmates under certain conditions.

III. Rehabilitative Activities. There has been set up at Louisiana State Penitentiary a Classification Department consisting of a Director of Classification and several assistant Classification Officers. This Department interviews prisoners who are received at the institution to secure from them a personal history and background information; intelligence tests and, sometimes, aptitude tests are administered. The Department arranges for interviews between the prisoners and the chaplain, and for medical examinations. Decisions as to the program for the prisoners are made by a classification committee composed of the warden, the associate warden, the chief of security, the physician, the educational supervisor, and the director of classification. At the initial meeting the committee decides the degree of custody indicated, which is considered in assigning the prisoner's living quarters, his work assignment, and sometimes arranges for his enrollment in school. A classification sub-committee, including the associate warden, chief of security, supervisor of education, director of classification, and the training officer (who is in charge of training civilian personnel), considers and acts on changes in program and job reassignments. A copy of the docket
of cases considered at one meeting of this sub-committee showed their activities to consist, on this occasion, largely in acting on requested changes in work assignments.

The educational program at the Penitentiary is not yet in full swing, according to the Director of Classification. At the time of this visit the emphasis, it was said, was on providing classes for illiterates in an attempt to bring them to a fifth grade level. The blackboard used for these classes in Camp C, which is the only one observed, is about 3' by 4' and is placed on the wall in the dining hall, where the classes apparently are held.

The vocational training program is still practically non-existent. Plans are said to be in progress with the Department of Education for setting up such a program.

There is no attempt being made to study, diagnose, or treat the prisoners from the viewpoint of eliminating or mitigating the causes of their anti-social behavior. There is no psychiatrist on the staff of the institution, nor, according to report, is there an unfilled vacancy for such a position.

To leave the discussion of Louisiana State Penitentiary at this point would be to show only the dark side of a picture, the other aspect of which is much brighter and hopeful. Now under construction is what is referred to at the Penitentiary as "the new prison". The buildings are being located at a central spot, which it is expected will reduce the need for guards and decrease the need for the transportation of prisoners to their work; it will provide for dormitories which will house only 60 inmates each, and for more desirable quarters for some prisoners who earn special privileges. There will be a centralized kitchen and two cafeteria style dining halls. Included
in the plans, also, are a laundry and a water treatment plant.

Louisiana State Penitentiary is planned to be an outstanding example of the modern industrial prison. Emphasis is to be placed on industrial work and training, the products of which will be used largely by state institutions. It is felt by the officials that such training is the best way to prepare a man to become a normal citizen.

Other aspects of the program, now largely in the planning stage, are the setting up of vocational courses through the cooperation of the State Departments of Education and Labor. The State Librarian and Louisiana State University are cooperating in plans for the supplying of books and periodicals and with educational programs.
CHAPTER III

THE BOARD OF PAROLE

Early History

Since 1914, when parole was first used as a method of release in Louisiana, there have been six legislatively established agencies for the granting and revoking of parole; these have encompassed five different types of organization designed for this purpose. Under Louisiana's first parole law, first used in 1914, parole was granted by the Governor on the recommendation of the Board of Control of the State Penitentiary to inmates who qualified by virtue of serving at least one year of their sentences and who had maintained a good behavior record while in the institution.

The power to grant and revoke parole was transferred in 1916 to a Board of Parole consisting of three members who were appointed by the Governor. The same type of board was retained by 1926 legislation.

In 1940 the functions of granting and revoking parole and the administration of parole supervision were transferred to the Department of Public Welfare.

\[1\] Acts of Louisiana, 1914, Act No. 149
\[2\] Acts of Louisiana, 1916, Act No. 125
\[3\] Acts of Louisiana, 1926, Act No. 331
\[4\] Acts of Louisiana, 1940, Act No. 47
A Board of Parole was created by 1942 legislation which was greatly different in composition from the paroling agencies which had preceded it.1 This Act provided for a Board of Parole of three ex-officio members: the Attorney General, and the Commissioner of Public Welfare or their representatives, and the judge of the court in which the offender was convicted. One might speculate as to the reasons for this unusual composition. Why the Attorney General should ever be a member of a parole board passes understanding except as a recognition of the legalistic nature of parole when such concept is a basis for a parole system; from a practical viewpoint, of course, legal problems and questions may enter into particular cases. From the inclusion of the judge of the court in which the offender was convicted as a member of the Board, one might further infer a legalistic conception of the system; practically, some judges may be jealous of what they consider their prerogatives, and their inclusion as Board members might obviate their possible opposition to the system, might lend to it some prestige, and might thereby be an instrument in securing public acceptance. The inclusion of the Commissioner of Public Welfare provided partial integration of the parole granting and parole service agencies, each otherwise being independent and organizationally unconnected.

**Evaluative Criteria**

The point was made in Chapter I that the fact of the existence of an independent board to grant and revoke parole is de facto evidence of a legalistic conception of correction in a state's correctional system. Those authorities who hold that such an independent board is the desirable agency to exercise the paroling function lay much stress upon the necessity for high

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1 Acts of Louisiana, 1942, Act No. 44
qualifications for parole board members and some provision to ensure that political considerations will not influence their decisions.

According to the American Prison Association,

Parole Board members should be selected on the basis of general ability, intelligence, character, personality, education, training, and experience. Political or other extraneous considerations should not enter in any way into their appointment or retention in office. There is no hard-and-fast rule on what occupational background fits one for parole board duty. It is variously urged that a board should have in its membership a lawyer, a business man, a social worker, an educator, a psychiatrist, a penologist, and all possible combinations of these and other professions.¹

Another statement suggests,

Parole board members should be selected because of their interest and ability in the fascinating problem of remotivating and readjusting social attitudes of offenders. It goes without saying that they should be intelligent, courageous, even inspiring men (or women) who have no axes to grind, no political logs to roll, and no pork barrel which they are interested in sampling.²

Why are suggested qualifications so variable and so general? Why should there be no hard-and-fast rule "on what occupational background fits one for parole board duty?" Implicit in these statements is the recognition that the decision must be based on an understanding of the individual prisoner's psychological status. What the quoted statements imply, more concisely and to the point, is that the decision should be made by a parole board whose members have a background of knowledge and experience pertinent to their function.

It is suggested here that the answer to our questions can be found by reference to the previously outlined legalistic and scientific formulations. It seems that what is being attempted in setting qualifications is a compromise.

¹The American Prison Association, op. cit., p. 76.

a reconciliation of these somewhat contradictory viewpoints. The scientific viewpoint calls for a parole decision by the personnel who guide and carry out a program of treatment designed to effect psychological changes in the prisoner; these would be, e.g. a psychiatrist, a social worker, a psychologist and other appropriate correctional personnel. Or the decision would be an executive one made on the advice or recommendation of such professional personnel. If, from the viewpoint of therapy, individuals so qualified are best equipped to make a wise decision, it follows that a parole board composed of members so qualified would be the best one - if there must be an independent board. This, however, leads into a further dilemma: a board composed of members so qualified could still not reasonably be expected to be so well prepared to make the decision as one which has been intimately associated with the total treatment program of the individual from its inception. Furthermore, the attempt to compromise by the use of scientific methods and a board membership having such appropriate professional training and experience, inevitably leads, the more successful the attempt is, to the employment of duplicate sets of highly qualified (and probably highly paid) professional people, if the prison employs scientific methods.

In the preceding paragraphs, we have discussed qualifications from the standpoint of function, but that is not the whole story. We are told also that parole board members should be selected on the basis of general ability, intelligence, character and personality. To all of this we must fervently agree. But the point must be made that these are additional or supplementary qualifications. Employees are hired primarily because of their ability to do a job; that they will also have other desirable qualities is important, but these other qualities do not constitute fitness for employment in any way in and of themselves. These are general qualities we hope and
and must try to have in all public employees.

In regard to political influence in parole board decisions, the American Prison Association states further, "Freedom from improper influences cannot be guaranteed by law, although the law can give the parole authorities the independence and security of tenure which they must have to resist interference successfully."¹ It might be commented that avoidance of political interference and pressure is the basis for the insistence of and emphasis on an independent parole board. This has led to the employment of such devices as bi-partisan memberships, overlapping terms, etc. In this connection it is pertinent to remark that written parole decisions with the reasons therefor, subject to review, may offer a better guarantee. Finally, in the case of parole boards as well as in other matters, proper and unbiased decisions are more certainly assured by the employment of professionally qualified men of honesty and integrity than by any other method that can be devised.

The Board of Parole from 1948 to 1952

In 1948 the Legislature of Louisiana passed an Act² which again changed the composition of the Board of Parole. It eliminated entirely all ex-officio board memberships and provided for three parole board members who were to be appointed by the Governor and to serve at his pleasure; no qualifications of any kind were set for parole board membership. In addition to exercising the quasi-judicial functions of granting and revoking parole, the board also administered the parole service.

The records of the Board of Parole in effect during this period are

¹The American Prison Association, op. cit., p. 74.
²Acts of Louisiana, 1948, Act 327
not now easily available. It is sufficient to note that the board did run into serious difficulties in performing its functions, as evidenced by the many news articles critical of its operations. One news story appeared, reading in part as follows:

The board abruptly ended its meeting yesterday and announced that it refused to continue 'under pressure of so many politicians. The action of the board to postpone decisions on the applications was taken after H. W. Bass of Winnfield balked at what he described as 'too hurried paroling of prisoners without proper investigation.' Bass said he had not been influenced by political pressure but thought the board ought to know more about the 'case histories' of the applicants.¹

There was a series of articles appearing in one newspaper, one of the articles being entitled, "Paroles Easier for Men with Agents at Hearings." This article read, in part:

This week I attended one of the board's monthly meetings in Baton Rouge. I found that:

It is easier for a prisoner to get a parole if he has someone to go before the Board and talk for him.

His representative may be either an attorney or a member of his family - anyone who can present his case in its most sympathetic light.

The board, having little other information about him except the number of prison terms he has served and his conduct record at Angola is very likely to rely on these personal plans.²

Aside from justifiable criticism relating to the political nature of the Parole Board appointments and the lack of any provision ensuring qualification of members, this Board was greatly handicapped in making its decisions, however sincere and earnest its efforts. The administration of parole services is discussed in the following chapter, but the interdependence of the parole service agency and the paroling agency requires some mention at this point. The administration of parole prior to 1948 was a function of the

¹ *New Orleans States,* June 7, 1949.
² *New Orleans Item,* August 8, 1951.
Department of Public Welfare. Through the Public Assistance Division of
the Department of Public Welfare investigations were made of prisoners prior
to their being considered for parole; the social histories thus developed
were incorporated by the Division of Probation and Parole of the Department
of Public Welfare in their case summaries, which were submitted to the
Parole Board before each prisoner's case was considered. Since the 1948
legislation removed parole services from the Department of Public Welfare,
this service was no longer available. Thus the task of the new Board was
rendered more difficult by virtue of having the burden of such time consuming
investigations thrown upon an overloaded supervisory staff.

To sum up: Parole Board memberships were political; there were no
qualifications set for members; with the best of intentions, the Board did
not have adequate information for wise decisions.

**The Board of Parole Since 1952**

In 1952 further changes were made in both the Board of Parole and the
parole service agency. The Legislature created a Board of Parole which is
somewhat of a hybrid, a cross between the Board of 1942-1948 and the one of
1948-1952. Provision was made for two ex-officio members, the Attorney
General or his representative, and the Commissioner of Public Welfare or his
representative, to serve on a board composed also of three members to be appoint-
ed by the Governor. As in the previous parole law, no qualifications were set
for parole board membership.

The weaknesses of a board so composed are clear from previous dis-
cussion: in addition to a lack of any provision for qualifications for
parole board members, the fact that three of the members are appointed by

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1^*Acts of Louisiana, 1952, Act No. 162*
the Governor to terms to run concurrently with his term strongly suggests the possibility of political influence being used. The pressures that so disturbed the previous Board, however, have been largely avoided, according to the Chairman of the present Board, by their policy of secret voting and a gentlemen's agreement among the members not to reveal their individual votes.¹ That two of the members are ex-officio, and so presumably not so vulnerable to political pressures, is also undoubtedly a factor in the success of this plan.

The present Board of Parole, in common with its predecessors, does not use nor have available diagnostic and treatment material in arriving at its decisions, nor does it employ prediction tables or other possibly helpful scientific devices.

¹Statement made by Mr. M. E. Culligan in an interview held in July, 1954.
CHAPTER IV

PAROLE SERVICE

Early History

The parole law of 1914 provided that each prisoner released on parole was charged with the duty of notifying the sheriff of the parish in which he took up residence of his presence there. The sheriffs were charged with making reports to the Board of Control of the state penitentiary concerning such parolees.1 In 1916, the Board of Parole then created had the power to appoint a parole officer for each congressional district, such officers to serve without compensation.2 1926 legislation provided for one parole officer for the entire State.3 From 1940, when the functions of the Board of Parole were transferred to the Department of Public Welfare,4 to 1948, parole service was provided by the Department of Public Welfare through its Division of Probation and Parole. Under the Department's merit system, and later under the State Department of Civil Service, probation and parole officers were appointed in the various areas of the State, one or more officers usually being domiciled in the area offices of the Department. This was the first really serious attempt to provide parole service through both written monthly reports and frequent personal contact. The 1948 legislation which created a

1 Acts of Louisiana, 1914, Act No. 149
2 Acts of Louisiana, 1916, Act No. 125
3 Acts of Louisiana, 1926, Act No. 331
4 Acts of Louisiana, 1940, Act No. 47
new Board of Parole also transferred the function of parole service from the Department of Public Welfare to that Board.¹

**Evaluative Criteria**

The American Prison Association lists as the "essential elements of a good parole system," the following:

1. Freedom from improper control or influence, political or otherwise.
2. Sufficient flexibility in the laws governing sentences and parole to permit the parole of an offender at the time when his release under supervision is in the best interests of society.
3. A parole board or paroling authority composed of members qualified by native intelligence, training, and experience to weigh the complex problems of human behavior involved in parole decisions, and having the freedom from interference, patience, and integrity required to render wise and just decisions.
4. A staff of supervisory and administrative personnel, parole officers, clerks, placement officers, and other personnel adequate in numbers to care for the case-load of the parole system, composed of persons selected in accordance with high standards of ability, character, training, and experience, and appointed on a career-service basis.
5. An administrative structure within the framework of the state government as a whole that makes it possible for the parole system, without sacrifice of proper independence, to function in complete coordination with other departments and services, correctional institutions, and departments of health, mental hygiene, and welfare.
6. A proper public attitude toward the parolee, so that he is accorded fair and helpful treatment in his efforts to make good, especially in the all-important matter of employment.²

There are, in correctional literature, many other listings of elements or criteria of a good parole system. In general, they are similar to those given above, although some criteria not mentioned here are included and others

¹ Acts of Louisiana, 1946, Act No. 327
There is something very puzzling and even discouraging about such lists. To have a good parole system requires "a proper public attitude?" To have a good parole system requires "an administrative structure within the framework of the state government as a whole . . .?" Must we also conclude then, that a judge's knowledge and ability depend on the laws in effect in his jurisdiction? Or that a physician's ability and skill in performing appendectomies can be gauged by the kind of public health system or the hospital system in the state where he practices?

The elements which must be considered in evaluating a parole system or a parole service agency can be formulated in a much more meaningful, practical, and dynamic way:

(1) Our social institutions exist within the framework of our history, tradition, and culture.
(2) Our history, tradition, and culture determine our system of criminal justice.
(3) Our history, tradition, and culture determine public opinion.
(4) Public opinion is crystallized and our concept of criminal justice is institutionalized in our laws.
(5) These laws may provide for independent correctional agencies, or for a correctional system.
(6) Such laws usually and properly set forth the legislative intent or objective, provide for financing, and create a new agency for administration or assign administration to some existing agency.

It is asserted that this is the framework within which an agency exists. While we may be happy or relatively unhappy with the results produced by this process, this has nothing to do with the effectiveness of an agency. These are factors outside the agency which limit and restrict what an agency can do. The elements which must be evaluated to measure the effectiveness of an agency exist within the agency. These are:
The administrative concept of function
Organization
Administration
Function

In a parole service agency, for example, the administrative concept of function may be legalistic or scientific to a greater or lesser degree. The operational objective then, irrespective of the stated objective, will determine the organization and administration necessary and desirable for its implementation. The evaluation of such an agency must be approached by way of the observer's orientation. If we are scientifically oriented, our first and most important question will relate to the administrative concept of function: how closely does it coincide with our bias? If it does not coincide, if the administrative concept is legalistic, the organizational, administrative and functional details have no significance for us. That is to say, a scientific administrative concept will imply organization and administration suitable for its implementation. Any comparison of details as, for instance, salaries or case-loads, between such differently oriented agencies is not valid. Equal or comparable salaries or case-loads are then seen as coincidental and without significance. On the other hand, if the administrative concept is scientific, our next questions will relate to how effective the organization and administration are in providing a vehicle within which functioning can be effectively accomplished.

Before continuing this discussion, let us pause and take note: in trying to outline a rational scheme in which we encompass these elements of a good parole system in relationship to each other, we have found it necessary to return, albeit by the garden gate, to the legalistic and scientific formulations set forth in Chapter I. What is the value, if any,
of this lengthy excursion? It is this: it is to demonstrate the particularistic kind of errors into which we may fall by the one by one application of criteria the relationship among which is not explored nor explained. We are, for example, liable to draw unjustified conclusions from such things, previously mentioned, as comparable salaries or case-loads. By so comparing details without reference to their valuative referents, we may say that a service agency is inadequate in certain ways and adequate in others, unconsciously committing a non sequitur of such magnitude. More consequentially, we may postulate an abstraction such as an "administrative ability" existing quite apart from specific understanding and knowledge. The danger of this is quite apparent: when the law is not specific the administrative concept of function may result in activity quite divergent from that intended by the legislature or sanctioned by the public.

It would not be amiss at this point to affirm the realization that the external (to the parole service agency) and internal factors are related not only in this hierarchic relationship, but are related also through reciprocal interaction. Public opinion, for example, is related hierarchically to the kind of service provided for a parolee; it would not be denied that this service also exerts some influence on public opinion. However, to explore this further would be tangential and digressive.

To continue: if the administrative concept of function is of such crucial importance, how can we arrive at an evaluation of it? This can be done quite directly. We may state tentatively that a scientific approach to parole service requires that such service shall be treatment-oriented. We may further state that the purpose of this treatment program shall be, for the individual, the establishment of new patterns of functioning and attitudes that result in more socially acceptable behavior, and that these
psychological changes can be best accomplished through the use of the methods and techniques of social casework. We may state that to use such methods and techniques requires a quite specific body of knowledge, skills, and attitudes, and that these can be acquired only in certain ways. If the personnel do not meet such requirements, we are justified in stating that they do not possess the requisite knowledge, skills, and attitudes; that they cannot therefore do social casework; that the new patterns of functioning and behavior cannot be established in the best possible way; that the service is not treatment-oriented, and is not therefore scientific according to our premise.

Doubt arises. Are these various assumptions correct? Let us first turn to psychiatry. From psychiatry we learn that man's emotional difficulties may manifest themselves in the mental-emotional, psychophysiological, or social spheres. In the agencies treating mental-emotional and psychophysiological disorders the social caseworker is utilized in the treatment program. Since the basic problems are the same, is not the use of the social caseworker indicated in those cases where the symptomatology is manifest in the social sphere, i.e. in unacceptable social behavior? Many, if not most, correctional authorities believe so.

In the Attorney General's Survey of Release Procedures it is stated, "In other words, the only really acceptable type of parole supervision is that which utilizes the approach and methods of social casework."1

The former chief parole officer of the State Division of Parole, New York City has stated:

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But one must have knowledge. And the parole officer's knowledge is secured from the social sciences. He is, in fact, a social scientist who, ideally, has studied the social process, the meaning of culture, the make-up of man, the mainsprings of behavior. In short, he should be a well trained case worker.  

The Assistant Chief of Probation, Administrative Office of the United States Courts, stated: "It seems elementary to point out - although, to be honest, there is a minority of dissent - that the treatment of offenders on probation and parole is most effectively handled through the use of the basic techniques of casework."  

The State Director of Probation, New Hampshire, commented:  

Parole and probation techniques are the same. Both are social casework aimed at the rehabilitation of individuals, making use of identical methods and procedures.  

The Minnesota Director of Probation and Parole had this to say, "Proceeding on the assumption that probation and parole are social casework (and here I pause to make the personal comment that the lag in, and the controversy over acceptance of probation and parole as casework, seriously retard our development as a professional organization), we recognize in the whole process, from arrest and conviction to institutionalization and parole, a continuity of treatment which may incorporate part of all of the two functions we tend so often to separate - probation and parole."  

1Dressler, op. cit., p. 283.  


4Gordon S. Jacek, "Separate or Combined Probation and Parole Caseload - Must There Be a Conflict?" ibid., p. 147.
An assistant director of the New York State Division of Parole has stated:

In brief, special skills and knowledge are peculiar to the parole field and must be acquired before the worker can competently perform all the duties of his position. But the parole officer who has these special skills and in addition has had formal casework training has a greater contribution to make than the officer who lacks training. ... Whenever possible we should encourage our officers to take training in schools of social work. If experienced officers can become accredited as caseworkers, even as psychiatric caseworkers, they will bring back to the field the benefits of an ideal combination of practical specialized experience and professional skills.1

The clinical psychologist of the New Jersey Reformatory has said, "A parole officer who guides rather than commands, who attempts social casework rather than elaborate legalistic reports of misdeeds, can be an effective instrument for promoting successful adjustment on parole."2

Correctional literature abounds with further authoritative testimony that parole service is or should be social casework. What authority states, common sense confirms. Any experienced parole officer can recount incidents where he checked up on or interviewed a parolee and found his adjustment in the community to be good, yet learned that a week, a day, or five minutes later the parolee committed some crime. With only thirty cases to handle, a parole officer could use only one day each month for checking up on each parolee; during the other twenty-nine days the parolee would not be under his watchful eye. Men commit crimes even while they are in penal institutions. Although it might be agreed, for the sake of argument, that watching and checking up on parolees does have some limited value, it is...
obvious that the greatest protection to society is in the rehabilitation of offenders through methods which eliminate or mitigate causative factors. In parole service, in our present state of knowledge, this method is that of social casework.

**Parole Service, 1948 - 1952**

As previously related, 1948 legislation created a new Board of Parole composed of members appointed by the Governor. This Board was charged not only with the function of granting and revoking parole, but also with the administration of parole service. No written qualifications were set forth for parole officers, and so far as can be ascertained appointments were made to these positions without reference to any standards of training or experience. In evaluating the parole service offered during these years, we must conclude first of all, in the absence of personnel equipped to approach the problem of supervision scientifically, that the administrative concept and practice were legalistic in nature.

Nevertheless, it was not this concept of parole service which brought this agency much public criticism, but rather its poor administration. In August 1952 the writer discussed the activities of this Board with its out-going chairman, and inspected the payroll of the Board. It was found that some officers were employed on a full-time basis, some on a part-time basis; there was an extreme variation in the number of cases for which officers were responsible; the wide variation in salaries was apparently unrelated to any other factors. That parole service was badly administered became evident in many newspaper accounts calling for parole reform during

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1Acts of Louisiana, 1948, Act No. 327
the years of 1950 and 1951. A newspaper article related:

The Louisiana Legislative Council has asked the Legislature to study the state parole system. The Council maintains that a parole administrator provided by law has never been appointed, that the system is badly administered, and that parole officers are not qualified.¹

The Louisiana Legislative Council (the name was changed in 1952 to Louisiana Organizations for State Legislation to distinguish it from the agency of the State Legislature known as the Louisiana Legislative Council) was composed of more than twenty state-wide groups representing parent-teacher associations, professional and church groups, and civic organizations. It may be concluded that their criticism represented that of a large and influential segment of the population.

**Parole Service Since 1952**

Act 162 of 1952, which created the present Board of Parole, provided also for parole supervision by the Department of Public Welfare. The act stated further that, "Selection and fixation of salaries of all employees of the Department of Public Welfare necessary to discharge its duties as outlined in this act shall be subject to the provisions of the Merit System Act or its successors."²

Our task here is to determine the character of the service offered by the Division of Probation and Parole of the Department of Public Welfare, i.e. is the program of service legalistically or scientifically oriented? We can get at the core of the problem, as indicated in a preceding section, by an examination of personnel standards: if the qualifications required ensure the appointment of personnel equipped to function as social caseworkers,

¹The New Orleans Item, May 22, 1950.
²Acts of Louisiana, 1952, Act No. 162
the agency is scientifically oriented; if the qualifications are so broad that persons not so equipped can be appointed, the question then devolves upon the actual qualifications of those who have been appointed and are performing on the job. More simply, high qualifications shut out the unqualified, but low qualifications do not shut out the well qualified. The qualifications set forth for adult Probation and Parole Officer I (the lowest classification) by the Louisiana Department of State Civil Service are:

Two years of successfully completed education in an accredited college or university and two years of full-time paid employment in probation or parole, other responsible correctional work with adults or juveniles, criminal or credit investigation, experience as a peace officer in a public or private agency, social work teaching, personnel work. Additional employment in correctional work or criminal investigation may be substituted year for year for the required college education. Additional education in an accredited college may be substituted for the required experience with a maximum substitution of one year.¹

There are so many variables and substitutions here that it is difficult to see what this all really means. However, the picture becomes clearer and more amenable to analysis if we reduce the factors of experience and training to their lowest common denominators:

The minimum educational attainment permissible is high school graduation. With this training the applicant must have four years of experience (in any of a wide variety of areas).

The minimum experiential requirement is two years (in any of a wide variety of areas). With this training the applicant must have two years of college education.

But the crux of the matter is this: Additional employment may be substituted year for year for the two years of college education, but additional education may be substituted for only one year of the experience.

The result is that the following paragraphs describe two hypothetical candidates who both meet the minimum requirements:

1. A high school graduate with four years experience as a city

¹Department of State Civil Service announcement of July 7, 1953.
2. A college graduate who by two years of full time graduate work has earned a Master's degree in social work and has one year of experience as a social worker.

For higher jobs in the Probation and Parole Officer series the educational requirement is the same, but the requirements demand more experience, emphasis being on experience in probation and parole work. The result is that any position in the series, from the lowest to the highest, may be filled by a high school graduate who has a background of experience of the nature set forth. A Master of Social Work without experience cannot, however, qualify for the lowest position in the series.

It is clear that what we have here is not merely low qualifications, but restrictive qualifications which set a high value on experience which may be only remotely related to the job, and a low and very limited value on educational attainment, even that directly related to the job.

We can now refer to a statement made earlier, "If the qualifications are so broad that persons not so equipped can be appointed, the question then devolves upon the actual qualifications of those who have been appointed and are performing on the job." Of the more than twenty-five adult probation and parole officers now employed in the Division of Probation and Parole, only two have any social work training whatsoever. Not one officer in the Division has a graduate degree in social work. Because of the absence of personnel equipped to function as social caseworkers, it is concluded that the Division of Probation and Parole is legalistically oriented. It might be noted in passing that a legalistic approach requires the employment of personnel equipped by training and experience to function as law enforcement agents. The personnel standards for these positions do not ensure the employment of personnel equipped to serve as either social caseworkers or as
It must be recognized that the parole service described, although legalistically oriented, is administratively superior to that it succeeded, although administration was not closely scrutinized for the purposes of this thesis. The attempt is made to limit case-loads to 75 per officer, and each officer is expected to have some kind of personal contact with each probationer or parolee he supervises monthly. In addition, field officers make investigations and compile social histories for inmates entering the State Penitentiary; they investigate and report on arrests and convictions of those under their supervision. For each inmate released, officers must also make a parole plan, consisting of arranging for a place of residence and a job suitable to the parolee's abilities. In general, all these activities are carried on in a geographical area necessitating a large amount of travel. That a job of this magnitude is accomplished concomitantly with an effort to advise and counsel parolees is a tribute to the energy and sincerity of the present staff.
CHAPTER V

COORDINATION

The purpose in this thesis has been, not only to evaluate Louisiana's correctional agencies as entities, but to evaluate the relationship between them as an element in the process of treatment primarily, and from the viewpoint of administrative expediency secondarily. It has been shown in previous chapters that these agencies are not scientifically oriented individually; since this is the case, the relationships among them must be evaluated solely from the viewpoint of administrative expediency.

The relationship provided by law between the Board of Parole and the Department of Public Welfare is set forth in a previous chapter which relates that the Board of Parole has the power to make rules and regulations for the conduct of persons on parole, who shall be under the supervision, otherwise, of the Department of Public Welfare. The Department of Public Welfare is charged additionally with gathering "all pertinent information regarding each prisoner who is eligible for parole, including the circumstances of his offense, his previous social history and criminal record, his conduct, employment and attitude in prison, and the reports of such physical and mental examinations as have been made." 1

The relationship of the Board of Parole and the Department of Public Welfare to Louisiana State Penitentiary is set forth in a paragraph of Act 162 of 1952, 2 which provides that the prison officials shall provide access to

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1 Acts of Louisiana, 1952, Act No. 162
2 Ibid.
prisoners and provide any required reports concerning their conduct and character, and the further provision that the Department of Public Welfare may station an employee at the Penitentiary for the purpose of cooperating with the officials of the Penitentiary in carrying out the provisions of the Act.

It is clear that what the law aims to ensure is the minimum kind of relationship which is essential if the paroling function of the Board of Parole and the service function of the Department of Public Welfare are to be carried out. What the law does, in effect, is recognize and provide for that minimum degree of administrative coordination which is necessary if the law is to work at all. Under such circumstances, and in the absence of any prohibitions to the contrary, a greater degree of coordination is a matter for administrative determination. Are the agencies involved coordinating their activities to the extent required by the law? Has administrative cooperation produced a coordination superior to that provided by the law? How effectively are the activities of these agencies coordinated?

The answers to those questions have been secured by interviews with the Assistant Attorney General who serves as Chairman of the Board of Parole, the Warden of Louisiana State Penitentiary, and the Director of Probation and Parole, from whom a description of the relationship in practice between these agencies was obtained.

The Department of Public Welfare discharges its information-gathering responsibility under the Act by having investigations conducted by its local officers. These men contact significant relatives, former employers, references, friends, police officials, and social agencies in gathering the information required. The Department also receives routinely from the Penitentiary, Certificates of Prison Conduct and Progress Reports,
information from which is abstracted and included in the summaries prepared for the use of the Board of Parole. The Certificate of Prison Conduct contains information relating to the prisoner's offense, his sentence, and other such factual information; it contains also notations as to any disciplinary action which may have been taken against the offender while he was in the institution. Progress Reports provide much of the same information, and give additionally the results of any psychological examinations administered to the prisoner, a report of his prison employment, and a short biography. The flow of information is to the Board of Parole indirectly from the institution, and directly from the Division of Probation and Parole.

There is no flow of information from the Board of Parole to the Division of Probation and Parole nor to Louisiana State Penitentiary. The Division of Probation and Parole does not provide the Penitentiary with information it gathers on each prisoner as a matter of routine, but does so on request in individual cases. The reason advanced for this is the employment of prisoners at the Penitentiary in clerical capacities. There is the fear that if information of a personal nature is provided to the Penitentiary it will fall into the hands of prisoners with the risk that it may then be misused. Biographical information on prisoners is obtained by the Penitentiary independently. As each prisoner is received at the institution questionnaires are sent to relatives, former employers, etc., and it is from these and the prisoner's own statement that his biography is drawn up. As references can be contacted more readily by mail than in person, this tends to create a problem for the Division of Probation and Parole in conducting their investigations: many references may be uncooperative in discussing further matters which they feel they have covered adequately in answering the Penitentiary's questionnaire. On the whole, it would seem
that this lack of coordination, or duplication, has a detrimental effect on
the adequacy of the information secured by both agencies.

There is no direct flow of information from Louisiana State Peniten-
tiary to the Board of Parole. No recommendation is made to the Board of
Parole by the Penitentiary officials with respect to the readiness for
parole of any prisoner whose case they might hear. The Warden of Louisiana
State Penitentiary feels that an expression of opinion or recommendation on
the institution's part would be an overstepping of authority and an infringe-
ment on the prerogatives of the Board of Parole; he feels that such a practice
would additionally create a problem so far as the attitude of inmates toward
the institution is concerned: that is, their institutional adjustment and
cooperation would suffer from the feeling that the institutional authorities
may have had a voice in denial of parole. So far as the Board of Parole is
concerned, this agency conceives its function to be the granting or denial
of parole on the basis of their independent evaluation of information provided,
together with any information or pleas made by relatives or attorneys and the
impression the prisoner makes when he is interviewed by the Board.

It might be stated, in summary, that there is no coordination between
these agencies as an instrument of treatment. A small degree of administrative
cooperation is ensured by the terms of the law, and, on the whole, this mini-
imum is what the agencies involved adhere to. To the limited extent that
there is any coordination at all, it involves duplication which is wasteful.
The general tendency is for each agency to operate independently from other
agencies.
CHAPTER VI

CONCLUSION

Summary of this Study

Modern penology and parole have developed as legal devices for the control and correction of criminal offenders. Implicit in them is the idea of reformation of the offender, but the methods by which they contemplate achieving this objective have changed and are changing as knowledge and understanding of human behavior have increased. Providing for the adoption and use of scientific methods by our present correctional agencies is one of the two basic problems in the field of correction.

Considered from the traditional legal viewpoint, there is much virtue in the separability and independent functioning of correctional agencies. Among those authorities who take this viewpoint are many who see much value in the integration of these agencies into a correctional system. However, such integration is generally seen by them as a method of eliminating overlapping and duplication, a way to increase administrative efficiency. Confronting them, then, is this dilemma: how can such integration be achieved and the independence of the agencies involved be maintained at the same time?

Another viewpoint recognizes that the use of scientific methods demands an integration of correctional agencies as a matter of therapeutic necessity, any increased administrative efficiency being a matter of secondary importance. The conflict between these somewhat opposed viewpoints is most clearly exemplified in the question of the parole granting and revoking authority. From the first viewpoint this is a quasi-judicial function
which should be assigned to an independent parole board; from the second viewpoint this is an executive function and the decision should be made by one authority which directs the entire rehabilitation program of the individual. The second basic problem in the field of correction, then, is the reorganization of our present correctional agencies into an integrated correctional system as scientific therapeutic necessity dictates and demands.

The task in this thesis has been to evaluate Louisiana's correctional agencies individually and collectively. We have wanted to know if these agencies (individually) have adopted a scientific approach to the rehabilitation of offenders. In the presence of a legalistic approach we have wanted to know to what extent their activities are coordinated in the interest of administrative efficiency. In the presence of a scientific approach, we have wanted to know to what extent their activities are coordinated in the interest of therapeutic necessity.

The history of Louisiana State Penitentiary was sketchily reviewed and recent developments were examined in some detail. It was found that this institution was established in an era when penal farms were considered an advancement and improvement over other then-prevailing methods of dealing with criminal offenders. Although there were many advances in penological thought in the intervening years, Louisiana State Penitentiary was found to be in 1951 relatively unchanged insofar as concepts of dealing with its charges are concerned. Additionally, over a period of many years the physical plant had been allowed to deteriorate to a point of almost complete inadequacy. Along with this was the development of an apathy and indifference to the welfare of prisoners which countenanced and encouraged physical indignity and abuse.

The effort has been underway since 1952 to change the conditions under
which prisoners sentenced to Louisiana State Penitentiary serve their sentences. The old plant has been patched up and is still in use during the construction of what the authorities refer to as "the new prison". It has been asserted that in the interim prisoners have fared better than in the past because of increased administrative efficiency and economy, the partial abandonment of the inmate guard system, and the total abandonment of corporal punishment. Present plans are to convert Louisiana State Penitentiary into a modern industrial prison with emphasis on the vocational training and employment of prisoners. There are plans, in addition, for educational and recreational programs, although these programs are at this point hardly past the planning stage and are extremely limited in their scope. Medical and dental services provided for prisoners were not investigated thoroughly, but these appear to be inadequate.

So far as this inquiry goes, the crucial point is the use of scientific methods in the rehabilitation of prisoners. Scientific method is an individualized program of study, diagnosis, and treatment which utilizes all the activities of the institution. In the meaning of this definition there is no use of scientific method at Louisiana State Penitentiary. The responsibility for such a program is usually considered to be the function of the Classification Department of a prison, but while Louisiana State Penitentiary does have a Classification Department, it is concerned almost exclusively with the assignment of employment, with discipline, and with custody. No attempt is made to understand the individual offenders' personalities and characters as they are related to illegal conduct with the purpose of effecting psychological changes which would result in more socially acceptable behavior.

An independent board of parole is a legal concept which is entirely extraneous to the scientific approach to a correctional system. This is not
to deny that scientific methods can be employed by such a board. Authoritatively, contrary to this writer's viewpoint, independent parole boards are considered desirable and necessary. Those who advocate such boards emphasize freedom from political influence and high qualifications for members as evaluative criteria.

Louisiana's Board of Parole is composed of five members, two of whom serve ex-officio and three of whom are appointed by the Governor to terms concurrent with his. Regardless of the qualifications the present parole board members may or may not have, the law does not specify that they shall have any special qualifications as parole board members.

The fact that three of these five members are appointed by the Governor to terms concurrent with his term strongly suggests the possibility that political influence can easily enter into parole decisions. The device adopted by the present Board to avoid the imposition of political pressures on its individual members is an agreement among them not to reveal their individual votes. The Board does not use scientific methods in making its decisions.

Parole service can be considered, from one extreme, as the enforcement of a legal contract between the offender and the state, and from the other extreme, as a phase in a continuous program of treatment. If the objective of all phases of correctional treatment of criminal offenders is their rehabilitation, a conception of parole service solely as a law enforcement function will result in a service which provides no treatment (in a scientific sense) to the many parolees who presumably need and can profit from it. On the other hand, a conception of parole service solely as a treatment process will result in a service which fails to take into account the undeniable fact that parole is a feature and outgrowth of our historical system of criminal justice and
an instrument of social control. As a consequence of this, any conflict between therapeutic considerations and the safety or welfare of the public must be resolved in favor of the latter.

The preceding paragraphs serve to delineate our chief task in developing parole service: the development of a service that is scientifically oriented in its objectives and methods to the greatest possible extent, and at the same time recognizes in its administration the primacy of the social objective of control of violators of the law.

We have reviewed the history of parole service in Louisiana and have found that it has been in the past, as it remains today, a legallyistically oriented, semi-independent law enforcement function. That is, in objectives and methods it has been and is a device for the enforcement of the contracts between parolees and the state. In the past as in the present, the attempt has been made to offer some assistance to parolees in such practical matters as finding employment. Although advances in knowledge have not caused any change in this conception of parole service, the agencies performing this function have varied widely in their administrative adequacy. The present parole service agency, the Division of Probation and Parole of the Department of Public Welfare, is administratively superior to the agency it succeeded, though it, too, is inadequate through its employment of an outmoded approach. This fact is evident in the failure to employ the methods of social casework, now recognized by many authorities as the most suitable and effective method of dealing with parolees.

Since Louisiana's correctional agencies are not scientifically oriented, either collectively or singly, it is not possible to consider their coordination as an element in a treatment program. The law provides for the minimum degree of coordination between Louisiana State Penitentiary, the Board
of Parole, and the Division of Probation and Parole necessary to make the law work. In their relationship to each other these agencies adhere pretty closely to this minimum. Even this degree of coordination has proved difficult to attain, as some hampering overlapping and duplication of work have come about.

An Outline of the Problem

The most satisfactory answer to the problem of the development of an adequate correctional system for Louisiana must be derived, because of the nature of the problem, from an approach which is multi-dimensional. We might state tentatively, for example, that these agencies can be considered from these viewpoints: (1) as entities; (2) as a system; (3) from an historical and developmental perspective; (4) as a problem of state organization; (5) as an important aspect of the state's effort to cope with the problem of crime. This can be done here only in an exploratory way which will serve to bring to the fore a few of the major questions which must eventually be answered, and to outline the scope of the problem.

I. Correctional agencies as entities.

A. Louisiana State Penitentiary. The problem of transforming Louisiana State Penitentiary into an instrument of correctional treatment based on scientific diagnosis and study of the individual is almost identical with the problem of securing competent technical and professional personnel. This problem in turn is closely related to the geographical location of the institution. It is an incontrovertible fact that such personnel tend to cluster in the larger metropolitan areas. The solution may lie in offering salaries and accommodations attractive enough to induce such personnel to reside in this remote rural area. Perhaps other solutions may occur as the problem is seen from other perspectives.
B. The Board of Parole. If it is agreed that the granting or revoking of parole is an executive decision based on diagnostic and treatment considerations as a phase in a continuous treatment program, rather than a quasi-judicial function, there is no necessity for an independent board of parole to exercise this function.

C. Parole Service. If the objective in the parole service agency is to transform it into a social casework agency, the problem of method can be seen to offer much difficulty. The Department of State Civil Service takes the position that raising standards should be accomplished by raising the qualifications for the lower positions in a job series.¹ There is surely much justification for such a stand from a personnel viewpoint. Nevertheless, does this make good sense when what is taking place is an attempt to change the concept of function in an agency? Can the older supervisory employees supervise and teach from the viewpoint of a concept which is foreign to their habitual way to thinking? From a social work viewpoint, social casework supervision can be provided only by supervisors trained in social casework; the present supervisors are not so trained. Can the solution to this problem be reached through simultaneously raising standards for new personnel, providing for in-service training, educational leave, and social casework supervision paralleling the present pattern of administrative supervision? As awkward administratively as such an arrangement may be, the alternative of setting up a new organization presents other problems, e.g. the moral and possibly the legal obligation of the state toward the present employees who have earned permanent status must be considered.

¹Statement made by Mr. W. W. McDougall in an interview held in July, 1954.
II. Correctional agencies as a system. The assertion is made that contemplation of these agencies singly and solely as entities can have grave consequences. For example, predicated on such a narrow viewpoint, the penitentiary may become scientifically oriented while the parole service agency, instead of providing a continuation of treatment, may remain an agency for the enforcement of the parole contract. Or the reverse may occur. Failure to think of these agencies in their relationship to each other may result in the strengthening of each agency as an entity. In the case of the Board of Parole, instead of it giving over its functions to an administrative agency staffed by competent non-political professional and technical employees, it may become a stronger agency with the usual features to provide for the competence and impartiality of its members. Although such a board might serve adequately, beside being conceptually inconsistent with a scientific approach, it would be an inferior and needlessly expensive duplication of what we would expect to have as a feature of the correctional system as a whole. Such errors can be avoided only by considering each agency in its relationship to the other agencies and as an aspect of an over-all correctional plan.

Note: In this writer's opinion the Governor's committee which investigated conditions at Louisiana State Penitentiary did precisely this. Their focus in their investigation and in their report to the Governor was on what was wrong with the institution and what could be done to correct these things. If they had taken a broader perspective, if their focus had been on the function of the institution as a phase of correctional treatment of criminal offenders, they might then have been able to ask, 'Is there some better way of doing what this institution is supposed to do?' Their answer might well have been a final repudiation of the penal farm concept.

Note: The Louisiana Legislative Council offered as one of their conclusions, "Consideration should be given to a full-time parole board composed of specialists in the field, with appointments for overlapping terms of six years." Louisiana Legislative Council, Probation and Parole in the United States, a report prepared by the Louisiana Legislative Council at the request of the Legislative Study Committee on Correctional Institutions (Baton Rouge, 1954), p. 45.
III. Correctional agencies seen from an historical and developmental perspective. Seen from an historical perspective, as we see them in earlier chapters, Louisiana's present correctional agencies are the result of numerous changes among which no pattern is discernible. By viewing these agencies from an historical perspective we are able to see where we are and how we got there, a prerequisite for future movement with definite direction.

If we view these agencies as changing social institutions, with the thought that future direction and movement should be planned and controlled, we are immediately confronted with important problems. For example, in what order should changes be made in these individual agencies? Are such changes from a practical viewpoint predicated on coordination or integration of these agencies? Or is the reverse true? Or should greater co-ordination or integration be attempted simultaneously with changes in objectives and methods in these agencies?

IV. Correctional agencies as a problem of state organization. Should the parole service agency be transferred to the Division of Correctional Institutions of the Department of Institutions as the Louisiana Legislative Council has suggested? Should the penitentiary be transferred to a hypothetical Division of Corrections in the Department of Public Welfare? Are there sufficiently important reasons demanding the creation of a separate state Department of Corrections? Under what arrangement would correctional services be most likely to receive adequate financial support? Under what auspices are these services most likely to quickly reach their fullest development? These questions come quickly to mind; they do not lend themselves to easy answers.

V. Correctional agencies as an important aspect of the state's effort to cope with crime. It would seem that as we progress from the particular to the more general not only do our problems grow more complex, but our ignorance
becomes more appallingly apparent: although our correctional agencies are instruments, along with law enforcement agencies and courts, of the state in its efforts to control crime, we do not know the scope of the problem with which we are dealing.

We do not know how many offenders are convicted of felonies in Louisiana in any one year. We do not know what proportions of these are placed on probation, serve terms in parish prisons or farms, or are sentenced to terms in Louisiana State Penitentiary. There is no single agency which compiles information of this nature or which is charged with this responsibility.¹

One might reasonably assume that if alternative methods of handling or treating felony offenders exist, that there would exist also some reliable method of selecting for the individual offender the treatment method which is most appropriate for him and socially desirable. Such is not the case.

What happens to a convicted offender is a matter of almost pure chance, as the following paragraphs illustrate.

A felony is any offense for which the offender may be sentenced to serve a term at hard labor. A term at hard labor is defined as a term at the State Penitentiary. Some penalties provide that the sentence may be with or without hard labor. In such cases the offender may be sentenced to serve a term in a parish prison or parish farm. We do not know under what conditions such sentences are served. So far as the writer knows, no survey has ever been made of such institutions in Louisiana. Conditions may be excellent in some

¹Note: The number of felony offenders received at Louisiana State Penitentiary, the number of felony offenders sentenced to serve a term in a parish prison or farm and the number of felony offenders placed on probation, might be secured from the respective institutions and agencies. These numbers, however, are only crude statistical data for the purpose of indicating the scope of the problem until they have been collated.
and as bad as Louisiana State Penitentiary at its worst in others, but this fact remains: we just do not know.

If an individual has been convicted of a felony, the execution of his sentence may be suspended and he may be placed on probation. Whether or not this disposition is made of a case is a matter entirely within the discretion of the judge in the court in which he was convicted. But some judges use probation frequently, some in a more or less limited way, and some not at all. The writer knows, from first-hand observation and experience, that the preceding statement is true. It is, however, impossible to prove or disprove the statement at this time because no statistical study has ever been made of the use of probation in felony cases. It is clear that what happens to a convicted offender is a matter of chance and is largely determined by the geographical location where he committed his crime.

A judge may dispose of a case without requiring a pre-sentence investigation report from a probation and parole officer. He may rely on information provided by the offender, the offender's attorney or family, or on his own good discretion.

A judge may require an oral or a written pre-sentence investigation report from the probation and parole officer to help him in arriving at a wise decision.

In the latter case, as in the former, there is no scientific diagnostic evaluation of the offender. Although no method of selection lays claim to perfection, one might speculate that either of these procedures may easily result in decisions which are both detrimental to the individual and expensive to the state:

If an offender who, from a diagnostic and treatment viewpoint, should be in the penitentiary, is placed on probation, he is not being helped in the
best possible way and public life and property may be endangered.

If an offender who, from a diagnostic and treatment viewpoint, should be placed on probation, serves a term in the penitentiary, he may not be helped in the best possible way and the cost to the state is many times that of the proper treatment.

It has been shown in the preceding paragraphs, with respect to Louisiana's correctional agencies as instruments of social control, that (1) neither we nor their administrators know the scope of the problem with which they are dealing, and (2) the methods of selecting the treatment agency for offenders is a matter of almost pure chance.

In view of the facts outlined, it might be asserted with some justification that the problem is not even considered from this perspective. To illustrate further:

In some areas of the state the probation and parole officers routinely inform local law enforcement agencies of the names and addresses of probationers and parolees they have under supervision; in other areas they do not do so. There is a wide-spread antagonism between probation and parole officers, on the one hand, and law-enforcement agencies on the other. Probation and parole officers often fear (sometimes justifiably) that law-enforcement agencies will harass their charges if they know who they are and where they live. Law-enforcement officers often feel (sometimes justifiably) that correctional agencies return to the community persons who will likely continue to be a menace to life and property. Instead of a desirable cooperation in the pursuit of a common ultimate objective, we have suspicion and a narrow provincialism. Fundamentally, this seems to be a failure of both types of agencies to see themselves as instruments of social control.
A First Step

Because the problem of the future development of Louisiana's correctional agencies is one which can be seen from several perspectives and aspects; since a clear picture of it is possible therefore only from a multi-dimensional understanding, an obvious procedure to follow in coping with the problem suggests itself. The establishment by legislation of a Louisiana Correctional Commission to study and plan for the development and integration of Louisiana's correctional agencies and to recommend legislation to accomplish this seems to be an idea which has much merit. What the composition of such a commission should be is a question which is certainly moot and debatable. A strong case could be made for the inclusion in its membership of a social worker, a psychiatrist, a social research expert, an expert from the field of government (possibly the Director of the Louisiana Legislative Council), the Attorney General or his representative, and a representative of the Louisiana Peace Officers' Association.

It can hardly be denied that in spite of recent important developments much remains to be done with respect to Louisiana's correctional agencies. A broad perspective and a rational approach promise rich social rewards and a wise and economical expenditure of the money invested by the state in its correctional agencies.
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