

Fall 1931

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Recommended Citation

Winthrop D. Lane, Parole Procedure in New Jersey, 22 Am. Inst. Crim. L. & Criminology 375 (1931-1932)

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PAROLE PROCEDURE IN NEW JERSEY

WINTHROP D. LANE¹

I. SOME ASPECTS OF THE ADMINISTRATIVE SET-UP

New Jersey has one of the most carefully planned parole procedures in the United States. It has been in course of development for about twelve years. To give the picture of its background, one must go back to the famous Morrow Inquiry. In 1917 such serious defects were believed to exist in many of the publicly-supported institutions of the state that two commissions were appointed to study the matter. One, with Ellis P. Earle as chairman, confined itself to the hospital, charitable, relief and training institutions. The other, with Dwight W. Morrow as chairman, took the penal and correctional institutions as its field of examination.

The reports of both bodies attracted wide attention at the time. Both commissions recommended that a single public welfare department be established for the state of New Jersey. At first this department was called the Department of Charities and Corrections, but the name was later changed to the Department of Institutions and Agencies, the name used today.²

Make-Up of the Department

The Department of Institutions and Agencies consists of the *State Board of Control of Institutions and Agencies* and the *Commissioner of Institutions and Agencies*, together with divisions, bureaus, branches, committees, etc. Members of the Board are nine in number and are appointed by the Governor, confirmation by the Senate being required. At least one member of the Board must be a woman. The law specifies that they are to be appointed "without regard to political belief or affiliation". No salaries are paid to members of the Board. Each serves for nine years, one term expiring each year, thus insuring to new members the opportunity to become familiar with the Board's work in association with older members, and also assisting to insure continuity of policy.

¹Croton-on-Hudson, New York.

²While it is with parole that our present discussion chiefly deals, parole in New Jersey is so closely related to institutional programs, that some review of institutional machinery and purposes is necessary. *We are attempting a description only of parole procedure, not in any sense an evaluation of the results of parole in New Jersey.*

The Commissioner is the executive and administrative officer of the Board. The Commissioner is appointed by the Board. He is in the unclassified service list of the civil service, and according to the law, need not be a resident of New Jersey when appointed. The salary of the Commissioner, originally placed at "not exceeding \$10,000 a year", is now fixed at \$15,000.

*Powers of the Board and the Issue Concerning
"Local Boards of Managers" in New Jersey*

The Board has very large powers. Because of the nature of these powers, the language used to express them, and the relation of this aspect of the subject to *New Jersey's parole system*, we quote important sections of the law:

"The State Board shall have power to determine all matters relating to the unified and continuous development of all the institutions and non-institutional agencies within its jurisdiction. It shall determine all matters of policy and shall have power to regulate the administration of any of the institutions or non-institutional agencies within its jurisdiction, correct and adjust the same so that each institution and non-institutional agency shall perform its proper function as an integral part of a general system. The rules, regulations, orders and directions issued by the State Board or by the commissioner pursuant thereto, for this purpose shall be accepted and enforced by any board of managers having charge of any institution or group of institutions or non-institutional agencies or any phase of the work within the jurisdiction of the State Board." (Section 119 of Chapter 147 of the Laws of 1918.)

It is to be observed that "the rules, regulations, orders and directions issued by the State Board . . . shall be accepted and enforced by any board of managers" of an institution.

Still more interesting is the language of the following section:

"Within the limitations imposed by general legislation applicable to all agencies of the State, the State Board *is hereby granted complete and exclusive jurisdiction, supreme and final authority, and the requisite power to accomplish its aims and purposes in and upon the following institutions, boards, commissions, and other agencies hereinafter designated as charitable, hospital, relief, training institutions and correctional institutions of the State, to the end that they shall be humanely, scientifically, efficiently and economically maintained and operated. Any particular grant of power hereinafter contained shall be held to be in specification but not in limitation of this general grant of power.*"

This evidently makes the Board, or the Department of Institutions and Agencies, the dominating force in mapping institutional policies in New Jersey. Still, because each public institution in New

Jersey retains a *local board of managers*, established by law, and also possessing powers with respect to its own institutions, the Board and the Department have found it advisable to accomplish certain objects by suggestion, persuasion, diplomacy and the use of example from other institutions, rather than always by direct order or command. In other words, the Department consciously pursues a "policy of Education" with respect to these local boards, and attributes much of its success to that fact.

The situation which this has led to with respect to parole will be developed later.

*Institutions Subject to Jurisdiction of
Department of Institution and Agencies*

Under section 118 of chapter 147 of the Laws of 1918, the following correctional institutions of the state are subject to the powers of the Board as enumerated above:

- New Jersey State Prison (Trenton)
- New Jersey Reformatory (Rahway)
- New Jersey Reformatory for Women (Clinton)
- State Home for Boys (Jamesburg)
- State Home for Girls (Trenton)

In addition must be added institutions subsequently established:

- Farm of the State Prison at Leesburg
- Farm of the State Prison at Bordentown
- Reformatory for Men at Annandale
- (When first established, this was a branch of the Rahway Reformatory, but now is an independent institution.)

The situation concerning the State Prison is somewhat anomalous. The Warden (or Principal Keeper, as he is called) is a constitutional officer in New Jersey. This and other considerations have raised the question in New Jersey whether the State Prison really is subject to the jurisdiction of the Department of Institutions and Agencies in the same degree as the other institutions above named. It has been suggested that if the state prison wished it could establish its independence of the Department; no such effort has been made, but the practical effect is that the Commissioner, and the Department, approach the prison staff with less certainty of authority, and with more of the method of suggestion and diplomacy than are necessary in their relations with the other institutions. At present the prison staff is giving a high degree of cooperation to suggestions emanating from the Department. But, as we shall see, the parole service of the

Prison is entirely independent of the Central Parole Bureau of the Department of Institutions and Agencies.

"Local Boards of Managers" and Parole

It is now time to consider the local board of managers and its relation to parole, as suggested above. Under the law, the State Board of Control appoints a *board of managers* for each of the institutions under its jurisdiction. This means that each of the penal and correctional institutions in Jersey (and the other public institutions as well) is governed in certain respects by such a board. For our purposes it is not necessary to enumerate all of the powers of this local board of managers, but only the following:

"The several boards of managers of the correctional institutions as classified in this act shall have power to release upon parole, such inmates of their respective institutions as they may determine to be eligible therefor, except a person sentenced to death." (Section 201 of Chapter 147 of Laws of 1918.)

In other words, the *authority to grant parole in New Jersey is lodged in the local board of managers of each of the several correctional institutions*. It is not lodged in the State Board of Control or in the Department of Institutions and Agencies. It is proper to point out, however, that the policies governing the action of the several institutions are established by the State Board, and the authority for carrying out these policies and procedures is delegated, through a decentralized form of management, to the local institutions, the chief executive of which is appointed by the local board, subject to the approval of the State Board.

Section 202 of the above mentioned Act reads:

"The State Board shall prescribe by rules formally adopted, the procedure for and the granting of parole and the terms and conditions incident thereto."

In a sense, therefore, what has happened is that the Department of Institutions and Agencies has built up a procedure for recommending the parole of inmates at all of the correctional institutions (except the State Prison, as hereinbefore stated), and the board of managers of a particular institution acts on a *recommendation presented to it* by its own professional staff, supplemented by the advisory services of the central Department. The elaborate machinery devised for reaching decisions in respect to the propriety of granting parole to this or that inmate will be described later. Here it is de-

sired to point out that the final authority for actually granting release on parole is in the hands of the local board of managers—and they almost always act on the recommendations presented to them by the staff (including the scientific members) of their own institutions. They do not *have* to accept such recommendations in all individual cases, and occasionally they do not; but practically the parole decisions are reached in the meetings of the so-called “classification committees”, and the board of managers acts as a ratifying authority.

The importance of this, from the point of view of procedure, is that in many states the local board of managers of the institution is not only the final authority in saying whether an inmate shall be paroled, but is also the investigating body, the body which interviews the inmate, the body which reaches the decision whether the inmate *ought* to be paroled. That is not at all case in New Jersey, and it is submitted that local boards of managers of institutions, composed as they usually are of busy lay members who cannot (or do not) give much time to their work are *poor groups to decide the intricate questions involved in saying whether a prisoner shall be given his liberty under conditions*. Yet, because New Jersey has local boards of managers possessing the final *power* of granting parole, the impression has gone abroad that New Jersey's procedure is the same, for example, as that of Indiana and a number of other states. Nothing could be further from the truth in fact and in principle. It is the purpose of this section to make that clear.

Definite opinion exists in New Jersey as to the advantages of the system there built up, and Mr. W. J. Ellis, the present commissioner, has stated two of the arguments for the situation just described as follows:

1. The lay boards do help to give a balance to the professionals and to advise the professional staff, particularly as to the trend of public opinion and the effect of contemplated administration action.
2. The device of bringing the lay members into contact with the varied problems of the treatment of delinquents has an educational value for the lay members, and through them, the ever-widening circle of their associates in the community. It can safely be described as an intelligent and useful application of the project method to the field of welfare administration.

II. STEPS PRELIMINARY TO PAROLE: PAROLE IN RELATION TO INSTITUTIONAL TREATMENT

We have now described the general administrative set-up of the Department of Institutions and Agencies. When is parole granted in

New Jersey! and What are the steps leading up to the decision to release an offender on parole?

Extent of the Indeterminate Sentence

Sentences to all New Jersey institutions, with the single exception of the State Prison, are without minimums. This means, in connection with other provisions of the law, that the boards of managers of the institutions have the *authority to release an offender on parole the moment he is received*. Not that in practice that is ever done, but the effect is to give New Jersey an indeterminate sentence, except that all sentences carry maximums. Thus, the boards cannot keep prisoners beyond the expiration of their maximums, but they may release them on parole any time they wish. The exception, as stated, is the State Prison. Sentences to this institution formerly carried both maximums and minimums, but now, under legislation passed in 1927, all sentences to the State Prison are definite, fixed sentences. Men are sent to the State Prison for precise periods of time, fixed in advance by judges. This is considered retrogression to a less desirable state of affairs, but so long as the law exists, judges must obey it. The relation between this law and parole will be explained later.

Conception of Parole in New Jersey

New Jersey has accepted the idea that parole is a period of adjustment, under supervision, from life in an institution to normal life in a community. As such, New Jersey considers parole as the logical outcome of every offender's sentence—not as a favor to be granted in certain cases or merely as a rule-of-thumb device for terminating sentences. That is what it is in many states, but it must be said with respect to the Department of Institutions and Agencies that this Department has tried to think through, accurately and conscientiously, the steps by which parole may be made of positive therapeutic value in the career of an offender. This is so unusual as to call for full explanation. One effect of this conception is that parole is in the minds of the institution authorities from the moment an offender enters prison, and the steps for scientific treatment of the individual in the institution have, as their goal, release on parole *when the time is most favorable and under the best conditions which the staff can supply*.

Parole in New Jersey, thus, is closely related to institutional life. The instruments for making institutional life helpful are brought very directly to bear upon the problems and opportunities of parole.

As a result it is necessary to explain the processes by which New Jersey tries to individualize treatment. These processes are embodied, for the most part, in what is called the "classification system" in New Jersey's correctional institutions. This, however, is much more than a classification system; it is a device for working out programs for the inmate within the institution.

Because of its intimate relationship with parole, this classification system must be explained.

At each institution there is a classification committee. This committee is composed of a number of staff officers and specialists. It is the function of this committee to study the inmate from many angles, pool their information and advice, arrive at a program for him in respect to the various facilities of the institution—and to change that program as often as seems desirable.

This committee also makes the ultimate recommendation for parole, and its recommendations are commonly accepted.

The purposes and procedure of these classification committees have recently been systematized and made uniform in a memorandum of instructions issued from the Division of Classification of the Department of Institutions and Agencies. The head of this Division is Dr. Ellen C. Potter, formerly Secretary of Welfare of the State of Pennsylvania, and also head of the Division of Medicine of the New Jersey Department. A physician professionally, Dr. Potter brings knowledge of both medicine and social work to her tasks. She has revived and extended the classification work of New Jersey's correctional institutions. The assistant director of the Division is Dr. F. Lovell Bixby, a psychologist who also has many administrative tasks. Thus, represented in the direction of the Division are a knowledge of the techniques of medicine, social work and psychology—perhaps the three disciplines having most directly to do with the rehabilitation of individuals, if we extend psychology to include psychiatry and other psychological therapeutics. The memorandum of instructions referred to has been issued from the central authority to the heads of the various institutions, and constitutes *a body of orders laid down for them to follow*. (As already explained, the State Prison is perhaps less bound by such instruction, but actually is gradually putting them into effect.)

It cannot be too clearly stated, however, that this memorandum merely codifies and makes uniform a procedure and practice which have been followed in New Jersey institutions for ten or a dozen years. More will be said on that point later. At present it is my

purpose to explain the procedure called for by this memorandum, and then to make some comments on my own observation of New Jersey's classification system in practice.

The Classification Procedure

To begin with, the memorandum directs each superintendent of a correctional institution in New Jersey to organize a classification committee.

Members of the committee, says the memorandum, are to comprise the following:

Superintendent—Chairman
Deputy Superintendent
Disciplinary Officer
Identification Officer
Physician
Psychiatrist
Psychologist
Chaplain
Director of Education
Director of Industries and Training
Field Social Investigator
Classification Secretary

The duty of this committee is to hold regular meetings to plan programs for individual inmates. Though the memorandum does not say just how often the committee shall meet, it is a fact that the classification committees at the State Prison, Rahway Reformatory, and School for Boys meet once a week, whereas the committees at the Reformatory for Women (Clinton) and at Annandale meet less often, because the number of inmates is smaller.

Some meetings are devoted primarily to consideration of persons just admitted, some to "reclassification" of cases already considered, and some to persons being discussed for parole.

At each institution the admitting officer is instructed to notify all members of the classification committee of the arrival of a new inmate within 24 hours of such arrival. The institution is also instructed to notify the Central Parole Bureau (Department of Institutions and Agencies) of the arrival of such inmate. Thus the Central Parole Bureau is enabled to begin at once its investigation of the home and social conditions of the inmate.

For a time the inmate is held in quarantine, and while in quarantine is examined by the following specialists:

Identification Officer
Disciplinary Officer
Physician
Psychiatrist
Psychologist
Chaplain
Director of Education
Director of Industries and Training

It will be noticed that this is a regular examination of every person who enters a correctional institution in New Jersey. Each offender is examined by these officers, not only by the doctor and the chaplain, but also the psychologist and the psychiatrist. This is a far more thorough examination of incoming inmates than is the custom in most institutions of the country.

Moreover, the memorandum stipulates that each of the examiners shall send a detailed *written* report and a *written* abstract of his findings and recommendations to the secretary of the classification committee.

All of this is preliminary to the first consideration of the case by the committee. When the committee discusses the situation of a new inmate, it is supposed to decide upon a program of life *within the institution* for him. The memorandum goes on to say that the "summary sheet", to be in the possession of each member of the committee at this first discussion, must include:

1. The identification officer's report.
2. The history of the crime and the legal procedure so far as it can be obtained within the month.
3. The social or family history of the inmate.
4. The medical history of the inmate.
5. The results of the physical examination and recommendation of the physician.
6. The psychiatric findings and recommendations.
7. The psychological findings and recommendations.
8. The disciplinarian's report with the conduct record up to the date of the meeting.
9. The educational director's report and recommendations.
10. The industrial director's report and recommendations.
11. The chaplain's report and recommendations.

In other words, that is the information which each member of the committee must have when it first considers a case.

The memorandum says:

"The recommendations of the physician, psychiatrist and psychologist concerning the treatment and handling of each case, will always be the ideal or best recommendation that can be made from the professional

point of view. Any limitations in the carrying out of these recommendations should come as a result of the committee meeting, and should not be taken into account by the specialist in making his report."

First consideration of the situation of a new arrival must be held within one month after he reaches the institution, according to the memorandum. As explained, the purpose of such consideration is to plan a program of life for him within the institution. It is entirely clear that here is an institutional program quite superior to that of almost any other state in the Union.

At the first meeting, says the memorandum, the case will be considered under the following heads in the order given:

"(1) Transfer: Any recommendations for transfer to another institution will be considered and acted upon. *The policies and procedures for carrying out transfers are given in Appendix B.*

(Note by author: Here it should perhaps be pointed out that unusual powers are vested by law in the State Board of Control to transfer inmates from one institution to another. This is one of the merits of the New Jersey system. If an inmate has been found to have been committed to the wrong institution, the State Board of Control can correct the mistake. In fact, the Board can practically designate any part of one institution as a part of another institution—and thus secure considerable mobility of population and effectiveness of treatment.)

"(2) Medical, Surgical and Mental Treatment: Any professional recommendations by the physician, psychiatrist and psychologist will be considered and acted upon.

"(3) Custodial Requirements: The custodial requirements will be expressed in terms of three degrees of security as follows:

- A. Maximum
- B. Limited
- C. Minimum

"*Maximum security* implies confinement at all times behind a wall of the type now at the Prison at Rahway. *Limited security* implies that the inmate may be allowed to work outside the wall under guard, but must be returned to maximum security at night. *Minimum security* implies that the inmate is suitable to be sent out to live and work in an open institution, such as Bordentown, Leesburg and Annandale.

"(4) Institutional Program: The committee will map out a tentative educational, industrial and disciplinary program in accordance with the findings of the various specialists.

"At this meeting the question of the length of stay of the inmate in the institution will not be taken up, nor will credit goals be set. The inmate *will be told* that in six months his case will be reconsidered. It will be explained to the inmate that his length of stay in the institution will depend in a large measure upon his own conduct and his success in the program laid out for him by the classification committee.

"(5) Summary Statement: At the end of the consideration of each case, the chairman, or some one delegated by the chairman, will dictate a summary of the findings and recommendations of the committee. These recommendations, and not the separate recommendations of the specialists, will be the program to be carried out, and *may not be modified by any officer without the approval of the committee*. (For the approved form for dictated summaries, see Section V on progress reports.)"

Decisions having been made on the above points, the inmate now begins his life under the program laid down.

Since each New Jersey institution is governed by a board of managers, the program and decisions are presented to a committee of that board. This committee is called the "classification committee of the board," but is not to be confused with the classification committee of specialists and staff officers which we have just been discussing. The board of managers may, if it chooses, alter the program, but in practice this seldom happens.

As soon as a program has been mapped out, a progress report is started. All information about an inmate which reaches the institution is entered upon this report, together with statements concerning his progress, disciplinary reports and punishments, and the results of reexaminations in the institution.

As soon as possible after the first hearing, the secretary is to notify officers of their responsibilities in each case. These officers are thereupon instructed, by the memorandum, to carry out their parts of the program as soon as possible. They are further instructed to notify the classification secretary when they begin their work with a case, and the classification secretary will record this on the progress sheet.

"Reclassification"

An inmate's case may be considered for what is called "reclassification" at any time. Reclassification really means altering the program in whole or in part. A member of the committee or an officer who has an inmate under his direct supervision may request reconsideration at any time.

However, if not reclassified before, the case will be brought up for *routine reclassification* six months after admission. "If the interval before reclassification is six months", says the memorandum, "at least two reports of the inmate's progress in his school, industrial and disciplinary program will be sent to the committee before the first reclassification. If the interval is less than six months, one report will suffice.

"These reports will be brief accounts of the inmate's degree of success, attitude toward his work, attitude toward his officers and fellow workers, and a statement of his suitability to continue the assignment. The department heads will be responsible for these reports, which will be in addition to the daily credit marks which each officer is required to submit.

"If the interval of time permits of two reports, the first will be sent in not later than three months after the assignment is made, and the second at least one week before the date set for first reclassification. The disciplinary officer will send a report of all violations of rules to the classification secretary with a statement of the punishment assigned for the offense."

It is obvious that the purpose of routine reclassification is to recheck the case and to determine the suitability of the recommendations made at the outset. Thus, the established procedure in New Jersey *demand*s reconsideration of cases at stated intervals, and calls upon every specialist in the institution to examine, at intervals of six months, all recommendations made by him with respect to the treatment of an inmate, as well as the inmate's present responses and development. If anybody thinks there is a reason for such re-examination earlier, he has merely to ask for it to get it. This is a *thought-through* program of institutional treatment that is quite unusual in the handling of persons who have been "sent up" for crime.

Second Reclassification

"As a result of the *first* reclassification meeting," says the memorandum "the committee will set a date for second reclassification, which will be the *earliest date they would be willing to consider the inmate for parole.*"

Thus we arrive at the entrance of parole into the situation. First, there is the first classification, which is the laying out of a program for the inmate within one month of his admission. Then, there is first reclassification, which is nothing more nor less than a reconsideration of the case and, if important, alteration of the program in one or more points. This may be six months after admission, or earlier; never later. Then there is second reclassification, which may be merely another reconsideration of the inmate's progress and development, and may also be the first date which the committee would consider for parole. *But in no case can the date for parole arrive earlier than the date for second reclassification*, which, in the great run of cases, is one year after admission. But, in exceptional cases, parole

may come earlier. For both first and second reclassifications may come whenever a responsible officer thinks them advisable.

At the *second reclassification meeting*, according to the memorandum, the committee must pay particular attention to the inmate's progress toward the goal set for him.

It is to be remembered that the personnel of the classification committee remains the same throughout all these meetings, and that the officers and specialists who first devise an institutional program for the offender are the same officers and specialists who make changes in that program and finally arrive at the recommendation in respect to parole.

If the committee, on the occasion of second reclassification, feels that the offender is not ready for parole consideration, they will set a date for *third* reclassification, and also make any changes in his program which they deem necessary. This process, as a matter of fact, can be carried on so long as the offender remains in the institution, i. e., until the expiration of his maximum. His situation can come before the committee, either at the special request of officers or in accordance with the routine following of the rules, any number of times while he is still living at the institution. The significant fact is that New Jersey has set up in all institutions a procedure by which periodical re-examinations by specialists, and periodical re-consideration of the welfare and progress of inmates by staff officers in consultation, *must* occur every so often so long as the inmate remains an institutional inmate.

If the inmate is not regarded as ready for consideration for parole at his second reclassification hearing, the superintendent will make it clear to him in what respect he is not meeting the requirements of the program prescribed for him—and will explain that his release depends upon his own showing of improvement.

"Pre-Parole" Examinations

If the committee believes, on the occasion of second reclassification, that the inmate is ready for parole consideration, they are instructed (by the memorandum here being condensed) to notify the Central Parole Bureau of the Department of Institutions and Agencies to that effect. This Bureau then makes a "pre-parole" home investigation as soon as possible. It also requests *pre-parole re-examinations* by the physician, psychologist, psychiatrist, chaplain, educational director of industries and training, and the disciplinary officer.

These members of the staff are directed to submit *written* reports to the committee. Such reports should point out any improvement or regression in the inmate; submit recommendations for or against parole; and suggest any special conditions for parole which are indicated by their examinations.

How Parole Decisions Are Reached

In the ordinary course, it is expected that the committee will set, on the occasion of second reclassification, a date for what is called "parole reclassification", that is, a date on which it will definitely be decided whether the inmate is to be recommended for parole or not.

Whether set on the occasion of second reclassification or not, the date for parole reclassification, which is merely the date for parole consideration, is of course in the career of each inmate finally set. The secretary of the committee is directed to make sure that, when the inmate comes up for parole, each member of the classification committee has: (1) the original classification summary; (2) the progress report containing results of the pre-parole examinations; (3) the pre-parole home investigation by the Central Parole Bureau.

The committee is instructed to review the case completely at this time. The superintendent is directed to point out the factors which favor parole and those which oppose it. Moreover, the committee, according to the memorandum, must pay particular attention to: (1) physical and mental health of the inmate; (2) industrial and educational competency; (3) social adaptability; (4) condition of the home to which he is to be paroled.

The committee will make recommendations as follows:

- "(1) They may recommend that parole be deferred. If they so recommend, they will plan a program and set a new goal for the inmate. They will also set a date for reclassification.
- "(2) They may recommend the transfer of the inmate to another institution for further treatment or training.
- "(3) They may recommend parole under routine supervision.
- "(4) They may recommend parole on a three months' trial basis with special supervision.
- "(5) They may recommend parole to *Placement*, if the home conditions are unfavorable.
- "(6) They may establish any special conditions of parole which seem advisable."

These alternatives are fairly self-explanatory. The committee may keep the inmate and decide against parole; they may, even at this late date, decide on transfer to another institution—and transfer be-

tween institutions in New Jersey is specially made easy; they may suggest the regular parole for the inmate; they may suggest three months' trial parole for the inmate; they may parole him in some home other than his own; they may affix any conditions they see fit.

Whatever recommendation they reach is submitted to the board of managers of the institution, and is acted on by that body. As already explained, this body usually accepts the recommendations of the classification committee. In occasional instances they reject it. But the final decisions in respect to parole are ordinarily made by the group of specialists whose operations we have so far been following.

Such is the systematization of procedure in New Jersey. It is perfectly obvious that this is a carefully thought out series of steps, and that New Jersey has built up a parole philosophy and procedure which, in view of its close relation to life within the institution, is practically without parallel in the United States.

Appended herewith is the new "uniform" form for "classification summary record" just adopted, to be used by all institutions as soon as the printing can be done. An explanation of the form is made on the form itself.

III. PERSONAL OBSERVATION OF THE PROCEDURE JUST DESCRIBED

To what extent is this procedure actually being put into operation in New Jersey correctional institutions? Do the staff and officers of institutions accept it willingly, or grumble at it? Where does New Jersey get the services of psychologists and psychiatrists demanded for the fair carrying out of this procedure? Are there criticisms not indicated by a description of the procedure itself?

Procedure Slow Growth of a Dozen Years

As already stated, it cannot be too strongly emphasized that the memorandum just summarized is merely a codification, with slight changes, of practices that have been developed through a dozen years. Following the Morrow inquiry of 1917, when the Department of Institutions and Agencies was established, the building up of this classification and program-making set of methods was started. It was started while Mr. Lewis was the Commissioner of Institutions and Agencies, and the present Commissioner, Mr. Ellis, was a psychologist within the Department. From 1919 to 1923, or thereabouts, Mr. Edgar A. Doll, who is Director of Research of the Training School (for feeble-minded) at Vineland, New Jersey, and who has taken

a great interest in the development of New Jersey institutions, assisted in working out the basic elements of the present classification procedure; Mr. Ellis was associated with him in the task, and these two men gave a great deal of time and thought to the establishment of scientific steps for the individualizing of treatment.

Getting each institution to establish the procedure was slow in the early days, but it was accomplished, despite some opposition, and for years, therefore, most of the institutions have been applying the chief elements of the procedure just outlined.

On the whole, establishment of the procedure has been less satisfactory at the State Prison than elsewhere, for reasons previously suggested, but the present Principal Keeper, Colonel Edward B. Stone, is friendly to it, and much headway has been made in the past year or two. At the Annandale Reformatory, still under process of construction, the chief task has been the grading of land and the erection of buildings—at which the inmates have been held at work—and there has, therefore, been less opportunity for a diversified institutional program than at the more firmly established institutions. The classification procedure is probably being most fully applied at Rahway, Clinton Farms, and State Home for Boys at Jamesburg and the State Home for Girls in Trenton, but it is not too much to say that at present the officers and staff of the institutions are cooperating wholeheartedly to get the best possible results from it.

How the Classification Committees Impress an Observer

I attended five classification committee meetings. Three of these were meetings to consider first classification and first and second reclassification; two others discussed also parole cases. Of the five meetings, one was at the State Prison, two at Rahway and two at the Reformatory for Women at Clinton.

The conscientiousness of these meetings was reassuring. It was reassuring also to note the practically complete extent to which the procedure just outlined was carried into effect. All of the officers seemed to feel that it was their duty to apply the methods laid down for them in the memorandum, and to apply them with the best wisdom they possessed. Needless to say, some of the officers seemed to show more initiative and intelligence than others, but that is inevitable when one is observing twenty or twenty-five people at work.

The meetings were not always attended by the full membership of the classification committees as specified in the instructions from the Division of Classification, but the following were present at every

meeting: superintendent, psychologist, director of education, director of industries, disciplinary officer and secretary. At several meetings additional officers were present. It is common for a representative of the Division of Classification of the Department to be present at such meetings, and occasionally a member of the local board of managers drops in to see how the meetings are conducted.

Quite striking, to one who has witnessed parole procedures in other states, was the painstaking consideration of each case. At no meeting was there any evidence of hurriedness. This is unusual in the meetings of most parole boards—and indeed in the discussion given to the problems of offenders in most correctional institutions. Clearly the labors of the classification committees were regarded as a vital part of the institution's work; indeed, it would hardly be too much to say that the opinion seemed to be held by many of those who attended the meetings that the decisions reached by such committees were among the most important decisions arrived at by the staff or officers. To what extent this was due to the fact that the meetings were being observed by an outsider cannot positively be said, but the impression gained by me was that these were typical meetings and that nothing was staged for my benefit. The consideration of an offender's difficulties seemed to take their ordinary course.

It was encouraging also to realize that institutional programs for individual inmates, and decisions respecting paroles, were actually being reached on the basis of many factors concerning the inmate's real personality, prospects and behavior—and not (as is so often the case) on the basis of his history of delinquencies or court record. Infractions of institutional rules were not automatically set down to deliberate perverseness, but members of the committee seemed to realize that there might be causes for such infractions not appearing on the surface—and that such causes might be studied, understood and removed.

Never was there that attitude of hostility, indignation, conventional and heavy moral censure which interferes so with the judgments of many institutional heads concerning what is the best therapeutic treatment for the offenders committed to their custody.

On the contrary, the attitude was always one of interest and helpfulness. This does not mean that there was not plenty of firmness. Many opportunities to grant parole were withheld, and prisoners did not seem to be putting anything *over* on these officials. But the point of view and atmosphere seemed to be that of a clinic at which specialists and responsible officials were pooling their information.

considering cases dispassionately, coming to the best conclusions they could and recommending the treatment which they thought most likely to succeed.

New Jersey seems to have established a procedure for giving that full consideration to individual cases which competent family welfare societies have set up in the "case consultation committee", or other devices for getting the combined recommendations of persons who see the needs and treatment from various angles.

"Parole Duties" and Examination at Rahway Reformatory

Mention should be made here of a special practice at the two reformatories for men, Rahway and Annandale.

A leaflet entitled "Parole Duties" is handed to each man some six weeks before he is likely to go upon parole. The first sentence of this is: "This folder is given to you in order that you may know what is expected of you on parole." Then follow instructions as to employment, places of residence, reporting to the parole officer, companions to be kept, etc.—the various subjects that are usually embodied in instructions to parolees.

The matter does not rest there, however. The person about to be released on parole is required to pass a written examination on this folder. Not only is it thus ascertained whether the offender knows what is expected of him while he is on parole, but often times the written answers to these examinations supply additional information concerning the offender's abilities, interests, etc.

The plan of the Central Parole Bureau is to organize even more effective "parole classes" which each inmate will be required to attend while in the institution. These classes will be as much a part of his training as his academic or vocational work. How to stay healthy on parole; how to keep a budget; motor vehicle laws; questions of citizenship—these are some of the topics that will be taught in such classes.

Copies of "Parole Duties" and the examination papers just mentioned are attached at this point to this report.

Where the Psychologists and Psychiatrists Come From

As to where New Jersey gets the services of psychologists and psychiatrists to carry out the work of the classification committees, the answer is as follows:

The psychiatrists used are those on the staff of the Mental Hygiene Department of the State Hospital (for the mentally ill) at

Trenton. This hospital, like other publicly supported institutions, is under the jurisdiction of the Department of Institutions and Agencies. The psychiatrists give a certain amount of time to the various institutions. Roughly, the amount given to the correctional institutions is as follows: State Prison, time of one psychiatrist for one and one-half days a week; Rahway Reformatory, one day a week; Reformatory for Women, one day a week; Reformatory for Men at Annandale, one day a week; State Home for Boys, one day a week; State Home for Girls, formerly there was a resident psychiatrist on the staff of the Institution but now it receives only visits from a woman psychiatrist.

The situation with respect to psychologists is different. Every one of the above-mentioned institutions has a resident psychologist on the staff. This, of course, is an amount of psychological service that few states can boast of for their institutions as a whole.

Not only that, but the State Home for Boys has *two* resident psychologists.

Criticisms of the Classification System and Its Application

If one were to try to formulate criticism of the procedure that has just been described, one would probably mention the following points:

(1) In going over the case records, it seems that less is done than might be done to uncover fundamental or motivating causes of crime in the individual. With such genuine attention to the individual, it would seem that something more thorough-going in this respect might be attempted. As a matter of fact, it is seldom that the psychiatrist, the psychologist or any one else gets at experiences in childhood, or particular mental or developmental situations, which really appear to bear a casual relation to the beginnings of delinquency. Such information is frequently of use in treatment. One reason for this lack is of course the deficiency in personnel.

(2) Therapeutic treatment by psychiatrists is seldom resorted to. The diagnosis of psychiatrists, while useful, are a bit too general and superficial. The resources of psychology in the alteration of behavior or personality trends have not been adequately developed.

(3) As already stated, Annandale has not yet developed the classification procedure to the point which is obviously desirable for the more hopeful selections out of a Reformatory population.

(4) The program of institution building in New Jersey, while it has added a prison farm colony (Leesburg) and a reformatory

without walls (Annandale), still retains the century-old, obsolete state prison in Trenton and the forbidding construction at Rahway. The latter, named a reformatory, is really built on the typical, prison, cell-block plan. This interferes with as varied an institutional program as might be developed.

(5) Investigations of the home, social and environmental situations of offenders are less adequate, it would seem, than one might reasonably expect—in view of the general purpose, spirit and policy of the New Jersey program. These investigations are made by parole officers attached to the Central Parole Bureau, who, as we shall see, are for the most part carrying too large a load. That is the explanation of their comparative deficiency. A larger number of parole officers would help to remedy the defect.

Nothing stated here by way of criticism is intended to take away from the fundamental fact that New Jersey has a parole program and methodology that seem to be more thoroughly thought out and firmly established than those of any other state in the United States.

IV. SUPERVISION OF OFFENDERS ON PAROLE

We have now (1) outlined the organization of the Department of Institutions and Agencies, (2) described the procedure, as recently codified, whereby offenders are put through a course of institutional training preliminary to parole, and told how parole is actually granted to them, and we have (3) given our personal observations of this procedure in operation.

It remains to discuss the handling of the offender on parole—or, as it is usually called, parole supervision.

Where Responsibility for Supervision Lies

Responsibility for supervision of parolees lies in the Central Parole Bureau of the Department of Institutions and Agencies. The only institution excepted from the jurisdiction of this Bureau is the State Prison. As already explained, the Prison has its own department for supervising parolees, and is in no sense subject to the jurisdiction of the Department. This is, of course, an unfortunate situation, for which no remedy (apparently) can be found under present provisions of the law.

In a later section the supervision of parolees from the State Prison is described.

At the outset it should be stated that the custom, with respect to all institutions except the State Prison, is to hold men on parole until the expiration of their maximum sentences. This is quite contrary

to the practice in many states, which is to hold men on parole for only one year. The practice in New Jersey, of course, gives the state a longer opportunity to assist the parolee and to discover whether he is going to make a satisfactory adjustment after his confinement in an institution. At the same time, it should be noticed, as explained later, that the state does not require the same carefulness of supervision in the cases of those parolees who have been out for some time and have appeared to do well but have not completed their maximums.

*First Contacts Between Parole Officers and
the Men They Are Going to Supervise*

When an offender is received at a correctional institution in New Jersey, an investigation is promptly made of his local social and home situation. This study is made by one of the parole officers attached to the staff of the Central Parole Bureau (As will be later explained, these officers are assigned to geographical districts, so that the parole officer who makes the investigation is the same officer who will be charged with supervision of the offender in question, provided he is paroled to his own home and the officer is still working in that district when the offender is paroled.) That is the first contact of the officer with the home of the offender.

Second contact occurs when the offender is about ready for parole. At that time what is called a "pre-parole" investigation of the home is made. This is simply a re-examination of the home situation to discover whether conditions there are such that it may be deemed desirable to parole the offender to his own home. If the officer reports that the conditions *are* suitable, then the offender is commonly paroled to his own home.

This means, in the large number of cases, two contacts between the officer and the offender's home before the individual is placed on parole.

As to the offender himself, the officer makes contact with him at the institution before he is released on parole. When it is known that he is to be released, the officer who will be responsible for supervising him calls at the institution, sees him, talks over the situation, makes sure that he understands his parole obligations—and becomes acquainted with him. It is possible that the officer has also assisted in getting him a job.

Thus practically no prisoner leaves an institution on parole without first having become acquainted with the officer who will supervise him.

The Parole Officers

Let us now consider the staff of parole officers employed by the Central Parole Bureau, who are the parole officers of New Jersey with the exception of the single officer employed by the State Prison.

The qualifications for parole officers recently put into effect are commendably high. Parole officers are under civil service appointment in New Jersey, and the following statement of qualifications was adopted a year or so ago by the Civil Service Commission:

"Education equivalent to that represented by graduates from colleges or universities of recognized standing; standard course in social service; two years' experience as social investigator, or education and experience as accepted as full equivalent by the Civil Service Commission. Knowledge of problems of delinquency, laws governing commitment, care and parole of delinquents; knowledge of approved methods of social case work, investigation ability, thoroughness, accuracy, tact, leadership firmness, good address."

Only two officers have been appointed since the adoption of these regulations. The Assistant Director (in charge of parole), who is the head of the Central Parole Bureau, told me that probably five of the fourteen present male parole officers measure up to these requirements. Some of the others, while not measuring up to them technically, have been engaged in parole work so long that they are good parole officers. Some, on the other hand, are not considered satisfactory officers, and the aim of the Bureau is to raise the standards of its personnel.

As just stated, the number of officers is twenty, of whom fourteen are men and six are women. The women are under the direction of a Supervisor of Work with Women. Assignment is to geographical districts, which means that an officer has a particular territory as his field of operations, and that all parolees who live in that district are under the supervision of the officer for the district. This leads to certain questionable results, which will be mentioned in a moment. Exceptions, it should be noted, are that all female parolees are supervised by women officers and all male parolees by male officers. Also four of the men officers specialize; one (white) and one (colored) in supervising juveniles; one (white) and one (colored) in supervising adults.

Persons on parole from other than correctional institutions are also under the supervision of these officers of the Central Parole Bureau. For example, on December 31, 1930, one officer had under supervision 58 boys from the State Home for Boys, 68 parolees from

the Rahway Reformatory, 30 from the Annandale branch of the Reformatory, 4 parolees from the New Lisbon Colony and the Feeble-minded, one from the Woodbine Colony for the Feeble-minded, and 4 from the Training School for the Feeble-minded at Vineland. Thus, this officer had boys from the State Home, youthful offenders from the reformatories, and feeble-minded persons. A serious question concerning specialization may arise here. The number from the institutions for the feeble-minded is small, but it is worth noting that an officer who might supervise persons of normal intelligence well might not do nearly so well with the feeble-minded. Equally serious, conceivably, might be the situation of an officer who could be of excellent influence with boys of nine, ten and eleven, but who might possess a personality which would make supervision of young men of twenty and twenty-five very difficult.

This is one of the results of assignment to geographical districts, a policy which has developed, probably, both from considerations of economy and from the lack of parole officers. On the other hand, if an officer works in a given district he comes to know that district very well, and probably is better able to solicit and receive the co-operation of the welfare, recreational, educational, industrial and religious agencies of the community.

In this connection, it should be noted, however, that some of the parolees from the correctional institutions are feeble-minded and that therefore officers having only parolees from those institutions might also be called upon to supervise both persons of subnormal and normal intelligence. It should also be noted that arrangements have recently been made, and are gradually going into effect, whereby the institutions for the feeble-minded will have their own social workers and will supervise their own parole cases.

Seven officers have the use of automobiles provided by the State, and two possessing their own cars, use these at State expense.

Parole officers in New Jersey receive at present the following salaries: men, \$2,100 (minimum) \$3,000 (maximum); women, \$1,440 (minimum) to \$2,400 (maximum). Whatever may be said of the men's salaries, it is pretty clear that people of sufficient maturity and experience cannot be obtained at the beginning women's figure.

Case Load of Officers

It ought to be stated that it is a definite policy of the Central Parole Bureau to supervise persons on parole more intensively during the early part of their parole period than during the latter. As ex-

plained, parolees are commonly held on parole until the expiration of their maximum sentences. This means that some persons are kept on parole for a period of years. Obviously, if a person goes along doing well, adjusting to the responsibilities of his life, and coming into no conflict with the law, the supervision of his officer may be relaxed, and the time thus gained given to persons more recently released from correctional institutions.

Thus, it is the definite policy of the Bureau to place persons on what is called quarterly supervision after they have appeared to do well for a time, next on semi-annual supervision, and finally to give them "conditional release", which means that they are still on parole but do not have to report and, if it is discovered that they have violated the conditions of their parole, they may be restored to active parole or even returned to the institution.

Also, it is not uncommon for offenders to be placed on what is called "three months' trial", which means that they are given a "trial" parole for three months, and if they do well are then given another three months' trial or put on regular parole.

The following table shows the case load of parole officers on December 31, 1930:

CASE LOAD PER OFFICER, DECEMBER 31, 1930						
(Taken from Monthly Statistical Report of Central Parole Bureau of New Jersey)						
Officer	Active Cases	3 Mos. Trial	Quarterly	Semi-Annual	Con- ditional Release	Total Cases
(Men)						
A	138	3	16	8	33	198
B	114	9	42	12	30	207
C	125	..	10	11	3	149
D	240	12	24	17	43	336
E	68	..	11	11	5	95
F	123	3	15	3	10	154
G	81	2	45	16	9	153
H	60	6	55	15	7	143
I	83	1	40	8	12	144
J	251	4	41	12	22	330
K	58	2	60
(Part Time)						
L	102	1	12	4	..	110
M	73	7	2	1	4	87
N	122	8	8	4	45	187
(Women)						
O	24	..	4	3	..	31
P	40	..	3	7	..	50
Q	47	..	7	5	..	59
R	33	..	7	10	..	50
S	51	..	5	9	..	65
T	44	..	8	52
Total (men and women)						2660

Active cases are those requiring monthly supervision or visits still more frequently. The "three months' trial" cases ought really to be included among the active cases. Adding the three months' trial cases to the active cases therefore, we observe that the highest load of cases requiring monthly or more frequent supervision is that of J, with 255 cases, and the lowest is that of O, with 24 cases. (O has an unusually heavy load of home and pre-parole investigations.) D has 252 cases, A 141, N 130, etc.

In addition, all the officers have cases calling for quarterly or semi-annual supervision. The column at the right shows the total number of cases under each officer's supervision. From this table may be seen at a glance just what the case load situation is in New Jersey.

It is generally considered that the load of active cases of a parole officer ought not to exceed between 50 and 75. On that basis the loads of 11 of the 14 men are excessive, some of them most emphatically so. The situation is modified a bit by the fact that the heavy case loads, in general, are in urban districts, with good transportation, and the smaller loads in areas covering greater extent.

It will be noticed that case loads of the women are much smaller than those of the men. There seems to be an idea in New Jersey that parole work with women is a much more painstaking and time-consuming occupation than parole work with men, but there is no proof that this is true—and if the parole work with men were equally well done, it might be discovered that such work requires as much time as parole work with women.

It will be shown later that the percentage of violations is much smaller among persons paroled from the reformatory for women than among persons paroled from the institutions for men and boys. One is tempted, of course, to conclude that the smaller case load borne by women parole officers is one of the causes of this situation. New Jersey quite obviously needs a larger number of male parole officers.

The total at the bottom of the right-hand column is not the total number of persons on parole in New Jersey, for the statistical reports of the Central Parole Bureau show also parolees under arrest, those serving with U. S. Military and Naval Forces, and those "missing". Since these do not constitute part of the actual case load of the officer, they are not included here.

Not all of the cases in the table above, it should be remembered, are parolees from correctional institutions, but as the number of parolees from the three institutions for the feeble-minded is com-

paratively small, it has not been separated from the others in this table.

General Considerations

In New Jersey parole is consciously regarded as a part of the inmate's sentence. It is a vital part of that therapeutic process which is begun when the judge sentences him to an institution and which ends when he is finally discharged from control and custody. It is not simply a *way* of getting a person out of an institution. For this reason, institutional careers are frequently cut short for the express purpose of supplying a period of adjustment, while the State will still have control over the individual, but in the course of which he can demonstrate his fitness or unfitness for law-abiding life.

This has been stated as follows by Mr. Kite, head of the Central Parole Bureau:

"Experience has shown that by keeping an inmate too long there is grave danger of completely breaking down his morale so that he becomes embittered and anti-social in his feelings. Mere length of time spent in an institution is not an indication that the inmate is being fitted for release . . . It is generally agreed among those who deal with offenders, that parole in principle is the best known method to assist in the rehabilitation of individuals who have been subjected to a period of custodial care and training . . . The parole plan protects the delinquent against conditions which caused his initial mistake. It also renders him less liable to become the victim of exploiting by unscrupulous persons—something to which ex-inmates of correctional institutions are particularly liable. In addition the family is assisted socially and financially by the return of the absent member who is often the main support of the household, and who, if a parent, is frequently a needed stabilizing force in the family unit."

Offenders are not always paroled to their own homes. If the pre-parole investigation shows the home to be unsuitable, the officer is asked to find a placement. By placement is meant a suitable home in which to live, other than the home of the offender's parents, together with an appropriate job. There are approximately 450 parolees on placement in New Jersey at present.

Routine periodical or monthly reporting is not demanded of all parolees. In fact, routine reporting by the parolee to his officer is made use of chiefly as a disciplinary measure in individual cases. It is upon the officer's visits to the parolee that chief reliance is placed for satisfactory supervision.

Probation has been widely enough adopted by New Jersey courts to cause a change in the type of offenders received in the state correctional institutions. Officials of the Department of Institutions and Agencies say that a *bona fide* first offender is rarely received nowadays, unless guilty of a serious charge, and also that the adventurous, mischievous, easily led boy or girl of normal intelligence is not to be found in the reformatories in large numbers. These types of offenders have been considerably weeded out of the institutions by probation.

As a general policy no inmate of working age is released without suitable employment awaiting him. If parents or friends cannot find work for the prospective parolee; it becomes the duty of the officer to do so. In every case, however, the position or job is investigated and approved by the officer before the release of the inmate. It is generally understood that an effort will be made to find work of the sort followed by the inmate in the institution. According to the reports of the parole officers in January, 1930, when considerable unemployment existed, 63% of the parolees of working age were either regularly or irregularly employed. 25% were unemployed. Information regarding the remaining 12% was not available.

Supervision in Monmouth County

In Monmouth County the supervising of parolees is delegated to the Monmouth County Organization for Social Service. This means that the parole officers of the Central Parole Bureau have no responsibility for the supervision of parolees in Monmouth County. The Public Relations Committee of this organization holds its executive secretary responsible for the supervision of all parolees. As a matter of fact, this secretary is directly in charge of the older Jamesburg boys, the feeble-minded and parolees from Rahway and Annandale, while the health director of the organization (a trained nurse) is in charge of the younger boys from Jamesburg and the women parolees. On May 1, 1930, the number on parole in Monmouth County was 95. Mr. J. L. Montgomery, the executive secretary referred to, has qualified as a senior state parole officer under civil service regulations.

Percentage of Violations

The following table has been prepared by the Central Parole Bureau as showing the percentage of known parole violators in the course of the year 1929:

Inst.	Total on parole during 1929	Recom. by Court to Inst.	Com. to other Inst.	Returned for violation parole duties	Missing	Return Shelter or Medical Care	Total No. Violators	Per Cent Violators of Total on parole
Rahway	2087	71	88	85	223		467	22.4%
Annandale	164	0	5	13	4		22	13.4%
Jamesburg	1795	16	58	81	92		247	13.8%
TOTAL MALE	4046	87	151	179	319		736	18.2%
Clinton Farms	241	0	2	11	3	1	16	6.6%
Girls' Home	343	0	1	30	12	3	43	12.5%
TOTAL FEMALE	584	0	3	41	15	4	59	10.0%

It will be noticed that the "missing" are included among parole violators. Technically, all "missing" *are* parole violators, but it is possible that some of those whose whereabouts are not known are, in fact, doing well but deliberately become missing in order to forget the past and begin life anew away from their old environment. Others of the missing may not be doing well, or may even be in other penal or correctional institutions under aliases.

If the figures in the above table can be accepted as accurate, it is obvious that 18.2% of the male parolees are known violators, and 10% of the female. By institutions the percentage ranges from 22.4% at Rahway, to 6.6% at Clinton Farms. It seems to be up to Rahway to reduce its percentage of parole violators.

In New Jersey, as elsewhere, such percentages as those just quoted represent only *violations actually known to the paroling authorities*. There is always the probability that some violations are unknown, and the further probability that some of those who do well, so long as they are on parole, will later again come into conflict with the law. It is unsound, therefore, to regard percentages of this kind as constituting the figures of "failures" and "successes". New Jersey does not make this error, and puts forth these figures simply as representing the *percentage of known violators*.

Cost of Parole

It is always interesting to compare the cost of parole with the cost of institutional care. During the fiscal year 1929, according to the Department of Institutions and Agencies, \$1,090,442.16 was expended by the five correctional institutions for maintenance; the per capita cost is declared to have been \$562.10 a year, or \$1.54 a day per inmate.

During the same period the Central Parole Bureau had 4,110 persons on parole. The cost of maintaining the Parole system is declared to have been \$85,000. The cost of supervising a parolee for one year, therefore, was \$20.43, or 5½¢ per day.

"In other words", concludes the Department, "the Parole Bureau took care of 27½ cases on parole during 1929 for the same amount that it costs to keep one inmate in an institution."

V. THE PAROLE SITUATION AT THE STATE PRISON

So far, we have not discussed the parole situation at the State Prison at Trenton.

We have made clear that, because the office of Principal Keeper (warden) of the Prison is established by the State Constitution, the Prison is less subject to the jurisdiction of the Department of Institutions and Agencies than the other institutions for offenders. Under the present management at the Prison, the classification procedure (really a procedure for outlining programs for individual inmates) is followed to a considerable extent at the Prison, which is tribute both to the intelligence of the prison staff and to the diplomacy of the Department of Institutions and Agencies.

Actual supervision of parolees from the Prison is entirely outside the jurisdiction of this department, and therefore of the Central Parole Bureau. This, of course, is an anomalous and quite undesirable situation. There is no more reason why the Prison should be outside this jurisdiction (and influence) than the Reformatory for Men, the Reformatory for Women, or the State Home for Boys. Nevertheless, it remains a fact that the Central Parole Bureau has nothing to do with the supervision of parolees from the State Prison, and that such supervision is wholly subject to a staff and policies set up by the prison itself.

Indeed, the Prison as a whole ought to have just the same relation to the Department of Institutions and Agencies that the other correctional institutions have. Being the state prison, it is in a way perhaps the best known of all the institutions, and its work and example count for a good deal. It ought to be within the family of institutions. Intimations are heard that appointments to the staff of the prison remain among the few "plums" still available to the politicians, and that this is at least one reason why the prison has not been brought more closely under the Department. If that is so, of course, it merely means that politics is interfering in this particular respect with the best development of the whole group of institutions.

We have already explained that 1927 legislation requires judges

to give definite, fixed sentences to men committed to the State Prison. There still remain of course, many men committed prior to 1927, whose sentences are not fixed but who have both minimums and maximums. There are two paroling authorities at the Prison, and only one of these has power to parole persons committed under fixed sentences.

One of the paroling authorities, of course, is the Board of Managers, which is the final paroling authority at all of the institutions, and the other is what is called the Court of Pardons (of the State of New Jersey).

Men who have sentences with minimums and maximums can be paroled by both authorities, and men who are serving time under flat, definite sentences can be paroled only by the Court of Pardons. The Court of Pardons, thus, is in a position to parole more men than the Board of Managers. Indeed, the Board of Managers will presently be unable to parole anybody, since (in view of the 1927 legislation) the time will arrive when there will be nobody in the Prison serving time with a minimum and maximum, unless the legislation is repealed.

Court of Pardons—The Court of Pardons is composed of the Governor, Chancellor and the judges (six in number) of the Court of Errors and Appeals. This body meets only twice a year. It can parole anybody it sees fit, prisoners who apply to it for parole and those with respect to whom it may initiate parole proceedings. Its power of parole is to be distinguished from its power of *pardon*—a totally distinct power. Parole power, however, is a real power of this body, for in the year ending June 30, 1930, it paroled 152 men.

Board of Managers—Although there is a classification committee at the Prison, the classification committee does not function in respect to parole. Recommendations concerning parole reach the Board of Managers by other channels. A prisoner who has both a minimum and maximum (i. e., a prisoner sentenced prior to 1927) is eligible to parole by the board of managers when his minimum has expired, minus whatever reduction he may have earned for "good time". Periodically a list of such persons is sent to the physician, psychologist, psychiatrist, Principal Keeper and other members of the staff, and each submits a recommendation concerning the parole of that individual.

These recommendations go to what is called the parole committee. This (at the Prison) consists of the Principal Keeper, parole agent, psychologist and the physician. This committee submits its recommendations to the Board of Managers, and the decision of that body is final. (As at the other institutions, the Board of Managers

ordinarily accepts without questions the recommendations *concerning parole* submitted to it.)

As evidence that the Board of Managers at the Prison is ceasing to be important so far as parole is concerned, it is cited that only nineteen men were paroled by it in the year ended June 30, 1930.

Supervision of Men Paroled from the Prison—The staff of the parole department at the prison consists of a single parole agent and a woman secretary. The agent is a Civil Service employee. At the time of my visit (December, 1930) the number of persons on parole from the State Prison was 347, of whom approximately 100 lived outside the State, thus leaving him a case load of 250 cases. With the whole state to cover and without any car, he obviously could not engage in anything like adequate supervision of these cases.

The agent stated to me that he was able to make visits in connection with each case about once every two months *on an average*. These visits are not always calls upon the parolee himself, but may be merely visits to the home, a relative, or some other place, merely for the purpose of gaining such information as visits of that kind would produce. "In Newark, I can make visits in connection with 30 cases a day," he said. There seems little doubt that he is not establishing that kind of contact with his parolees which constitutes satisfactory parole supervision.

Clearly, the parole work of the State Prison ought to be brought under the Department of Institutions and Agencies, like that of the other correctional institutions of the state.

VI. FINAL COMMENTS

We have reviewed the administrative set-up of the Department of Institutions and Agencies, the machinery by which this central department undertakes to individualize the treatment *in institutions* of all offenders, the relation between parole and preceding life in the institution, the machinery by which parole decisions are reached, and the staff, purposes and policies of the supervising department.

It is obvious that New Jersey has thought through the problem of parole, as a final end of incarceration, in a manner which few states have done. It is obvious that she has attempted to devise a technique whereby *every correctional institution in the state* will adopt uniform policies in bringing to bear upon the welfare of individuals the resources of modern social, medical and psychological inquiry and knowledge. The procedure is at work. *We have not attempted to evaluate the results.* But a study of the results, if it could be made, would no doubt be worth while.