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## Short-Term Rehabilitation and Crim Prevention

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# SHORT-TERM REHABILITATION AND CRIME PREVENTION

*Jon C. MacKay\**

## I. Introduction

Any program designed to reduce the rate of recidivism in the United States must be viewed as a valuable tool of crime prevention. It can be safely said that at least two-thirds of the crimes committed every year are committed by recidivists, for over the past decade approximately fifty to sixty per cent of all offenders have become repeaters.<sup>1</sup> Thus the elimination of the recidivist in our society would result in a minimum reduction of thirty-three per cent in the number of crimes committed over a given period of time.<sup>2</sup>

The task of eliminating recidivism has been left to the process of criminal rehabilitation. We have perhaps overemphasized the humanitarian justifications for rehabilitative treatment while ignoring its more practical *raison d'etre*. As a consequence, our penological system has failed to take full advantage of rehabilitative therapy as a technique of crime prevention. Our rehabilitative efforts have been focused on the serious offender, the state or federal penitentiary inmate.<sup>3</sup> These efforts

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<sup>1</sup> Mandel, *Recidivism Studied and Defined*, 56 J. CRIM. L.C. & P.S. 59, 61 (1965).

<sup>2</sup> This figure, based on a fifty per cent recidivism rate, is the minimum possible reduction resulting from the elimination of recidivism since it is based on only one extra offense per recidivist. Certainly two facts are clear in this connection: recidivism cannot be completely eliminated, and the recidivist class accounts for more than two offenses per individual. Given the present rate of success of several rehabilitative programs now in effect, a thirty-three per cent reduction in the number of crimes would appear to be a conservative estimate.

To illustrate the manner in which this thirty-three per cent figure was determined, we might hypothesize a sample group of twenty first-offenders. If the sample is accurate, approximately fifty per cent of these offenders will recidivate. Thus the sample group will ultimately be responsible for a *minimum* of thirty offenses, rather than twenty as would be the case in the absence of the recidivists. By eliminating the possibility of recidivism, ten offenses, which would have otherwise been committed, are prevented.

<sup>3</sup> Silver, *Mutual Rehabilitation Opportunities By Jail and Prisoner's Aid Services*, PROCEEDINGS OF THE EIGHTY-SIXTH ANNUAL CONGRESS OF CORRECTION OF THE AMERICAN CORRECTIONAL ASSOCIATION, (1956). The author notes at 87:

[V]irtually all of the progress that has been made in the philosophy and method of rehabilitation of the offender has come in the area of working with the felon, the serious offender. This is where you find concentration of funds for training and treatment. This is where you find

have come too late to help such offenders, as the practical problems of rehabilitation have unduly increased in number and complexity. The offender's psychological problems have strengthened their footholds and asocial habits have become ingrained.

To make criminal rehabilitation an effective means of crime prevention we must reach the offender when he is more readily susceptible to rehabilitative therapy and before he has added unnecessarily to our crime rate. The achievement of this goal is the primary concern of this article. It is submitted that the recent accomplishments of our short-term institutions in the area of rehabilitative therapy indicate that more extensive treatment at that level is both justified and necessary in response to the problem of recidivism.

## II. Classification of Offenders

Since funds for rehabilitative programs are limited, therapy must be restricted to recidivists. Successful treatment will yield a significant decrease in the nation's crime rate. Rehabilitation of recidivists, however, cannot proceed until offenders have been classified in terms of their need for therapy. There is, of course, no classification problem concerning those with criminal records; these actual recidivists require rehabilitative treatment. However, the problem is acute in the case of the first-time offender.

First-offenders may be isolated into three groups upon initial classification: those who in all likelihood will not recidivate, those who are or appear to be potential recidivists, and a small number of "marginal" offenders who defy categorization in either group. Insofar as a fundamental purpose of all forms of punishment is to impress the offender with the fact that he has behaved in a socially unacceptable manner, and must not do so in the future, it is perhaps arguable that the non-recidivist should escape imprisonment altogether since by definition he is one who will not repeat his forbidden act. Moreover, extended incarceration of the non-recidivist creates new dangers. Under present conditions, the

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the most adequate and progressive programs for treatment. This is where you find what research and experimentation is taking place.

By way of comparison to the situation in state and federal penitentiaries, it was stated in A REPORT BY THE PRESIDENT'S COMMISSION ON LAW ENFORCEMENT AND ADMINISTRATION OF JUSTICE; THE CHALLENGE OF CRIME IN A FREE SOCIETY, 12 (1967):

Many jails have nothing but custodial and administrative personnel . . . . What this emphasis on custody means in practice is that the enormous potential of the correctional apparatus for making creative decisions about its treatment of convicts is largely unfilled.

jail can be as much a cause of recidivism as a cure.<sup>4</sup> More often than not, the offender finds himself thrown into a potpourri of prisoners, most of whom can only have a contaminating influence on him.<sup>5</sup> If it were possible to isolate the first-offender from such conditions, incarceration would not be so inherently dangerous. Unfortunately, this is not generally possible today.

On the other hand, it may be said that this suggestion overlooks the fact that punishment serves other purposes such as retribution and deterrence. This poses somewhat of a dilemma. Because of the natural inaccuracies of the categorization process, we run the risk of either freeing a potential recidivist without the treatment he requires, or subjecting the "safe" offender to the contaminating influences of jail life.

This obstacle is not insurmountable. For example, in 1965, the Ohio General Assembly passed legislation which serves to alleviate this very problem. Under the statute<sup>6</sup> the defendant or the court, after thirty days but before sixty days from the time the defendant is placed into custody to serve his sentence, may move to suspend further execution of the sentence and place the defendant on probation. Since the statute is not expressly limited to felony cases, but appears to apply to misdemeanors as well, it is readily applicable to sentences where the offender is confined in a local jail or workhouse.<sup>7</sup> Still it appears that so far the cases invoking the statute have involved felons exclusively.<sup>8</sup>

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<sup>4</sup> Versele, *The Treatment of Recidivists*, 16 INT'L. CRIM. P. REV. 194, 198 (1961) pointed out that, "prison is 'an enormous purveyor of multirecidivists' if it does not provide real psycho-therapy."

<sup>5</sup> NATIONAL COUNCIL ON CRIME AND DELINQUENCY, *Local Adult Correctional Institutions and Jails*, in CORRECTION IN THE UNITED STATES: A SURVEY FOR THE PRESIDENT'S COMMISSION ON LAW ENFORCEMENT AND ADMINISTRATION OF JUSTICE, 13 CRIME & DEL. 137, 140 (1967) [hereinafter cited as *Local Adult Correctional Institutions and Jails*].

<sup>6</sup> OHIO REV. CODE ANN., §2947.061 (Page 1968). SUSPENSION OF SENTENCE AFTER SENTENCING.

Subject to Sections 2951.03 to 2951.09, inclusive, of the Revised Code, the trial court may, upon motion of the defendant made not earlier than thirty days nor later than sixty days after the defendant, having been sentenced, is delivered into the custody of the keeper of the institution in which he is to begin serving his sentence, or upon the court's own motion during the same thirty-day period, suspend the further execution of the sentence and place the defendant on probation upon such terms as the court determines, notwithstanding the expiration of the term of court during which the defendant was sentenced.

<sup>7</sup> *Attorneys Conducting Criminal Defense Have New Duties to Client*, 38 OHIO B. 48 (1965).

<sup>8</sup> The only reported cases appear to be *State v. Viegel*, 5 Ohio Misc. 45, 213 N.E.2d 751 (1965); *State v. Head*, 6 Ohio Misc. 157, 217 N.E.2d 56, (1966); *State v. Allison*, 14 Ohio App.2d 55, 237 N.E.2d 145 (1968); and *State v. Poffenbaugh*, 14 Ohio App.2d 59, 237 N.E.2d 147 (1968).

A statute of this nature serves three functions. First, it backs up the classification process by providing machinery for the release of an offender who, after further investigation, appears to be a one-time offender. Such a disposition fulfills the goals of the penological system by allowing a brief period of imprisonment with its retributive and deterrent effects, while protecting the "safe" criminal from the dangers inherent in lengthy incarceration. Second, the statutory procedure allows additional time to study the "marginal" offender in order to determine properly what his future treatment should be. Finally, it offers the opportunity for early release to likely recidivists who find sufficient rehabilitation in the "shock" of a brief time in jail. The shock value of a brief prison sentence is not to be overlooked as a rehabilitative tool. As an Ohio court has remarked in considering a motion under the "shock sentence" statute:<sup>9</sup>

We are told by penologists and psychologists that the first few days, weeks, or months of imprisonment are the most critical in the treatment and correction of prisoners. We are told by these same experts that for some prisoners all the therapy needed is the slam of the gates behind them, the loss of personal effects, the delousing, and the prospect that this will be the life to be endured for an indeterminate length of time.

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Mr. S. M. Patterson, Supervisor of Treatment Services, Division of Corrections in Columbus, Ohio, provided the following information taken from a study by that department for fiscal year 1968 on the shock sentence statute:

Number of offenders released under statute	Institution from which offenders were released
41	Ohio Penitentiary
9	London Correctional
6	Marion Correctional
4	Chillicothe Correctional
147	Ohio State Reformatory
19	Lebanon Correctional
32	Ohio Reformatory for Women
<hr/>	
TOTAL	258

All those released under the statute were felons. The most serious offense committed by a releasee was burglary. Of those released, twenty-seven had returned for subsequent misconduct of criminal behavior. This represents a recidivism rate of approximately 10.4%. (Telephone conversation, February 13, 1969).

<sup>9</sup> State v. Head, 6 Ohio Misc. 157, 217 N.E.2d 56 (1966).

The traumatic therapy of a few short months in prison is often enough.<sup>10</sup>

A mechanism such as that represented by the Ohio "shock sentence" statute permits rehabilitative therapy to focus on those who actually need it, the recidivists. To appreciate the beneficial impact upon recidivists which rehabilitation administered by short-term institutions can have, a brief profile of the recidivist is necessary. Such a profile is not difficult to draw. Numerous studies have pointed out that certain psychological characteristics are shared by the majority of the recidivist population, and their socio-economic background seems quite uniform.<sup>11</sup>

In one study, Alexander Van West discussed the problem of the persistent offender. Van West described this group generally, pointing out that:

Personality wise they are dubbed "character disorders" which, although it means many things to many people, boils down to this: One, an absence of severe neurotic or psychotic symptomology; two, a lack of development of the super-ego (the self-control that one expects in an adult is lacking); three, an extremely low frustration tolerance (demands must be met immediately regardless of future consequences . . . .<sup>12</sup>

The attitude of this group toward therapy, perhaps more than that of any other group, is marked by "indifference" or "hostility."<sup>13</sup> This complex of characteristics manifests itself most clearly in the *absence of any positive relationship between the offender and any authoritative figure,*

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<sup>10</sup> *Id.* 217 N.E.2d at 56-57. The recidivism rate under OHIO REV. CODE ANN. §2947.061 (Page 1968) would seem to support this conclusion. However, Mr. Patterson, *supra* note 8, concurred in the writer's opinion that it is impossible to tell whether those who did not recidivate would have but for the "shock" effect of a brief period of incarceration. Mr. Patterson and the writer agreed that extensive pre-sentence investigation might have indicated that a large number of these releasees were non-recidivists who would not have returned in any case. Thus the value of the "shock sentence" as a rehabilitative tool per se is not clear.

<sup>11</sup> See Van West, *Cultural Background and Treatment of the Persistent Offender*, 28 FED. PROB. 17 (June, 1964) where the author states that:

Although there is some diversity in this "failure" group, close examination of the persons who comprise the recidivist population will tend to show that by and large, with regard to personality and cultural background, the group tends to be homogenous.

<sup>12</sup> *Id.*

<sup>13</sup> *Id.*

linked with feelings of exploitation and unjustified poor treatment by the authorities.<sup>14</sup>

Almost identical conclusions were reached by Séverin-Carlos Ver-sele.<sup>15</sup> He found that recidivists as a group

. . . act on impulse, as a result of hypermotivity and a total lack of foresight; they are very easily provoked and cannot submit to authority. But above all, they have an affective insensibility; *they have no close contacts with anyone, nor do they wish to have any.* [Emphasis added].<sup>16</sup>

Like Van West, Ver-sele found that the recidivist exists in a state of *social isolation* as a result of a conviction that the world is hostile.<sup>17</sup>

The general environmental background of the recidivist class presents a similarly uniform picture. Available information falls generally into the categories of social class, education, vocational skill, and family background, as indicated by Table I.<sup>18</sup>

As regards social class generally, the large majority of criminals come from blighted areas as opposed to normal residential areas.<sup>19</sup> It is also typical that the recidivist is less educated than the non-recidivist, the schools from which the former group come tending to be generally substandard.<sup>20</sup>

It is within this abnormal social context that the psychological problems of the recidivist take root. The socio-economic environment of the criminal offender departs further from the norm as his psychological

<sup>14</sup> *Id.* at 19. See also Margolin, *Postinstitutional Rehabilitation of the Penal Offender; A Community Effort*, 31 FED. PROB. 46 (Mar. 1967); Silver, *supra* note 3; and Hannon, *Stumbling Stones for Jailers*, PROCEEDINGS OF THE EIGHTY-SIXTH ANNUAL CONGRESS OF CORRECTION OF THE AMERICAN CORRECTIONAL ASSOCIATION (1956)

<sup>15</sup> Ver-sele, *supra* note 4.

<sup>16</sup> *Id.* at 199.

<sup>17</sup> *Id.* at 198.

<sup>18</sup> The information for Table I was gathered from Van West, *supra* note 11; Mandel, *supra* note 1; and the ONE YEAR EVALUATION REPORT ON LAW ENFORCEMENT ASSISTANCE ACT GRANT 149 . . . PROJECT RETURN (April 16, 1968) [Unpublished, unpaginated, hereinafter cited as *One Year Report*].

<sup>19</sup> E.g., Van West, *supra* note 11, at 18 points out that:

In Detroit, for example, fifteen times as many criminals for unit of population came from a blighted area as from a normal residential area. In Jacksonville, Florida, the cost of police protection in under-developed areas was 12 times more per unit area than the remainder of the city.

Van West further emphasized that these lower classes represent approximately seven per cent of the total population in our larger cities.

<sup>20</sup> *Id.*

TABLE I

	EDUCATIONAL LEVEL	FAMILY BACKGROUND	EMPLOYMENT HISTORY
Mandel et al.-----	<p>Mean Stanford Achievement Reading Level, 8.49</p> <p>M.S.A. Grade Level, 7.89</p> <p>Recidivists found to be well below non-recidivists.</p>	<p>45.77% living in intact family situations.</p> <p>Non-recidivist found to be from more intact family situations.</p>	<p>76% unskilled.</p> <p>Recidivists found to be less skilled than the non-recidivists.</p> <p>Average Minnesota level of unskilled workers—9.1%.</p>
Van West---	<p>Median number of school years (men), 6</p> <p>54% of the men had less than 7th grade educations.</p>	<p>41% of the inmates under 17 years of age living in disrupted homes.</p>	<p>2 % never worked at all.</p> <p>46% unskilled.</p> <p>52% semi-skilled.</p>
Project Return-----	<p>Average Grade Rating, 6.77</p>	<p>“disintegrated”</p>	<p>51% unemployed on admission</p>

problems become behaviorally manifest, and the complex of criminal characteristics turns on itself and multiplies.

Rehabilitative therapy, to reduce and, hopefully, to eliminate recidivism, must break into this cycle, arrest it, and repair the damage which has been done. The sooner this process can begin to function, the better are its chances for success. Thus our primary rehabilitative efforts should be focused at the level of the short-term institution.



### III. The Current State of Short-Term Rehabilitation

Of course, rehabilitation at the level of the short-term institution is not a novel concept,<sup>21</sup> and the importance of reaching the first-time offender has been frequently noted.<sup>22</sup> Because the jail is the unit where the largest number of offenders is confined, the unit that represents the largest number of penological institutions, and the unit through which all first offenders pass and through which all those confined in state and federal prisons have been funnelled,<sup>23</sup> its concentration of potential and actual recidivists provides a most valuable situs for rehabilitative treatment.

A limited number of varied short-term programs have become operational throughout the country,<sup>24</sup> the most common of which is the work-release program. This type of program, which allows the participant to leave the institution during the day to work in a normal employment situation, has met with considerable success in terms of low recidivism rates.<sup>25</sup> However, it would appear that much of this success is

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<sup>21</sup> See Versele, *supra* note 4; Stageber, *Moments Can Be Momentous*, 29 FED. PROB. 35 (Mar. 1965); and Bannan, *The Role of the Short-Term Institution in Contemporary Perspective*, PROCEEDINGS OF THE NINETY-FIFTH CONGRESS OF CORRECTION OF THE AMERICAN CORRECTIONAL ASSOCIATION, (1965).

<sup>22</sup> Versele, *supra* note 4, at 198 emphasized that:

From this moment onwards we must systematically try to discover any anthropological and social conditions which might tend towards the formation of a criminal career. . . . The first offense, even should it be a minor one, may indicate some trouble which could lead to a life of crime and reveal a disturbing state of affairs.

<sup>23</sup> Silver, *supra* note 3, at 87.

<sup>24</sup> In *Local Adult Correctional Institutions and Jails*, *supra* note 5, at 147, the following breakdown of short-term programs of rehabilitation in operation was presented:

#### REHABILITATION PROGRAMS FOR SHORT-TERM PRISONERS, BY PERCENTAGE OF 215 INSTITUTIONS

PROGRAM	NUMBER OF INSTITUTIONS	PERCENTAGE
Work Release	24	11%
Educational	22	10%
Group Counseling	19	9%
Alcoholics	15	7%
"Other"	44	20%
None	140	65%
Unknown	3	1%

<sup>25</sup> For example, a work-or-school release program discussed by the author of *Local Adult Correctional Institutions and Jails*, *supra* note 5, at 148, has had only seven per cent of its participants return to the institution on subsequent commitment.

due to the restrictions necessarily placed upon participation in such a program, for clearly the psychologically disturbed offender cannot and should not be given the extended freedom inherent in the work-release situation.

Other valuable, but perhaps less innovative, programs shown to be effective in the reduction of recidivism include rehabilitative programs for the alcoholic, educational therapy, job training courses, and group counseling efforts. Unlike work-release, these programs do not provide the offender with an opportunity to leave the institution and function in a normal social context. However, the significance of this factor is reduced by recognition of the fact that the work-release program deals only with those who have shown themselves capable of behaving properly within the social situation and functions simply to reinforce this behavior. The other programs are more remedial in approach, aimed primarily at upgrading the socio-economic level of the offender.

For the most part, current rehabilitative programs contain combinations of these various elements, primary emphasis varying in each case. However, the fact remains that in the overall picture practical implementation of such programs lags far behind recognition of their necessity.<sup>26</sup> For example, one sample of short-term institutions shows that sixty-five per cent have no rehabilitative treatment whatsoever.<sup>27</sup> Moreover, it seems that present programs, insofar as their primary emphasis is on socio-economic rehabilitation, have overlooked a more fundamental problem: the elimination of the offender's sense of "social isolation." While increased vocational skill, a higher educational level, and the prospect of a secure job are certainly important to the newly released offender, recent experimentation in the short-term area suggests that the absence of such assets is not in itself the cause of recidivism. Rather the major cause appears to be psychological—a problem which can be effectively dealt with only through personal counseling.

#### IV. A New Approach: Project Return

The social isolation of the recidivist is manifested in his inability to maintain any meaningful personal relationship with an authority figure. Thus the creation of such a relationship drawing the offender out of his

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<sup>26</sup> *Id.* at 140 where it was noted that:

Every criminology textbook written within the past forty years includes a graphic description of the physical and moral decay that grips the majority of jails across the nation. . . . [The situation] has been recognized for years but, with few exceptions, has remained unchanged.

<sup>27</sup> See note 24 *supra*.

social isolation would appear to be the first step in any successful rehabilitative program. The viability of the personal counseling approach to this problem was well demonstrated by *Project Return*, a program sponsored by the U.S. Department of Justice, Office of Law Enforcement Assistance, and put into experimental operation at the Detroit House of Correction.<sup>28</sup> *Project Return* was initiated in April 1967, and operated until August 1968. During this period, each of the one hundred participating inmates was channelled through the three-month in-prison counseling phase of the project. As of January 1969, only ten of the one hundred participants had recidivated, as contrasted to thirty of the one hundred inmates in the control group. In terms of a criminal sample with a fifty per cent recidivism rate, the success of *Project Return* represents a reduction of more than twenty-five per cent in the total number of predictable crimes for a given period.<sup>29</sup> This is effective *crime prevention*.

The participants in *Project Return* were selected by a screening procedure consisting of interviews and tests formulated by officials at the Detroit House of Correction. Alcoholics, narcotic addicts, and severe sociopaths were excluded from the program on the ground that such problems required more intensive and time-consuming care than could be offered in the proposed three-month period of treatment.<sup>30</sup> The men selected for participation in the project were housed in facilities separate from other prison inmates and wore regular work clothes rather than the traditional "uniforms."

The project was originally designed to include facilities for extensive psychiatric testing, job training, remedial education, and personal counseling. However, the only portion of the program to become fully operational was personal counseling of the participants. The degree of success achieved by *Project Return* through implementation of this single aspect of rehabilitative treatment is noteworthy in itself, but it is all the

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<sup>28</sup> The Detroit House of Correction is a short-term, minimum-security facility located near Plymouth, Michigan, with an annual inmate population of approximately 1,200. Between 250 and 300 inmates per year serve sentences of ninety days or more.

The writer is greatly indebted to Mr. Gerald T. Vincent, Evaluation Consultant Assistant of *Project Return* for his generosity in providing documentation on *Project Return*, his valuable personal comments, and the hospitality extended to the writer on several visits to the Detroit House of Correction.

<sup>29</sup> For the method of calculation of this figure, see note 2 *supra*.

<sup>30</sup> This is not to say that the subject group was designed with a built-in success factor. Of those serving ninety days or more in the Detroit House, eighty-one per cent had previous criminal records. Eliminating these special groups reduced the percentage of inmates with previous criminal records to about fifty per cent, a normal rate. Moreover, the control group, which also excluded these groups, is approaching a fifty per cent recidivism rate as compared to approximately ten per cent for the participant group. While the alcoholic, the narcotic addict, and the severe sociopath are generally recidivists, at Detroit House of Correction they constitute less than thirty-seven per cent of those with previous criminal histories.

more significant insofar as the counseling was performed by "non-professionals." In *Project Return* the use of the non-professional approach was an experimental focal point of some importance, for it is an unfortunate fact that the number of professionals in the correctional field is critically low.<sup>31</sup> The success of the non-professional approach indicates that the significance of this shortage may not be as great as supposed.<sup>32</sup> In the case of *Project Return*, two counselors were themselves former public offenders.<sup>33</sup> They were uniquely qualified for understanding the problems of the inmate and communicating with him in an effective manner. The overall ability of the non-professional to do a "professional" job was pointed out in the *One Year Report* to the Department of Justice:

Although the men were seen only about 1½ hours per week during the in-phase counseling, it was enough to establish a relationship which was continued after the inmate's release and was effective in helping him to readjust to free society.<sup>34</sup>

This critical relationship was established despite the lack of the proposed comprehensive testing program and the absence of a full-time professional consultant to guide and instruct the non-professionals in their work. The *One Year Report* emphasized that had it not been for such failures, the counselors would have been provided with invaluable information pertaining to their clients and would not have been faced with the difficulties presented by subjects with severe personality disorders who were to have been excluded from the project. The *One Year Report* noted that:

[The] counselor has not had the technical aids necessary to make accurate analysis of personality problems, and has been without professional guidance for most of the year. All of these problems have been solved to the extent that the Project is succeeding in an

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<sup>31</sup> See Van West, *supra* note 11, at 19, and *Local Correctional Institutions and Jails*, *supra* note 5, at 142.

<sup>32</sup> It should be pointed out, however, that even in the area of the non-professional counselor, it is difficult to find many competent people. In *Project Return*, four or five counselors were employed at any one time. Nine different people held these positions. The main reason for the turnover was better employment opportunity elsewhere, even though most had come originally from successful business backgrounds. One, however, was fired, and another left to return to school.

<sup>33</sup> Both of these counselors remained with the project for its duration. Like the other counselors, these men came from successful business backgrounds. One had been the owner of a private club and the other an administrator for the American Red Cross.

<sup>34</sup> *One Year Report*, *supra* note 18.

area where success is measured by changes in human behavior.<sup>35</sup>

The counselors received no specific training in preparation for the job, and the absence of a professional to assist them in their work was clearly a significant handicap. It limited the scope of the personal interview technique insofar as the counselors were frequently unable to translate the information they received into ultimate conclusions regarding the client. The degree of success achieved under these conditions is thus all the more surprising. Their counseling covered all subjects which either the counselor or client felt to be important. The area of family relations was stressed as it was found to be a critical influence on the offender's sense of social isolation. This emphasis on constant discussion through the interview procedure proved to be effective in establishing a meaningful personal relationship leading to rehabilitative success.

The ability of the counselor to reach the client on a personal level was sufficient to overcome the absence of job training and remedial education programs. The heads of the project noted that:

[E]mployers will hire men even though they lack education and skills if it can be shown that the men are properly motivated. The problem has not been in finding good paying jobs; the problem has been in the area of keeping a man working on his job. The problem of motivation continually appears in the case of the public offender and can be solved only with continued post-release counseling helping the man to readjust to free society.<sup>36</sup>

The foundation for such motivation was laid in *Project Return* by establishing a meaningful personal relationship during the in-prison phase, as is demonstrated by the fact that regular jobs were not necessarily held the men with high average grade ratings.<sup>37</sup>

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<sup>36</sup> *Id.*

<sup>36</sup> *Id.*

<sup>37</sup> *Id.* It was pointed out in the *One Year Report* that:

[N]either the A.G.R. (Average Grade Rating) nor the criminal background affect a man's ability to get a full time job . . . [T]he full time jobs have not been held by men with high A.G.R. The A.G.R. for both the employed and unemployed groups is between 6th and 7th grade. Although it would be difficult to deny the need for remedial education, it would be equally difficult to prove that the upgrading of inmates in the project would have given better employment figures.

The Average Grade Rating was determined on the basis of average scores in spelling, reading, and mathematics in the Wide Range Achievement Test.

This conclusion suggests that such programs as work release, remedial education, and job training have somewhat limited value as rehabilitative tools. At least the results of *Project Return* indicate that programs aimed at socio-economic rehabilitation are not absolutely necessary for successful re-entry into the free world. Conversely, it is difficult to imagine a successful rehabilitative program that does not deal first with the offender's psychological problems.

Of course, this is not to deny the value of remedial education and job training programs as supplements to a thorough program of personal counseling. However, their value as rehabilitative tools is secondary, for the social isolation, characteristic of the recidivist, must be eliminated before the criminal offender can function successfully in the normal social context. Once this task is accomplished, remedial education, job training, and similar programs are more apt to be successful in establishing and reinforcing both economic and psychological stability.

## V. Conclusion

Today the recidivist generally does not receive help until he becomes a serious offender and is imprisoned in a federal or state penitentiary. This is the same man who, at one time, passed through the local jail as a first-offender. *Project Return* illustrates the value of short-term rehabilitative therapy, and supports the view so long expressed that the local house of correction is a viable situs for such treatment. Since funds for criminal rehabilitation are limited,<sup>38</sup> rehabilitative programs should be restricted to recidivists. They have demonstrated their need for it and their successful treatment represents the best hope for crime prevention. Extensive rehabilitative treatment of the true one-time offender would not only be superfluous, but would constitute an unwarranted expenditure of funds.

Once an effective rehabilitative program is established, the additional financial and administrative burden imposed by a supplementary program such as that under the Ohio statute would appear to be minimal compared to the benefits to be reaped. Recidivism is further reduced by largely eliminating the possibility of a non-recidivist "going sour" under the contaminating influences of those around him. As offenders are

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<sup>38</sup> For example, the PROJECT EVALUATION CONSULTANT ASSISTANT'S NEWSLETTER TO THE DETROIT HOUSE OF CORRECTION (unpublished), in noting that the 1968 budget for the city of Detroit was \$456,910,203, emphasized that only about one-half of one per cent of this budget was allocated to the Detroit House of Correction. Of this amount, only eight per cent, approximately \$198,818, was earmarked for "counseling, treatment and training." Over thirty times this amount was budgeted for just one division of the Detroit Police Department (\$6,083,063 for the Criminal Investigation Section). These budget figures were taken from the CITY OF DETROIT BUDGET BOOK (1969-70). See in this connection note 39 *infra*.

released, the reduced size of the local institutions will mean lower maintenance costs and greater efficiency. In return, these savings can be used to defray the cost of operating the rehabilitative programs.

To the extent that the problem of recidivism can be solved at the short-term level, greater facilities will be available in the state and federal prisons to aid those whose more serious problems cannot be treated on the short-term level. A conscientious program of personal counseling supplemented by job training, remedial education, and appropriate machinery for assuring the accuracy of the classification process will provide what is sorely lacking in the penological system today. While some advances are being made, the overall picture indicates that we are ignoring one of our most valuable tools of crime prevention.

It is not possible to predict accurately the number of crimes that could be eliminated over a period of time under the short-term approach to rehabilitation, but it is clear that the number is significant. The major obstacles preventing more frequent implementation of short-term programs seem to be the high cost of rehabilitation<sup>39</sup> and general apathy toward the plight of the recidivist. When such apathy is eliminated, the funds should become more readily available. The public is not greatly concerned with rehabilitation for humanitarian purposes, but it is deeply concerned with crime prevention. The ability of short-term rehabilitative techniques to prevent crime must be recognized by legislators and the public in order that widespread implementation of rehabilitative programs may become possible.

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<sup>39</sup> The per capita expenditure for participating inmates in *Project Return* was approximately \$1,200. The 1968 budget for rehabilitative therapy at Detroit House of Correction, in contrast, represented a per capita expenditure of approximately \$18. See note 38 *supra*.